

# REPORT TO ENGAGEMENT P.D.G.

**REPORT OF: CHAIRMAN OF THE STANDARDS COMMITTEE – Mr. Chris Holtom CBE**

**REPORT NO: LDS069**

**DATE: 24<sup>th</sup> May 2012**

<b>TITLE:</b>	MEMBERS CODE OF CONDUCT AND ARRANGEMENTS FOR DEALING WITH COMPLAINTS	
<b>KEY DECISION OR POLICY FRAMEWORK PROPOSAL:</b>	Not applicable	
<b>PORTFOLIO HOLDER: NAME AND DESIGNATION:</b>	Councillor Paul Carpenter Governance and Communications Portfolio Holder	
<b>CONTACT OFFICER:</b>	Lucy Youles – Head of Legal and Democratic Services. <a href="mailto:l.youles@southkesteven.gov.uk">l.youles@southkesteven.gov.uk</a> Tel:01476 406105	
<b>INITIAL IMPACT ASSESSMENT:</b>	Carried out and Referred to in paragraph (7) below	Full impact assessment Required: N/A
<b>Equality and Diversity</b>		
<b>FREEDOM OF INFORMATION ACT:</b>	This report is publicly available via the Your Council and Democracy link on the Council's website: <a href="http://www.southkesteven.gov.uk">www.southkesteven.gov.uk</a>	
<b>BACKGROUND PAPERS</b>	Localism Act 2012 The Constitution	

## 1. RECOMMENDATIONS

It is recommended:-

- 1.1 the Engagement Policy Development Group consider the provisions for a draft Members' Code of Conduct and arrangements for dealing with complaints about Members as recommended by the Standards Committee and detailed in the Report to Standards Committee – LDS 068 attached as an Appendix to this report ; and
- 1.2 It makes recommendations to the Chairman of the Standards Committee for further provision if required to propose to Council for adoption.

## 2. PURPOSE OF THE REPORT

The purpose of the report is to set out draft proposals for a members' code of conduct and arrangements for dealing with complaints about members which are to be considered by the Standards Committee at its meeting on the 18<sup>th</sup> May 2012. Members are asked to consider the proposals to assist the recommendation to Council for adoption.

### **3. DETAILS OF REPORT**

Members have previously received reports relating to the changes proposed by the Localism Act 2012. It is proposed that the current provision relating to the statutory Members' Code of Conduct and arrangements for dealing with complaints are revoked and replaced with local provision. South Kesteven District Council has been working with all the other councils in Lincolnshire to produce a consistent approach. The draft proposals to be made to the Standards Committee are detailed in the Report to Standards Committee - LDS068 attached to this report as the Appendix. This report will be considered by the Standards Committee at its meeting on the 18<sup>th</sup> May 2012. At the time of writing this report, that meeting has not yet taken place.

Members will receive a verbal report on the deliberations at Standards Committee.

### **4. OTHER OPTIONS CONSIDERED**

The Standards Committee could make recommendations direct to the Council for adoption. The Engagement PDG had previously agreed to assist the Standards Committee with its consideration of a new code and arrangements.

### **5. RESOURCE IMPLICATIONS**

New proposals for Standards arrangements are required in accordance with the Localism Act. A consideration of any proposal will be that arrangements can be serviced within the current budget framework.

### **6. RISK AND MITIGATION**

There is a risk that arrangements will not be settled in readiness for statutory deadlines. Regulations have not yet been made and proposals may not cover all matters to be determined by subsequent regulations. These risks have been mitigated by the work already done in compliance with the legislation as enacted.

### **7. ISSUES ARISING FROM EQUALITY IMPACT ASSESSMENT**

An initial analysis of the equality impact has highlighted that proposed draft codes do not adequately cover provision for respect for all and equality issues.

### **8. CRIME AND DISORDER IMPLICATIONS**

There are no crime and disorder implications relating to the proposals.

### **9. COMMENTS OF FINANCIAL SERVICES**

The proposals recommend change from current arrangements which should have no impact on the current budget provision made.

**10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES**

The Monitoring Officer has been involved with and advised the Standards Committee working group throughout its consideration of proposals. The Standards Committee make these proposals in anticipation of making a report to Council as soon as practically possible.

**11. COMMENTS OF OTHER RELEVANT SERVICES**

None applicable

**12. APPENDICES:**

Report to Standards Committee – 18<sup>th</sup> May 2012 – LDS068