



**Standards committee
12 February 2019**

ITEM 6

Report sponsor: Strategic Director of Corporate Resources
Report author: Interim Monitoring Officer

INTERIM MONITORING OFFICER PROGRESS REPORT 2018/19

Purpose

- 1.1 This report provides a summary of progress on cases dealt with under the new local standards regime, together with commenting on the operation of the new regime in its first year.

Recommendation(s)

- 2.1 To note the experience of the operation of the new regime and that no changes be made to it, other than as recommended in a report elsewhere on this agenda, until further experience suggests it is necessary.

Reason(s)

- 3.1 The summaries of cases are reported in an exempt appendix for noting. The new regime is working well and there is a reduction in the number of unnecessary or politically motivated complaints.

Supporting information

- 4.1 The Interim Monitoring Officer was formally appointed in April 2018 on a part-time 40% FTE basis. The Council's annual meeting, in May 2018, approved substantial changes to local procedures for handling standards complaints in the light of dissatisfaction with the proliferation of, and nature of, complaints under the previous regime.
- 4.2 To date during year 2018/19, three standards complaints have been received and dealt with under the new regime. This is a substantial reduction from previous levels of complaints. A summary of each complaint and its outcome is contained in an exempt appendix.

- 4.3 Within the new procedures is an ability to refer a complaint to the subject councillor's (i.e. the councillor who is the subject of the complaint) political group where it is considered that the complaint may be politically directed. During the year to date, the handling of complaints did not require such referrals, as earlier decisions of the Monitoring Officer, following consultation with the Panel of Independent Persons, resulted in dismissals of the complaints or other local resolution. Notwithstanding this, the Interim Monitoring Officer does consider this to be an innovative and valuable tool within the procedure which may be particularly effective if politically directed complaints return to previous levels.
- 4.4 Trend evidence from three cases should carry little weight but it is worth noting that all the cases involve complaints about comments made by councillors and 2 of the 3 concern comments on social media. The Interim Monitoring Officer has recent experience in this role with other councils and considers that this is a growing trend. Although social media may be very valuable in providing immediate and interactive engagement with the public, councillors should always consider their comments carefully when using it. It is understood that training on appropriate use of social media will form part of this year's councillor induction programme.
- 4.5 The new procedure involved the use of a Panel of four Independent Persons. The Panel provided effective support to the Monitoring Officer through use of group e-mail exchanges, telephone conferencing and face to face discussion. The availability and use of such flexible contact overrode any initial perception that the views of the Panel may be difficult to co-ordinate. The Panel were, individually, prepared to engage with any initial views and provide constructive challenge and suggest fresh lines of inquiry.
- 4.6 In conclusion, the Interim Monitoring Officer considers the new regime was innovative in its intent to reduce the number of politically motivated/associated complaints. There is insufficient evidence to conclude yet that the new regime has achieved that objective as the reduction in complaints could, equally, be driven by other local factors. The Panel has proved a useful mechanism to provide constructive challenge within the procedure. The procedure has worked effectively within its first year of operation but on a low level of complaints. As a procedure, it is quite complex, but the level of work, to date, has not placed any strain upon it. It is suggested that it is retained and reviewed in the light of more experience of its operation.

Public/stakeholder engagement

- 5.1 None.

Other options

- 6.1 None.

Financial and value for money issues

7.1 Dealing with the current level of complaints was sustainable for the Interim Monitoring Officer, who was working on a part-time, two days per week basis. The new Monitoring Officer is full time but has a wide portfolio of leadership and managerial responsibilities. Any reversion to previous levels of complaints could give rise to capacity issues for this service area.

Legal implications

8.1 Section 5 of the Local Government and Housing Act 1989 requires the Council to designate one of their officers to act as the Monitoring Officer, a role which carries a range of responsibilities, including dealing with complaints made under the Council’s local standards regime.

Other significant implications

9.1 None.

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal Finance Service Director(s) Report sponsor Other(s)	Alex Hough - Acting Head of Democracy	04/02/2019
Background papers: List of appendices:	None. Appendix 1 – Standards Regime Case Summaries 2018/19 to Date (see Item 8)	