

WIRRAL COUNCIL

SCRUTINY PROGRAMME BOARD

8 SEPTEMBER 2011

SUBJECT:	SUMMARY OF COMPLAINTS MADE UNDER MEMBERS' CODE OF CONDUCT
WARD/S AFFECTED:	ALL
REPORT OF:	DIRECTOR OF LAW, HR AND ASET MANAGEMENT
RESPONSIBLE PORTFOLIO HOLDER:	LEADER OF THE COUNCIL
KEY DECISION?	NO

1.0 EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to provide a summary of all the complaints made against Wirral Member(s) that have alleged that the Council's Members' Code of Conduct has been breached.
- 1.2 Due to legal and confidentiality reasons, the level of detail provided in the summary, which is set out in Appendix 1, has been restricted (as necessary).

2.0 RECOMMENDATION/S

- 2.1 The Scrutiny Programme Board is recommended to note the summary of the complaints received by the Council, set out at Appendix 1 to this report, in relation to alleged breaches of the Council's Members' Code of Conduct.

3.0 REASON/S FOR RECOMMENDATION/S

- 3.1 The Scrutiny Programme Board requested details to be provided of all complaints that had been received in relation to the Council's Members' Code of Conduct.

4.0 BACKGROUND AND KEY ISSUES

- 4.1 The Local Government and Public Involvement in Health Act 2007 ("the Act") provides, among other things, for a revised ethical framework for local government. The implications of the Act were reported to the Council's Standards Committee on 28 January and 31 March 2008.
- 4.2 The relevant provisions were brought into force on 8 May 2008 by the Standards Committee (England) Regulations 2008 ("the Regulations").
- 4.3 The Act made a number of key changes to the ethical framework under which local authorities were required to operate. These are:

- Standards Committees would be responsible for receiving allegations made against Members and deciding whether any action should be taken (referred to as 'local assessment').
- Standards Committees must be chaired by an independent member.
- Standards Committees would report periodically to the Standards Board for England now Standards for England ("SfE").
- The SfE will be responsible for monitoring and ensuring the effectiveness of local arrangements, including supporting authorities which are experiencing difficulties and driving up their performance.

4.4 Annual Council on 14 July 2008 approved the requisite changes to the Council's Constitution, namely amendments to the Standards Committee's Terms of Reference which also included new terms of reference for Initial Assessment, Review and Hearings Panels as required under the Act.

4.5 The Scrutiny Programme Board at its last meeting on 9 June 2011 requested that details be provided at the next Board meeting of all complaints received in pursuance of the revised ethical framework. The Board recognised the need to ensure anonymity and directed that any confidential information be excluded and a chronology account of each complaint be provided.

4.6 In accordance with the Board's direction, a chronological summary of each complaint received since the new ethical framework came into force has been detailed in the schedule set out at Appendix 1 to this report.

5.0 RELEVANT RISKS

5.1 Given the purpose of this report is to provide information to the Board, no relevant risks are identified.

6.0 OTHER OPTIONS CONSIDERED

6.1 Given the purpose of this report is to provide information to the Board, no other options were considered.

7.0 CONSULTATION

7.1 Given the purpose of this report is to provide information to the Board, no consultation issues are relevant.

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

8.1 There are no such implications arising.

9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

9.1 There are no such implications arising.

10.0 LEGAL IMPLICATIONS

10.1 There are no such implications arising.

11.0 EQUALITIES IMPLICATIONS

11.1 There are no such implications arising.

11.2 Equality Impact Assessment (EIA)

- | | |
|---------------------------------------|-----|
| (a) Is an EIA required? | No |
| (b) If 'yes', has one been completed? | N/A |

12.0 CARBON REDUCTION IMPLICATIONS

12.1 There are no such implications arising.

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 There are no such implications arising.

REPORT AUTHOR: **Surjit Tour**
Head of Legal & Member Services
telephone: 0151 691 8569
email: surjittour@wirral.gov.uk

APPENDICES

Appendix 1 – Summary of Complaints made under the Council's Members' Code of Conduct

REFERENCE MATERIAL

None

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Scrutiny Programme Board	9 June 2011