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| REPORT TO:              | STANDARDS COMMITTEE  | AGENDA ITEM: 5         |
| DATE OF MEETING:        | 13 <sup>TH</sup> MAY 2009  | CATEGORY: DELEGATED    |
| REPORT FROM:            | MONITORING OFFICER   | OPEN PARAGRAPH NO: N/A |
| MEMBERS' CONTACT POINT: | NEIL BETTERIDGE (595895)   | DOC:                   |
| SUBJECT:                | LOCAL ASSESSMENT OF COMPLAINTS – MONITORING OFFICER 'OTHER ACTION' | REF:                   |
| WARD(S) AFFECTED:       | ALL  |                        |

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#### **1.0 Reason for Exempt**

1.1 Not applicable.

#### **2.0 Recommendation**

2.1 That the response from the Department for Communities and Local Government be noted.

#### **3.0 Purpose of Report**

3.1 To consider the response from the Department for Communities and Local Government on Members' concern relating to Monitoring Officer 'Other Action'.

#### **4.0 Detail**

4.1 Members are reminded that at the Meeting on 18<sup>th</sup> December 2008, the Committee considered that negative aspects of the new complaints system concerned the inability of a subject Member to make a submission when the Initial Assessment Sub-Committee was considering further action by the Monitoring Officer, e.g. training and the fact that any failure by a subject Member not to comply with a resolution of the Initial Assessment Sub-Committee was not an automatic breach of the Code. In this regard, it was agreed that representations should be made to the Department for Communities and Local Government expressing this concern.

4.2 A copy of the response now received from the Department is attached at Annexe 'A' for information.

#### **5.0 Corporate Implications**

5.1 Article 8.02 of the Council's Constitution provides that a role of the Standards Committee is to promote and maintain high standards of conduct for councillors and co-opted Members.

## **6.0 Community Implications**

- 6.1 The Council's Standards Committee plays a vital role in promoting and maintaining the highest standards of conduct by Councillors of South Derbyshire District Council and all the Parishes in its area.

## **7.0 Background Papers**

- 7.1 22 Apr 09 Letter from Department for Communities and Local Government