

**CORPORATE GOVERNANCE COMMITTEE - 23RD SEPTEMBER
2016**

REPORT OF DIRECTOR OF LAW AND GOVERNANCE

**ANNUAL REPORT ON THE OPERATION OF THE MEMBERS' CODE
OF CONDUCT 2015/16**

Purpose of Report

1. This report fulfils the requirement for the Monitoring Officer to report to the Committee on an annual basis on the operation of the Members' Code of Conduct in accordance with a decision of the Committee on 24th September 2012.

Background

2. In the light of the changes introduced in the Localism Act 2011 a new Members' Code of Conduct was adopted at the County Council meeting on 4th July 2012 following prior consideration at the Constitution Committee on 22nd June and the Corporate Governance Committee on 29th June that year.
3. The effect of the changes was to give this Committee responsibility for dealing with matters relating to the Code of Conduct for Members.
4. Detailed arrangements for dealing with allegations against Members were considered by this Committee on 24th September 2012 and a procedure for dealing with allegations was agreed.
5. The Committee received the report on 26th November 2012 to address concerns which had been received as to the steps which could be taken in the event that a Member who had been the subject of complaints processes refused to comply with the outcome of those procedures. Concerns were expressed at the lack of sanctions in the regime for dealing with the conduct of Members in the light of changes to the legislation and the Committee asked that in the event of non-compliance, the Monitoring Officer report the cases to this Committee. To date this situation has not arisen.

Complaints received under the Members' Code of Conduct

6. Since August 2015 there have been five complaints (relating to six members) received by the Monitoring Officer under the Members' Code of Conduct. All of the complaints have been informally resolved or rejected and/or advice has been given on an informal basis.
7. There are no trends in relation to the subject matter or in relation to the members who are subject to complaint.

8. As members will be aware, complaints alleging failure to register a Disclosable Pecuniary Interest are matters for consideration by Leicestershire Police as the Localism Act 2011 has made such failures a criminal offence. No such complaints have been received during the period under review.

Independent persons

9. The term of office for the Independent Persons appointed by the Council expires at the end of September. Interviews have taken place for the appointment and recommendations will be made to the Constitution Committee which is due to meet on 16th September to consider the appointments prior to referral to full Council for the appointments to be made on 28th September 2016. Members will be updated at the meeting on the decision of the Constitution Committee.

Recommendation

10. The Committee is asked to note this Report.

Equality and Human Rights Implications

None.

Background papers

Guide to the Leicestershire County Council Members' Code of Conduct

Leicestershire County Council's Procedure for dealing with allegations of a breach of the Members' Code of Conduct.

Report to the Corporate Governance Committee on 24 September 2012 - 'Arrangements for dealing with Member Conduct Complaints'

Report to the Corporate Governance Committee on 23 September 2014 – 'Annual Report on the operation of the Members Code of Conduct 2013/14'

Circulation under the Local Issues Alert Procedure

None.

Officer to contact

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