

Borough Council of
**King's Lynn &
West Norfolk**



Standards Committee

Agenda

Thursday, 12th April, 2018
at 3.00 pm

in the

**Chamber Council
Town Hall
Saturday Market Place
King's Lynn
PE30 5DQ**



King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX
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4 April 2018

Dear Member

Standards Committee

You are invited to attend a meeting of the above-mentioned Committee meeting which will be held on **Thursday, 12th April, 2018 at 3.00 pm** in the **Council Chamber, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ** to discuss the business shown below.

Yours sincerely

Chief Executive

AGENDA

1. Apologies

2. Minutes (Pages 5 - 7)

To approve the minutes of the Panel Hearing held on 28 November 2017.

3. Declarations of Interest

Please indicate if there are any interests which should be declared. A declaration of an interest should indicate the nature of the interest (if not already declared on the Register of Interests) and the agenda item to which it relates. If a disclosable pecuniary interest is declared, the Member should withdraw from the room whilst the matter is discussed.

These declarations apply to all Members present, whether the Member is part of the meeting, attending to speak as a local Member on any item or simply observing the meeting from the public seating area.

4. Urgent Business Under Standing Order 7

To consider any business which, by reason of special circumstances, the

Chairman proposed to accept as urgent under Section 100(b)(4)(b) of the Local Government Act 1972.

5. Members Present Pursuant to Standing Order 34

Members wishing to speak pursuant to Standing Order 34 should inform the Chairman of their intention to do so and on what items they wish to be heard before the meeting commences. Any Member attending the meeting under Standing Order 34 will only be permitted to speak on those items which have been previously notified to the Chairman.

6. Chairman's Correspondence (if any)

7. Consultation on Ethical Standards (Pages 8 - 15)

8. Monitoring Officer's Report 2017/2018 (Pages 16 - 22)

9. Date of Next Meeting

To be convened when required.

To:

Standards Committee: B Ayres (Chairman), P Gidney, C Manning, Miss S Sandell, A Tyler, Mrs J Westrop (Vice-Chairman) and Mrs S Young

Officers:

Emma Duncan. Monitoring Officer
Wendy Vincent, Democratic Services Officer

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

STANDARDS COMMITTEE – PANEL HEARING

**Minutes from the Meeting of the Standards Committee – Panel Hearing held
on Tuesday, 28th November, 2017 at 10.00 am in the Council Chamber,
Town Hall, Saturday Market Place, King's Lynn**

PRESENT: Councillor B Ayres (Chairman)
Councillors C Manning and Miss S Sandell

OFFICERS PRESENT:

Alexa Baker	Investigating Officer
Emma Duncan	Legal Adviser
Wendy Vincent	Democratic Services Officer

ALSO PRESENT:

Carol Wilkinson	Independent Person
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1 APOLOGIES

The Subject Member had confirmed that he would not be attending the Panel Hearing, but would be represented by two Borough Councillors.

The Complainant had confirmed that she would not be attending the Panel Hearing, but would be represented by a fellow Councillor.

2 DECLARATIONS OF INTEREST

One of the Subject Member's representatives declared a personal interest.

3 EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That under section 100(a)(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A to the Act.

**4 TO CONSIDER THE INVESTIGATION AS TO ALLEGATIONS
AGAINST A BOROUGH COUNCILLOR**

The Chairman welcomed everyone to the Hearing and invited the Panel, Officers, the Independent Person and other Members present to introduce themselves.

The Legal Adviser explained the purpose the Hearing.

The Chairman outlined the procedure that would be followed at the Hearing.

At the invitation of the Chairman, the Investigating Officer presented her report.

The Subject Member's representatives were invited to ask questions of the Investigating Officer.

The Investigating Officer responded to questions from the Subject Member's representatives.

The Legal Adviser provided clarification on points raised by the Subject Member's representatives.

The Panel was invited to ask questions of the Investigating Officer.

The Investigating Officer responded to questions from the Panel and confirmed that the draft report had been sent to the Independent Person.

The Subject Member's representative was invited to present his case. One of the Subject Member's representatives referred to two documents from the Subject Member. The Chairman requested that the documents referred to be made available to the Panel in order that the Panel could take account of them during their deliberations.

There were no questions from the Investigating Officer to the Subject Member's representative.

The Subject Member's representative responded to questions from the Panel.

The Complainant's representative was invited to present his case. The Complainant's representative referred to an email from the Complainant. The Legal Adviser requested that a copy be made available for the Panel for them to consider the email during their deliberations.

The Complainant's representative responded to questions from the Panel.

The Legal Adviser provided clarification on points raised by the Complainant's representative.

The Panel adjourned at 11.28 am and reconvened at 11.45 am.

The Investigating Officer summed up the complaint.

The Subject Member's representative summed up his case.

The Complainant's representative summed up his case.

The Legal Adviser outlined the options available for the Panel to consider its decision. Following consultation with the Subject Member's representatives and the Complainant's representative, it was agreed that the Panel would retire in private to consider its decision and issue the Decision Notice within 7 working days following the Hearing.

At 12.15 pm, the Panel retired to consider its decision in private, accompanied by the Independent Person, Legal Adviser and Democratic Services Officer.

The meeting closed at 12.13 pm

CONSULTATION ON ETHICAL STANDARDS

Summary: To advise Members of the current review by the Committee on Standards in Public Life (“CSPL”) of local government ethical standards, and to seek the views of the Committee in relation to the consultation questions.

Options considered: To respond/to not respond.

Conclusions: To respond to the consultation.

Recommendations: It is recommended that:

1. Members of the Committee resolve to issue a collective response to the consultation.
2. The response to be formulated by the Monitoring Officer following discussion by the Committee.

Reasons for Recommendations: Legal Implications - The Council has a duty under s. 27 of the Localism Act 2011 to promote and maintain high standards of conduct by its members and to adopt a code of conduct that is consistent with the Nolan principles. The current consultation exercise requires the Committee to consider the efficacy of that statutory duty. Any changes to the standards regime resulting from the current consultation may require legislative change.

LIST OF BACKGROUND PAPERS AS REQUIRED BY LAW

(Papers relied on to write the report, which do not contain exempt information and which are not published elsewhere)

<https://www.gov.uk/government/consultations/local-government-ethical-standards-stakeholder-consultation>

1. Background

1.1 The CSPL is undertaking a review of local government ethical standards. Its terms of reference are to:

1.2 (i) examine the structures, processes and practices in local government in England for:

- a. maintaining codes of conduct for local councillors;
- b. investigating alleged breaches fairly and with due process;
- c. enforcing codes and imposing sanctions for misconduct;
- d. declaring interests and managing conflicts of interest;
- e. whistleblowing;

(ii) assess whether the existing structures, processes and practices are conducive to high standards of conduct in local government;

(iii) make any recommendations for how they can be improved;

(iv) note any evidence of intimidation of councillors, and make recommendations for any measures that could be put in place to prevent and address such intimidation.

2. Current Standards Regime

2.1 The current Standards Regime is as set out in Chapter 7 of the Localism Act 2011. It is worth bearing in mind that local arrangements may exceed existing statutory requirements. The main statutory requirements are:

2.2

- a. All 'relevant authorities' (which include parish councils) have a duty to promote and maintain high standards of conduct by members;
- b. All relevant authorities must have a code of conduct;
- c. Codes of conduct must be consistent with the Nolan principles;
- d. Codes of conduct must require the registration of pecuniary interests, and such non-pecuniary interests as the relevant authority deems appropriate;
- e. Registers of interests must be published;
- f. Members may not, without a dispensation, participate in discussion or voting on matters affecting their registrable pecuniary interests;
- g. All relevant authorities except for parish councils must have in place arrangements by which allegations can be investigated and under which decisions can be made. (However, parish councils are otherwise subject to the arrangements of their principal authority);
- h. Such arrangements must include provision for the appointment of an Independent Person whose views must be taken into account before making a decision on an allegation it has decided to investigate;
- i. Failure to comply with the provisions as to the registration of pecuniary interests and participating in discussion are an offence, punishable by unlimited fines and disqualification for up to 5 years;
- j. A decision by a relevant authority on finding a breach of the code of conduct after an investigation may include sanctions.

2.3 Sanctions available to the relevant authority are:

- i. Censure of the member;
- ii. Removal of the member from committees or subcommittees;
- iii. Removal of the member from outside appointments;
- iv. Restricting the Member's access to the relevant authority's resources;
- v. Requiring the Member to apologise;
- vi. Requiring the Member to undergo training; and
- vii. Requiring the Member to undertake conciliation.

2.3 This Council has a Standards Committee, but it is not a legislative requirement.

3 Former Standards Regime

- 3.1 Prior to the Localism Act, the Local Authorities (Model Code of Conduct) Order 2007 prescribed a model code of conduct to relevant authorities. Relevant authorities were required to have Standards Committees, who could disqualify members for up to six months.
- 3.2 Standards for England (previously the Standards Board) was responsible for a national overview of local investigations into member conduct allegations. In certain cases the Board itself investigated allegations. It could not impose sanctions on members, but it could refer cases to the First-Tier Tribunal (previously the Adjudication Panel) or to the relevant authority's own standards committee for determination. The Tribunal could disqualify members for up to five years.
- 3.3 The Standards Board was abolished as a result of the Localism Act.
- 3.4 Criticisms of the former regime were that it was over-centralised, was a vehicle for vexatious complaints, and that it was largely unnecessary because poor behaviour can be expected to meet its end in the ballot box. Criticisms of the new regime however are that it has gone too far in removing the capacity for, or the likelihood of, effective sanctions against councillor misconduct to be applied. Serious sanctions such as disqualification can result from criminal offences such as the failure to declare interests, but not from unacceptable personal behaviour of councillors, which is different but which can be equally as corrosive.

4 Consultation Questions

- 4.1 The CSPL's call for evidence is attached at Appendix 1. It asks about the following issues:
- (a) Whether the existing set-up ensures high standards of conduct and if not why not;
 - (b) What significant gaps exist in the standards regime;
 - (c) Whether local codes of conduct are clear and cover appropriate behaviours;
 - (d) Whether the requirement for the local code of conduct to be consistent with the Nolan Principles, and to include appropriate provision for registering and declaring interests, is appropriate;
 - (e) Whether misconduct allegations are investigated fairly and with due process (and asks about the roles of the Independent Person and the Monitoring Officer).
 - (f) Whether existing sanctions are sufficient to enforce compliance or what additional sanctions should be available;
 - (g) Whether the arrangements for declaring and managing conflicts of interest are satisfactory;
 - (h) Whether whistleblowing arrangements are satisfactory;
 - (i) What steps could be taken by either local authorities or central government to improve standards; and
 - (j) The problem of intimidation of local councillors and any measures that could be put in place to address it.

5 Commenting on the questions

5.1 Members are asked to comment on the consultation questions. The CSPL's identification of stakeholders recognises that individual councillors or Standards Committees may wish to give a separate response from that of their local authority corporately. The Committee are therefore asked to decide whether they wish to respond separately or as a Standards Committee.

5.2 It is considered appropriate for the Standards Committee to respond in its own right, as this would reflect the governance regime within the Council and the importance of the issues raised.

6 Conclusion

It is recommended that:

1. Members of the Committee resolve to issue a collective response to the consultation.
2. The response to be formulated by the Monitoring Officer following discussion by the Committee

7 Implications and Risks

8 Financial Implications and Risks - NONE

9 Sustainability - NONE

10 Equality and Diversity - NONE

11 Section 17 Crime and Disorder considerations - NONE

Appendix 1

Review of Local Government Ethical Standards: Stakeholder Consultation

The Committee on Standards in Public Life is undertaking a review of local government ethical standards.

Robust standards arrangements are needed to safeguard local democracy, maintain high standards of conduct, and to protect ethical practice in local government.

As part of this review, the Committee is holding a public stakeholder consultation. The consultation is open from 12:00 on Monday 29 January 2018 and closes at 17:00 on Friday 18 May 2018.

Terms of reference

The terms of reference for the review are to:

1. Examine the structures, processes and practices in local government in England for:
 - a. Maintaining codes of conduct for local councillors;
 - b. Investigating alleged breaches fairly and with due process;
 - c. Enforcing codes and imposing sanctions for misconduct;
 - d. Declaring interests and managing conflicts of interest; and
 - e. Whistleblowing.
2. Assess whether the existing structures, processes and practices are conducive to high standards of conduct in local government;
3. Make any recommendations for how they can be improved; and
4. Note any evidence of intimidation of councillors, and make recommendations for any measures that could be put in place to prevent and address such intimidation.

The review will consider all levels of local government in England, including town and parish councils, principal authorities, combined authorities (including Metro Mayors) and the Greater London Authority (including the Mayor of London).

Local government ethical standards are a devolved issue. The Committee's remit does not enable it to consider ethical standards issues in devolved nations in the UK except with the agreement of the relevant devolved administrations. However, we welcome any evidence relating to local government ethical standards in the devolved nations of the UK, particularly examples of best practice, for comparative purposes.

Submissions will be published online alongside our final report, with any contact information (for example, email addresses) removed.

The Committee will publish anonymised submissions (where the name of the respondent and any references to named individuals or local authorities are removed) where a respondent makes a reasonable request to do so.

Consultation questions

The Committee invites responses to the following consultation questions.

Please note that not all questions will be relevant to all respondents and that submissions do not need to respond to every question. Respondents may wish to give evidence about only one local authority, several local authorities, or local government in England as a whole. Please do let us know whether your evidence is specific to one particular authority or is a more general comment on local government in England.

Whilst we understand submissions may be grounded in personal experience, please note that the review is not an opportunity to have specific grievances considered.

- a. Are the existing structures, processes and practices in place working to ensure high standards of conduct by local councillors? If not, please say why.
- b. What, if any, are the most significant gaps in the current ethical standards regime for local government?

Codes of conduct

- c. Are local authority adopted codes of conduct for councillors clear and easily understood? Do the codes cover an appropriate range of behaviours? What examples of good practice, including induction processes, exist?
- d. A local authority has a statutory duty to ensure that its adopted code of conduct for councillors is consistent with the Seven Principles of Public Life and that it includes appropriate provision (as decided by the local authority) for registering and declaring councillors' interests. Are these requirements appropriate as they stand? If not, please say why.

Investigations and decisions on allegations

- e. Are allegations of councillor misconduct investigated and decided fairly and with due process?
 - i.i. What processes do local authorities have in place for investigating and deciding upon allegations? Do these processes meet requirements for due process? Should any additional safeguards be put in place to ensure due process?
 - ii.
 - iii.ii. Is the current requirement that the views of an Independent Person must be sought and taken into account before deciding on an allegation sufficient to ensure the objectivity and fairness of the decision process? Should this requirement be strengthened? If so, how?
 - iv.
 - v.iii. Monitoring Officers are often involved in the process of investigating and deciding upon code breaches. Could Monitoring Officers be subject to conflicts of interest or undue pressure when doing so? How could Monitoring Officers be protected from this risk?

Sanctions

- f. Are existing sanctions for councillor misconduct sufficient?
 - i. i. What sanctions do local authorities use when councillors are found to have breached the code of conduct? Are these sanctions sufficient to deter breaches and, where relevant, to enforce compliance?
- ii.
 - iii. ii. Should local authorities be given the ability to use additional sanctions? If so, what should these be?

Declaring interests and conflicts of interest

- g. Are existing arrangements to declare councillors' interests and manage conflicts of interest satisfactory? If not please say why.
 - i. i. A local councillor is under a legal duty to register any pecuniary interests (or those of their spouse or partner), and cannot participate in discussion or votes that engage a disclosable pecuniary interest, nor take any further steps in relation to that matter, although local authorities can grant dispensations under certain circumstances. Are these statutory duties appropriate as they stand?
 - ii.
 - iii. ii. What arrangements do local authorities have in place to declare councillors' interests, and manage conflicts of interest that go beyond the statutory requirements? Are these satisfactory? If not, please say why.

Whistleblowing

- h. What arrangements are in place for whistleblowing, by the public, councillors, and officials? Are these satisfactory?

Improving standards

- i. What steps could *local authorities* take to improve local government ethical standards?
- j. What steps could *central government* take to improve local government ethical standards?

Intimidation of local councillors

- k. What is the nature, scale, and extent of intimidation towards local councillors?
 - i. What measures could be put in place to prevent and address this intimidation?

Who can respond?

Anyone with an interest may make a submission. The Committee welcomes submissions from members of the public.

However, the consultation is aimed particularly at the following stakeholders, both individually and corporately:

- Local authorities and standards committees;
- Local authority members (for example, Parish Councillors, District Councillors);
- Local authority officials (for example, Monitoring Officers);
- Independent Persons appointed under section 28(7) of the Localism Act 2011;
- Think tanks with an interest or expertise in local government;
- Academics with interest or expertise in local government; and
- Representative bodies or groups related to local government.

How to make a submission

Submissions can be sent either in electronic format or in hard copy.

Submissions must:

- State clearly who the submission is from, i.e. whether from yourself or sent on behalf of an organisation;
- Include a brief introduction about yourself/your organisation and your reason for submitting evidence;
- Be in doc, docx, rtf, txt, ooxml or odt format, not PDF;
- Be concise – we recommend no more than 2,000 words in length; and
- Contain a contact email address if you are submitting by email.

Submissions should:

- Have numbered paragraphs; and
- Comprise a single document. If there are any annexes or appendices, these should be included in the same document.

It would be helpful if your submission included any factual information you have to offer from which the Committee might be able to draw conclusions, and any recommendations for action which you would like the Committee to consider.

The Committee may choose not to accept a submission as evidence, or not to publish a submission even if it is accepted as evidence. This may occur where a submission is very long or contains material which is inappropriate.

Submissions sent to the Committee after the deadline of 17:00 on Friday 18 May 2018 may not be considered.

Submissions can be sent:

1. Via email to: public@public-standards.gov.uk
2. Via post to:

Review of Local Government Ethical Standards
 Committee on Standards in Public Life
 GC:07
 1 Horse Guards Road
 London
 SW1A 2HQ

If you have any questions, please contact the Committee's Secretariat by email (public@public-standards.gov.uk) or phone (0207 271 2948).

Monitoring Officer Annual Report 2017/18

Section Contents

1 Introduction

2 The Monitoring Officer's Work April 2017 – March 2018

3 Key Messages

4 Looking Forward

5 Overall opinion on the adequacy and effectiveness of the Governance framework

Monitoring Officer Annual Report 2017/18

1. Introduction

- 1.1 The Monitoring Officer's Annual Report summarises the more important matters arising from the Monitoring Officer's work for the Council from 1 April 2017 to 31 March 2018 and comments on other current issues.
- 1.2 Corporate Governance is the system by which local authorities direct and control their functions and relate to their communities. It is founded on the fundamental principles of openness, integrity and accountability together with the overarching concept of leadership. In this respect, Borough Council of King's Lynn and West Norfolk recognises the need for sound corporate governance arrangements and has put in place policies, systems and procedures designed to achieve this.
- 1.3 The Monitoring Officer is appointed under Section 5 of the Local Government and Housing Act 1989 and has a number of statutory functions in addition to those conferred under the Local Government Act 2000 and subsequent regulations governing local investigations into Member conduct. These are outlined in the next section of the report.

2. The Monitoring Officer's Work April 2017 – March 2018

Duties	Work undertaken
(a) Maintaining a lawful position for the Council and reporting on contraventions or likely contraventions of any enactment or rule of law including fraud.	<p>The Monitoring Officer meets regularly with the Head of Paid Service and the Chief Financial Officer and is able to comment on issues.</p> <p>Eastlaw, a contracted legal service a managed by the Monitoring Officer, provide advice and assistance to officers throughout the Council and report to the Monitoring Officer on any areas of concern in relation to lawfulness and compliance with the Council's protocols and processes.</p> <p>The Monitoring Officer and her staff attend meetings and provide advice to officers and Members at an early stage, including seeing reports to committee.</p>

	<p>The Monitoring Officer also requires appropriate recording of delegated authority to evidence compliance with the Constitution.</p> <p>eastlaw assess and respond to either changes in the legal framework and in particular this year have led on the implementation of GDPR.</p> <p>No contraventions have been identified or reported.</p>
(b) Report any findings of maladministration causing injustice where the Ombudsman has carried out an investigation.	The Monitoring Officer reviews any complaints where the LGO has upheld the complaint.
(c) Establish and maintain the Register of Member's interests and gifts and hospitality.	<p>All Members of both the District and Parish Councils completed new returns following the elections in May 2015. Members are reminded to keep these up to date.</p> <p>Members have been issued with Guidance on the Code.</p> <p>Members making nil returns have been reminded of their obligations under the Code.</p> <p>The Register of Members' Interests is publicised on the Council's website. The Registers are available for inspection at the Council's offices.</p>
(d) Maintain Register of Employees gifts and hospitality.	The Registers have been updated regularly and are open to inspection.
(e) Investigate misconduct in respect of District, Parish and Town Councillors under the Code of Conduct.	<p>During the year between April 2017 and March 2018 a total of 29 complaints have been received.</p> <p>There has been a rise in complaints in relating to the Borough Council but the majority of these relate mainly to one issue, which has been the subject of an investigation and a finding by the Standards</p>

	<p>Committee.</p> <p>The most common complaints are alleged disrespect to others.</p> <p>In a significant proportion of these cases there was either no breach identified or the members concerned were offered guidance and assistance.</p> <p>In some cases the parish councils were offered assistance through mediation and conciliation to resolve the issues themselves rather than having solutions imposed upon them.</p> <p>Members have regularly sought advice in order to comply with the Code of Conduct, particularly in relation to declaring interests under the Code.</p> <p>Members have been provided with training.</p>
(f) Investigate breaches of the Council's own protocols.	There have been no alleged breaches of the Council's own protocols.
(g) Provide advice to Town and Parish Councils on the interpretation of the Code of Conduct.	<p>The Monitoring Officer has provided advice to Parish Councils on the Standards and Conduct Arrangements during 2016/17 face to face, by letter, telephone and email.</p> <p>The Monitoring Officer has provided advice and assistance to a number of parishes through interventions to raise standards and deal with complaints.</p>
(h) Promote and support high standards of conduct through support to the Standards Committee.	<p>The Committee has met to consider issues and hear cases.</p> <p>The Independent Person arrangements are working well.</p>
(i) Compensation for maladministration.	None.
(j) Maintenance and review of the	The Constitution has been revised and

Constitution.	updated.
(k) Responsibility for complaints made under the Council's Whistleblowing and Anti-Fraud policies.	<p>The risks of fraud are managed through the Council's anti fraud and corruption policies and underpinned by the financial and contract procedure rules. These are monitored for compliance by the legal and finance teams.</p> <p>Employees are made aware of the anti fraud policies and their ability to report through the Council's intranet and the Briefing.</p> <p>There have been no reports of fraud or financial impropriety.</p>
(l) Breaches of the Employee Code of Conduct.	<p>Employees are reminded through the Council's internal communications regarding business practice and ethical behaviour.</p> <p>There have no formal allegation of breaches under the Employee Code of Conduct.</p>
(m) Advice on vires issues, maladministration, financial impropriety, probity and policy framework.	<p>The Monitoring Officer has been consulted on new policy proposals, the budget and accounts and on matters, which have potentially significant legal implications.</p> <p>The Monitoring Officer meets regularly with the Chief Financial Officer.</p> <p>The financial statements are subject to a robust governance process through the Committee cycle.</p> <p>The Monitoring Officer and her staff have attended Council and other Committees as necessary.</p> <p>Officers consult the Monitoring Officer regularly on vires and probity issues.</p> <p>The Monitoring Officer works closely with the Chief Financial Officer and the Head of Paid Service to ensure probity in the organisation.</p> <p>The Monitoring Officer regularly advises on the legality and/or appropriateness of</p>

	<p>administrative procedures, in conjunction with the Democratic Services Team.</p> <p>This year has seen the implementation of GDPR and the introduction of an Information Risk Framework.</p>
(n) Exemptions to contract standing orders	15 exemptions have been allowed this year.
(o) actual or potential litigation or claims that would have a significant effect on the entity or a material impact on the financial statements	None identified.

3. Key Messages

3.1 The key messages to note from the year are:

- (i) The systems of internal control administered by the Monitoring Officer including compliance with the Council's Constitution were adequate and effective during the period for the purposes of the latest Regulations. However, it is important that Members and Officers are regularly reminded of their obligations and updated on any changes to ensure there is no complacency.
- (ii) The Constitution continues to be regularly updated.

4. Looking Forward

4.1 The key issues for 2017/18 are as follows;

- Further implementation of the Information Risk Management Framework is planned.

4.2 Code of Conduct

- 4.2.2 There have been a rise in complaints but this appears to be related to the same members rather than being more widespread.

4.3 Corporate Governance Framework

- 4.3.1 The Council will keep the Code of Corporate Governance under review, taking into account any revisions to associated guidance and any recommendations arising from audit reports.
- 4.3.2 The Monitoring Officer will continue to provide an assurance in respect of the Code and the Annual Governance Statement by way of this Annual Report.

4.4 Constitution and Regulations

- 4.4.1 The Constitution will be continue to be kept under review by the Monitoring Officer working closely with the Democratic Services Team.
- 4.4.2 It will be appropriate to continue to remind Members and staff of the importance of compliance with the Council's regulations, as set out in the Constitution and other policy framework documents, and the Monitoring Officer and other staff will give advice accordingly.

5. Overall opinion on the adequacy and effectiveness of the Governance framework

The Monitoring Officer confirms that she is not aware of;

- Any breaches of, or deficiencies in, internal control in respect of fraud or compliance with relevant legal provisions that could have a significant effect on the entity or a material impact on the financial statements;
- Any actual, suspected or alleged frauds or breaches of legislative requirements during 2017/18;
- Any excessive or undue pressure to meet financial or operating targets that may unduly influence the actions of either those charged with governance or Management;
- Any actual or potential litigation or claims that would have a significant effect on the entity or a material impact on the financial statements;
- Any circumstances that would call into question the preparation of the financial statements on an ongoing basis.

That the systems of internal control administered by the Monitoring Officer including the Code of Conduct and the Council's Constitution, were adequate and effective during the year between April 2017 and March 2018 for the purposes of the latest regulations (subject to the areas outlined above).

Emma Duncan
Monitoring Officer
31/3/18