

Committee: STANDARDS

Agenda Item

Date: 25 January 2010

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Title: ASSISTANCE TO PARISHES

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Item for decision

Summary

1. This report has been prepared as part of the Committee's annual work programme to consider what assistance can be offered to town and parish councils within the district.

Recommendations

2. Members determine what assistance the committee can offer.

Background Papers

3. The following papers were referred to by the author in the preparation of this report:
 - Standards for England Bulletin no.44 available at www.standardsforengland.gov.uk
 - Standards for England Forum (password protected) copies are available from the author of this report.

Impact

- 4.

Communication/Consultation	Having identified areas where members believe that the committee could be of assistance, members may wish to consult with the town and parish councils to ascertain the demand for such assistance.
Community Safety	None.
Equalities	None.
Finance	None.
Health and Safety	None.
Human Rights	None.
Legal implications	None.

Sustainability	None.
Ward-specific impacts	None.
Workforce/Workplace	Given the number of parishes there is limited scope for widespread officer engagement.

Situation

5. Uttlesford District Council has 428 town and parish councillors representing 53 town and parish councils. The Standards Committee of this council is responsible for receiving and considering complaints that members may have breached the Code of Conduct determining whether such cases ought to be investigated and considering reports of investigating officers following an investigation.
6. The Monitoring Officer of the authority is also the Monitoring Officer of the town and parish councils for the purposes of part (iii) Local Government Act 2000 (Conduct of Members) by virtue of section 83(12) of that Act.
7. By virtue of section 55(1) of the 2000 Act the Standards Committee has the same functions under section 54(1) and (2) with regard to the town and parish councils as it has with regard to the district council. In addition to the requirement to consider allegations of a breach of the Code of Conduct, the functions include:
 - (i) Promoting and maintaining high standards of conduct by members and co-opted members of the authority.
 - (ii) Assisting members and co-opted members of the authority to observe the authority's Code of Conduct.
 - (iii) Advising authorities on the adoption or revision of the Code of Conduct.
 - (iv) Monitoring the operation of the authority's Code of Conduct.
 - (v) Advising or arranging to train members and co-opted members of the authority on matters relating to the authority's Code of Conduct.
8. Fortunately there have been few complaints that town or parish councillors have breached the Code of Conduct. To date these have led to few hearings but one noticeable factor which appears to be fairly common is that members of town and parish councils appear to have a lack of understanding of the provisions of the Code.
9. When the new Code of Conduct was introduced in 2007 training was offered for town and parish councillors at various locations throughout the district. However, the take up for this was very limited. Only 44 representatives of the town and parishes attended some of whom were town or parish clerks.

10. Given the number of parishes it is not possible for the Monitoring Officer or his deputy to attend each parish individually. However, training has been provided to the 3 parishes namely Clavering Parish Council, Wimbish Parish Council and Thaxted Parish Council at the request of this committee following investigations into members of those authorities where a breach of the Code of Conduct had been identified and training was clearly a relevant issue.
11. The Standard for England website and Forum gives some examples of good practice in lending support to town and parish councils. These include:
- (i) Regular meetings between council officers and town and parish clerks.
 - (ii) A communication plan which includes communications with towns and parishes.
 - (iii) Circulation of a parish council toolkit.
 - (iv) A programme of one independent and one parish representative visiting each of the parish councils over a period of time.

Risk Analysis

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Risk	Likelihood	Impact	Mitigating actions
Parish councils to not receive adequate training to enable them to observe the Code of Conduct.	3, evidence thus far indicates that save for circumstances where the Standards Committee has recommended training, the take up of training by town and parish members is limited.	3, whilst town and parish members will suffer the greatest direct effect from breaches of the Code of Conduct there will also be some reputational damage to this committee and at this council if it was seen to be not carrying out its statutory functions with regard to town and parishes.	Greater support be offered to town and parish councils to assist their members in observing the Code of Conduct.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.