

SLOUGH BOROUGH COUNCIL

REPORT TO: Audit & Corporate Governance Committee

DATE: 8 March 2018

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WARD(S): All

PART 1 **FOR INFORMATION**

SCHEDULE OF ACTIVITY – COUNCILLORS’ CODE OF CONDUCT

1 **Purpose of Report**

The purpose of this report is to update members of the Committee on the activity undertaken by the Council’s Monitoring Officer in relation to the Councillors’ Code of Conduct.

2 **Recommendation(s)/Proposed Action**

The Committee is requested to note details of the report.

3. **The Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan**

The delivery of all these strategic priorities is dependent on the highest possible standards of openness, honesty and accountability. This is underpinned by The Confidential Whistleblowing Code, the Councillors’ Code of Conduct and good governance arrangements being in place.

4 **Other Implications**

(a) **Financial**

There are no financial implications arising from this report save as may be identified below.

(b) **Human Rights Act and Other Legal Implications**

The law relating to Councillors’ conduct is contained in the Local Government Act 2000.

(c) **Equalities Impact Assessment**

There is no identified need for an EIA arising from this Report.

5 Supporting Information

- 5.1 Since the last report to the Committee upon this subject on 11 October 2017 the revised Councillors' Code of Conduct, which was considered by the Committee on that date, has been approved by the Council at their meeting on 19 December 2017. The revised Code as approved by the Council is appended to this Report
- 5.2 At their meeting on 19 December 2017 the Council designated Mr. Hugh Peart to be the Council's Interim Monitoring Officer with effect from 1 January 2018 and Linda Walker the previous Interim Monitoring Officer has now left the Council.
- 5.3 The new Monitoring Officer and Deputy Monitoring Officer have now reviewed the complaints records and have met with Dr Lee, the Independent Person, to appraise him of the outstanding complaints and of actions taken in respect of them to date and of the intended actions for their resolution.
- 5.4 The following table contains a summary of these outstanding complaints and of the actions / intended actions for their resolution where an outcome is still pending.

Ref	Subject Member – Borough/Parish	Complainant	Code Provision	Action taken/intended action	Outcome
1.	Borough Councillor	Parish Councillor	2.1 – Treating others with respect	Informal Resolution. Monitoring Officer to write to parties informing them of duties of mutual respect under the code and to close matter thereafter.	Matter to be closed.
2	Borough Councillor	Borough Councillor	4.1 - Predetermination and bias Breach of Nolan Principles - Principles 2 -5 2.2 – Bullying and harassment 2.9 – disclosure of confidential information	Formal Investigation already commenced. Final Report awaited. Monitoring Officer to review matters following final report.	To be determined
3	Borough Councillor	Borough Councillor	4.1 Predetermination and Bias Breach of Nolan	Formal Investigation already commenced.	To be determined.

			Principles – Principles 1-3 & 5-6	Final Report awaited. Monitoring Officer to review matters following final report.	
4	Borough Councillor	Councillor Officer	2.1- Breach of duty to treat others, including Council Officers with respect.	Monitoring Officer to seek to resolve complaint informally.	To be determined
5	Borough Councillors	Borough Councillor	2.9 – Disclosure of Confidential Information	Formal Investigation already commenced. Monitoring Officer to review matters following receipt of report of investigation.	To be determined
6	Borough Councillor	Borough Councillor	2.4 – Breach of duty not to bring the Council or Office as a Member into disrepute.	Formal investigation already commenced. Provisional findings made. Following discussions with Monitoring Officer Complainant wishes to withdraw complaint.	Complaint to be withdrawn.
7	Borough Councillors	Council Officer	2.9 - disclosure of confidential information	Formal Investigation already commenced. Provisional findings made. Monitoring Officer to review matters following receipt of final	To be determined

				report	
8	Parish Councillor	Former Parish Councillor	2.4 – Breach of duty not to bring Council into disrepute. 2.6 – breach of duty to uphold the law including the general law against discrimination.	Monitoring Officer to conduct initial enquiries to consider whether formal enquiry is merited.	To be determined.
9	Parish Councillor	Parish Councillor	2.2 – breach of duty against bullying and harassment	Initial enquiry. Formal Complaint form not returned despite long lapse of time.	Matter Closed
10	Borough Councillor	Former Council Officer	2.1 – breach of duty to treat others, including Council officers with respect. 2.6 – breach of duty to uphold the law	Monitoring Officer to consider prospects for Informal resolution.	To be determined.
11	Borough Councillor	Resident of the Borough	2.1 – breach of duty to treat others with respect. 2.3 – breach of duty not to compromise impartiality of Council Officer 2.5 – breach of duty improperly secure advantage for another person.	Monitoring Officer to consider matters to determine whether formal investigation is merited.	To be determined.
12	Borough Councillor	Borough Councillor	2.1 breach of duty to treat other members respect.	Monitoring Officer to seek to resolve complaint informally	To be resolved informally.
13.	Borough Councillor	Council Officer	2.1 - Breach of duty to treat others with respect.	Monitoring Officer to consider matters to determine	To be determined

			<p>2.4 - Breach of duty not to bring Council into disrepute.</p> <p>2.5 – Breach of duty to uphold law including general law against discrimination,</p>	<p>whether formal investigation is merited.</p>	
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6 **Conclusions**

The Committee is requested to note this report which seeks to summarise the present position with outstanding complaints under the Councillors' Code of Conduct and actions proposed for their resolution.

7 **Background Papers**

None