



Report Reference Number: C/21/9

To: Council
Date: 21 December 2021
Ward(s) Affected: All
Author: Alison Hartley, Monitoring Officer and Solicitor to the Council
Lead Officer: Alison Hartley, Monitoring Officer and Solicitor to the Council

Title: Report of the Monitoring Officer 2021 – Standards Arrangements

Summary:

This report covers the operation of the current standards regime for Selby District Council and Parish Councils (which include Town Councils) within Selby District. It considers the complaints history and concludes that the arrangements are satisfactory and meet legal duties. Managing the continuing impacts of Covid this year together with Local Government Reorganisation and electoral management has inevitably diminished the Monitoring Officer's time resource available to deal with complaints as quickly as she would like. Complaints continue to be processed and considered and the Independent Persons are extremely diligent in responding to consultation. Additional temporary capacity in legal and democratic administrative support has recently been approved and should be in place by 1 January 2022.

Recommendation:

To note the content of the report.

Reasons for recommendation:

To ensure that high standards of conduct by Councillors and co-optees are promoted and maintained.

1. Introduction and background

- 1.1 Under Section 27 of the Localism Act the Council is under a duty to promote and maintain high standards of conduct by Councillors and co-optees. The primary responsibility for the discharge of this duty falls to the Monitoring Officer.
- 1.2 The Monitoring Officer ensures that Councillors are provided with information about what interests must be registered and declared, compiles and maintains

a register of such interests and deals with complaints about the conduct of Councillors when acting in the capacity of Councillor. Under the legislation the District Council Monitoring Officer is also responsible for registering interests for and dealing with standards complaints relating to individual Parish Councillors.

2. The Report

2.1 Nine complaints were received between 1 December 2020 – 30 November 2021. Six of the complaints concerned Parish Councillors and three concerned District Councillors. One of the District Councillor complaints was rejected at assessment stage. One was withdrawn by the complainant. The other District Councillor complaint was resolved locally, with advice given to the Councillor concerned about declaration of interests. Two of the Parish complaints were rejected at assessment stage. Breaches were found in two Parish cases and were resolved locally with apology and mediation advised. One Parish complaint was assessed and found to be a trivial matter between parish councillors and so no further action was taken by the Monitoring Officer. One of the Parish complaints is currently being assessed by the Monitoring Officer in consultation with the Independent Persons.

2.2 By way of comparison, in 2020 ten complaints were received (between 1st December 2019 – 30 November 2020). Eight of the complaints concerned Parish Councillors. One of the District Councillor complaints was rejected at assessment stage. The other District Councillor complaint was resolved locally, with a public apology given. Four of the Parish complaints were rejected at assessment stage. The other four unresolved complaints from 2020 were concluded in 2021. In three of the complaints it was found that there were breaches and these were resolved locally with an apology and mediation advised. No further action was taken in respect of the other complaint as the subject member resigned.

3. Implications

3.1 Legal Implications

The Council should take positive steps to discharge the s 27 duty. The report indicates that the duty is being discharged correctly and increased administrative resource has been approved to assist the Monitoring Officer to improve timeliness in processing the complaints arrangements.

4.2 Financial Implications

There are no financial implications as a direct result of this report – the additional resources referred to are being met from the existing corporate capacity contingency.

4.3 Policy and Risk Implications

None.

4.4 Corporate Plan Implications

None.

4.5 Resource Implications

None.

4.6 Other Implications

None.

4.7 Equalities Impact Assessment

None.

5. Conclusion

That the regime is operating effectively.

6. Background Documents

None

7. Appendices

Appendix A – Standards Report 2021

Contact Officer:

Alison Hartley, Solicitor to the Council and Monitoring Officer
Selby District Council
ahartley@selby.gov.uk