

Council

25 October 2012

Agenda Item 44

Brighton & Hove City Council

Subject: Extract from the Proceedings of the Audit & Standards Committee Meeting held on the 25 September 2012

Date of Meeting: 25 October 2012

Report of: Monitoring Officer

Contact Officer: Name: **Ross Keatley** Tel: **29-1064**

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Wards Affected: All

Action Required of Council:

To receive the item referred from the Audit & Standards Committee:

Recommendation:

1. To note the decision of the Audit & Standards Committee to adopt new arrangements for the investigation and hearing of complaints against Members and the report.

AUDIT & STANDARDS COMMITTEE

**4.00 pm 25 SEPTEMBER 2012
COUNCIL CHAMBER, HOVE TOWN HALL**

DRAFT MINUTES

Present: Hamilton, A Norman, Duncan, Follett, Lepper, Smith, Sykes and Wealls.

PART ONE**31. COMPLAINTS PROCEDURE**

- 31.1 The Committee considered a report of the Monitoring Officer in relation to the new arrangements for dealing with the investigation and hearing of complaints as part of the changes to the regulation of Standards of Conduct for elected Members brought in by the Localism Act 2011. The new arrangements provided a simplified process for dealing with complaints of misconduct and the actions which could be taken against a Member who is found to have failed to comply with the Code of Conduct. By way of introduction the Standards & Complaints Manager, Brian Foley, outlined the new procedure

- 31.2 In response to queries from Councillor Duncan it was confirmed that the right of appeal would apply to both the complainant, and the Member the allegation had been made against, and sanctions would only take effect after the period to request an appeal had expired.
- 31.3 Councillors Sykes and Lepper noted some minor typographical errors of the names of political groups, and asked that that some of the wording be amended to reflect the potential future political makeup of the authority; rather than the current political makeup.
- 31.4 Councillor Ann Norman noted that she and Councillor Lepper had been involved in Standards related work under the previous regime for some years, and she stated that Members should always approach the investigation of complaints of a neutral mind and in a non-political manner. The Chair echoed these comments, and highlighted the non-political regulatory nature of the Committee.
- 31.5 **RESOLVED:**
- (1) That the arrangements for the investigation and hearing of complaints about Member conduct as set out in Appendix 1 to the report and as illustrated in the flow chart in Appendix 2 to the report be adopted;
 - (2) That the adopted new arrangements be reported to Council for information;
 - (3) That the Monitoring Officer be instructed to develop technical procedures for the investigation and hearing of complaints to be used in conjunction with the arrangements; and
 - (4) That the Monitoring Officer be instructed to publicise the arrangements for the investigation and hearing of complaints by whatever means he considers appropriate.