

STANDARDS COMMITTEE

PROCEDURE FOR CONSIDERING ALLEGATIONS OF BREACH OF THE COUNCIL'S PROTOCOLS 18th June 2009

Report of the Monitoring Officer

PURPOSE OF REPORT

To enable the Committee to consider whether or not to amend its procedure for dealing with complaints of breach of the Council's protocols.

This report is public

RECOMMENDATIONS

(1) That the Committee consider whether or not to amend its procedure for dealing with complaints of breach of the Council's Protocols.

1.0 Introduction

1.1 A report considered by the Committee at its meeting in June 2008 is attached to this report.

1.2 Having considered that report, the Committee resolved that any allegations of breach of the Council's Protocols continue to be investigated by the Monitoring Officer, with her report then being referred to the Standards Committee (or a Sub-Committee) in accordance with the investigation, pre-hearing and hearing procedures adopted by the Committee for Code of Conduct complaints. The Committee further resolved that this be reviewed after twelve months. Minute 11 refers.

2.0 Proposal Details

2.1 No allegations of breach of Protocol have been received in the last twelve months, and the options open to the Committee remain as set out in paragraphs 2.1 and 2.2 of the previous report.

2.2 The Monitoring Officer remains of the view that it would be simpler and preferable for the time being to continue as at present, with the Monitoring Officer investigating any complaint of alleged breach of Protocol, and the report then being considered in accordance with the investigation, pre-hearing and hearing procedures. To have a parallel, but inevitably different, assessment process for Protocol complaints would appear to be unnecessarily bureaucratic.

3.0 Details of Consultation

3.1 There has been no consultation.

4.0 Options and Options Analysis (including risk assessment)

4.1 The options open to the Committee are to maintain the current procedure or to introduce a filtering process for allegations of breach of Protocol.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

None arising from this report.

FINANCIAL IMPLICATIONS

None directly arising from this report.

SECTION 151 OFFICER'S COMMENTS

The Section 151 Officer has been consulted and has no further comments.

LEGAL IMPLICATIONS

None directly arising from this report.

MONITORING OFFICER'S COMMENTS

The report has been prepared by the Monitoring Officer in her capacity as adviser to the Standards Committee.

BACKGROUND PAPERS

None

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