

BABERGH DISTRICT COUNCIL and MID SUFFOLK DISTRICT COUNCIL

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| From: Monitoring Officer | Report Number: JAC40 |
| To: Joint Audit and Standards Committee | Date of meeting: 10 November 2014 |

UPDATE ON COMPLIANCE WITH THE LOCALISM ACT 2011

1. Purpose of Report

- 1.1 To update Members on the measures taken to comply with the requirements within Chapter 7 of the Localism Act and to identify any further actions required.

2. Recommendations

- 2.1 That the measures taken to comply with the requirements within Chapter 7 of the Localism Act 2011 be noted.
- 2.2 That the Committee identifies any further steps required to be taken.
- The Committee is able to resolve this matter.

3. Financial Implications

- 3.1 None directly arising from this report. The new measures have however impacted upon staff resources.

4. Risk Management

- 4.1 Key risks are set out below:

| Risk Description | Likelihood | Impact | Mitigation Measures |
|--|------------|----------|--|
| The Council breaches its obligations under the Localism Act | Low | Marginal | Training provided and guidance issued to explain requirements of the new code. Introduction of e-forms and provision of training. |
| Register of interests forms are not completed by all councillors | High | Critical | Monitoring Officer working with Parish Clerks to ensure accurate, up-to-date data is being used; and continues to pursue outstanding forms |

5. Consultations

- 5.1 The issue regarding non return of register of interests forms has been raised at the Suffolk Monitoring Officers Group.

6. Equality Analysis

6.1 Not relevant to this report.

7. Shared Service / Partnership Implications

7.1 None.

8. Key Information

8.1 This report identifies the actions outstanding to secure full compliance with Chapter 7 of the Localism Act 2011 by (i) the Councils, (ii) Parish/Town Councils and (iii) Councillors.

8.2 Chapter 7 came into effect on 1 July 2012 and introduced a new standards regime for all Councils. A new Local Code of Conduct has been adopted across Suffolk and a new complaints system has been put in place. A pool of 'independent persons' was appointed for an initial two year period and, following a successful recruitment exercise, three independent persons have been appointed last month for a further two year period. These arrangements appear to be working effectively. There are however still some outstanding actions as follows:-

District Councillor Register of Interests

8.2.1 All Councillors have now completed updated Register of Interest forms. Additional officer time has been allocated to assist with the on-going maintenance of these records.

Parish Council Register of Interests

8.2.2 All Town/Parish Councillors were required to complete new Register of Interests forms which are held on a public register by the district Council. Action taken since the last Committee meeting has resulted in a further increase in compliance. As at 28 October 2014, 100% (previously 98%) of Parish Councillors within the Mid Suffolk district have submitted completed forms. Compliance by Parish Councillors within the Babergh district remains at 97%.

8.2.3 Since the previous meeting of the Committee, the Monitoring Officer has been in further contact with the clerks of Wingfield and Aldham Parish Councils to ensure compliance with the statutory requirements. I am delighted to report that Wingfield Parish Council has now submitted completed forms. Aldham Parish Council within Babergh district has not yet complied. The Monitoring Officer attended the meeting of Aldham Parish Council on 2 September 2014. The Monitoring Officer provided assistance and guidance and answered questions from members of the Parish Council.

8.2.4 There is now only 1 out of 67 (previously 1) Parish/Town Council in Babergh from whom no Registers have been received, as identified in the Table below:

| Babergh district | Mid Suffolk district |
|------------------|----------------------|
| Aldham | N/A |

Publication of Registers

- 8.2.5 All of the completed district Council Register of Interests forms have been placed on the Councils' respective websites as required by the Localism Act. Both the Babergh and Mid Suffolk Parish/Town Council registers have been placed on its website and an audit has been carried out to ensure that the data is up-to-date and accurate.
- 8.2.6 Since the previous meeting of the Committee, additional officer time has been allocated for the continuous maintenance of the records. The Monitoring Officer is reviewing the quality of information provided to ensure that training needs (if any) are identified and assistance is provided. The Monitoring Officer will provide an update to the Committee at the March 2015 meeting.
- 8.2.7 Testing of the e-form solution enabling parish clerks to submit register of interest forms electronically is planned to begin in November. Following on from this it would be beneficial for the new solution to be trialled by representative parish clerks from both districts prior to the system being launched in May 2015. The Monitoring Officer will provide an update to the Committee on this initiative at the March 2014 meeting.

9. Appendices

9.1 None.

10. Background Papers

10.1 None.

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