

ETHICAL GOVERNANCE AND PERSONNEL COMMITTEE
18 FEBRUARY 2015



Hinckley & Bosworth
Borough Council

A Borough to be proud of

REVIEW OF COMPLAINTS PROCEDURE IN RELATION TO THE
MEMBER CODE OF CONDUCT

REPORT OF MONITORING OFFICER

WARDS AFFECTED: ALL WARDS

1. PURPOSE OF REPORT

- 1.1 To seek members approval of the revised procedure for use with complaints received about members and the Code of Conduct

2. RECOMMENDATION

- 2.1 That Ethical Governance and Personnel Committee endorse and recommend to Council the approval of the revised procedure for complaints regarding members and the Code of Conduct as attached as Appendix 1.

3. BACKGROUND TO THE REPORT

- 3.1 The current procedure has been in place since 1 July 2012, when it became effective, along with the Code of Conduct.
- 3.2 Since that time, there has been some frustration expressed about how it can be applied in practice. Whilst this may be relative only to the complaints received in that period, members requested that the procedure be reviewed to allow more flexibility for their decisions, particularly where there has been a finding of no breach of the Code of Conduct.
- 3.3 The revised procedure at Appendix 1 has incorporated the views expressed by members at previous Committee meetings.

4. FINANCIAL IMPLICATIONS [IB]

- 4.1 None.

5. LEGAL IMPLICATIONS [EH]

- 5.1 The Localism Act 2011 required the Council to adopt a Code of Conduct, but the Council has a number of options as to the exact format for the Code, the system to receive and process complaints, the involvement of the Independent Person and whether to have a Committee to oversee this work or not. This is as a result of the Act giving Local Authorities the ability to establish their own local arrangements for handling complaints against councilors.

6. CORPORATE PLAN IMPLICATIONS

- 6.1 As the procedure affects all members, it impacts on all of the Corporate Plan.

7. CONSULTATION

- 7.1 Ethical Governance and Personnel Committee

8. RISK IMPLICATIONS

8.1 It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

8.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

9. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

9.1 Impact on all Councillors (including Parish) and members of the community.

10. CORPORATE IMPLICATIONS

10.1 By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Human Resources implications
- Planning Implications
- Voluntary Sector

Background papers: None

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