

**USE OF RESOURCES JUDGEMENTS 2006/07
(Report by the Director of Central Services and Monitoring Officer)**

1. INTRODUCTION

- 1.1 At their meeting on 7th December 2006 (Minute No. 31 refers) the Committee considered a report by the Director of Central Services and Monitoring Officer which had been submitted in response to a requirement highlighted by the Audit Commission under the theme – Internal Control, in their Use of Resources Judgements 2005/06 for “an assessment of the standards of ethical conduct across the organisation”. The Use of Resources Judgement assesses how well Councils manage and use their financial resources and focuses on the importance of having sound and strategic financial management to ensure that resources are available to support the Council’s priorities and services.
- 1.2 To comply with this requirement, identified as KLOE 4.3 (key line of enquiry), the Committee noted that an annual survey of complaints by type, locality and outcome and of training received by Councillors (both District and Parish) would need to be undertaken and the outcomes reported to the Committee. A training programme for the following year could then be structured to meet any emerging needs or trends.
- 1.3 In 2005/06 there did not appear to be any commonalities in the cases considered by the Board which needed to be addressed specifically. In noting this position, the Committee acknowledged that this exercise would now be conducted on an annual basis.

2. 2006/07 SURVEY

- 2.1 In accordance with the procedure adopted by the Standards Board for England, the Monitoring Officer has been notified of decisions taken by the Board in seven cases during 2007, details of which are reflected in the Appendix hereto.
- 2.2 In all but one case, the Board agreed not to take any further action in relation to the allegations made and in the other case the Standards Committee found that there was a case to answer and as part of their recommendation offered the Parish Council concerned the opportunity to receive further training on the Code of Conduct.
- 2.3 It is difficult to identify whether any trend is emerging from the areas of the Code under which complaints have arisen. This is particularly so during the current year because of the introduction of a new model Code on 3rd May 2007 and the differences between the old and new codes.

- 2.4 However, taking the two different versions of the Code into account, there do not appear to be any commonalities in the issues which have been considered by the Board which require specific attention by the Committee.

3. TRAINING TARGETS – COMMENTS

- 3.1 Later on this Agenda, Members will receive a report from the Director of Central Services and Monitoring Officer describing the response to the training activity undertaken during the Summer/Autumn.
- 3.2 Looking at those authorities where complaints have arisen during the year, Little Paxton Parish Council received training from the Monitoring Officer and his staff on 4th October and individually attended the general session in Huntingdon on 24th July. Although no further action was taken in the remainder of the cases highlighted, the Monitoring Officer has subsequently hosted sessions for Huntingdon and St. Ives Town Councils and the Chair and Clerk to Earith Parish Council attended the open session held in St. Ives in early September.

4. CONCLUSION

- 4.1 The Monitoring Officer continues to target and respond to Parish Councils in terms of their compliance with the Code of Conduct as circumstances evolve and the need for training is identified. It is suggested that the approach which involves the targeting of individual Councils together with open sessions be continued.
- 4.2 The Committee is invited to note the contents of this annual report.

BACKGROUND PAPERS

Huntingdonshire District Council – Use of Resources Judgements 2005/06.

Previous Standards Committee Reports and Minutes.

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APPENDIX

Meeting Reported	Authority	Paragraph of the Code alleged to have been breached *	Decision of the Standards Board for England
17th January 2007	Little Paxton Parish Council	3(a), 7(i), 8, 9(i) and 10(a)	Referred to the Monitoring Officer by the Standards Board for England. Standards Committee resolved that the Parish Councillor had breached paragraphs 7(i) and 8 of the Parish Council's Code of Conduct, that the former Councillor should be censured and that Little Paxton Parish Council be offered further training on the Code of Conduct.
8th March 2007	Huntingdon Town	4	No further action.
	Houghton and Wyton Parish Council	8, 10, 11(a)	No further action.
13th September 2007	Huntingdonshire	5 and 6	No further action.
	St. Ives Town Council	Complaint related to actions of the Council as a whole. No jurisdiction to consider allegations relating to the quality of Councillors work or decisions.	No further action.
6th December 2007	Catworth Parish Council	2	No further action.
	Earith Parish Council	3(2) (a)	No further action.

Paragraphs*

2 - A Member must comply with the Code whenever he conducts the business of their authority or acts, claims to act or gives the impression he is acting as a representative of their authority;

3 (a) – A Member must not disclose information given to him in confidence by anyone, or information acquired which he believes is of a confidential nature, without the consent of a person authorised to give it, or unless he is required by law to do so;

3 (2) (a) – A Member must not do anything which may cause his authority to breach any of the equality enactments defined in Section 33 of the Equality Act 2006;

4 – A Member must not in his official capacity, or any other circumstance, conduct themselves in a manner which could reasonably be regarded as bringing his office or authority into disrepute;

5 – A Member must not conduct himself in a manner which could reasonably be regarded as bringing his office or authority into disrepute;

6 – A Member must not use or attempt to use his position as a Member improperly to confer on or secure for himself or any other person, an advantage or disadvantage and must when using or authorising the use by others of the resources of his authority act in accordance with his authority's reasonable requirements and ensure that such resources are not used improperly for political purposes;

7 (i) – A Member must regard him/herself as having a personal interest in any matter, if the matter relates to an interest in respect of which notification must be given, or if a decision upon it might reasonably be regarded as affecting to a greater extent than other council tax payers, rate payers, or inhabitants of the authority's area, the wellbeing or financial position of him/herself, a relative or a friend;

8 – A Member with a personal interest in any matter who attends the meeting of the authority at which the matter is considered, must disclose to that meeting, the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent;

9 (i) – A Member with a personal interest in the matter also has a prejudicial interest in that matter, if the interest is one in which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice a Member's judgement of public interest;

10 (a) – A Member with a prejudicial interest in any matter must withdraw from the room or chamber where a meeting is being held whenever it becomes apparent that the matter is being considered at that meeting, unless she/he has obtained dispensation from the Standards Committee at the responsible authority.

10 (1) – A Member with a personal interest in a matter also has a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice a Member's judgement of the public interest.

11 (a) – A Member with a prejudicial interest in any matter must withdraw from the room or chamber where a meeting is being held whenever it becomes apparent that the matter is being considered at that meeting unless he has obtained a dispensation from the authority's Standards Committee.

References –

The Local Authorities (Model Code of Conduct) (England) Order 2007.

The Local Authorities (Model Code of Conduct) (England) Order 2001.

The Parish Council's (Model Code of Conduct) (England) Order 2001.