

Monitoring Officer Annual Report 2014/15

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Monitoring Officer Annual Report 2014/15

1. Introduction

- 1.1 The Monitoring Officer's Annual Report summarises the more important matters arising from the Monitoring Officer's work for the Borough Council from 1 April 2014 to 31 March 2015 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, the Borough Council of Kings 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 2014 – March 2015

The previous Monitoring Officer left the Council in May 2014, following her departure an interim Monitoring Officer was appointed to undertake the statutory functions as required under the Local Government and Housing Act 1989 and a handover meeting took place to identify any issues arising in relation to the corporate governance framework. The Monitoring Officer was confirmed by Council in June 2014 and has carried out the statutory functions since that time.

Duties	Work undertaken
(a) Report on contraventions or likely contraventions of any enactment or rule of law.	None
(b) Report any findings of maladministration causing injustice where the Ombudsman has carried out an investigation.	There have been no such reportable incidents.
(c) Establish and maintain the Register of Member's interests and gifts and hospitality.	Members have been issued with Guidance. The Register of Members' Interests is publicised on the Council's website. The Registers are available for inspection at the

	Council's offices.
(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 2014 and March 2015 a total of 11 complaints have been received.</p> <p>No cases were referred for investigation.</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 guidance through the provision of briefing notes and training on the Code of Conduct has been undertaken by the Monitoring Officer.</p>
(f) Investigate breaches of the Council's own protocols.	There have been no alleged breaches of the Council's own protocols which have been investigated and dealt with accordingly.
(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 2014/15 face to face, by letter, telephone and email.</p> <p>Offers of training have been made to parish councils although none taken up.</p>
(h) Promote and support high standards of conduct through support to the Standards Committee.	The Committee met as needed.
(i) Compensation for maladministration.	None. The Council has made goodwill payments to 4 complainants totalling £310.
(j) Maintenance and review of the Constitution.	The Constitution has been revised and updated during the year.
(k) Responsibility for complaints made under the Council's Whistleblowing and Anti-Fraud policies.	None
(l) Breaches of the Employee Code of Conduct.	There has been one formal allegation of breaches under the Employee Code of

<p>(m) Advice on vires issues, maladministration, financial impropriety, probity and policy framework.</p>	<p>Conduct.</p> <p>The Monitoring Officer has been consulted on new policy proposals and on matters, which have potentially significant legal implications.</p> <p>The Monitoring Officer has 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 regularly advises on the legality and/or appropriateness of administrative procedures, in conjunction with the Democratic Services Team.</p> <p>The Monitoring Officer reviewed the Code of Corporate Governance this year, which was approved by full council in March and also reviewed a number of other policies and protocols.</p>
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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 2014/15 are as follows;

- Training for new members on the Code of Conduct following the elections in May.
- Update of the Constitution including planning protocol.
- Revision of the scrutiny function.
- Compilation of the Registers of Interest following the election.

4.2 Code of Conduct

4.2.2 To undertake new Member training.

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

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 2014 and March 2015 for the purposes of the latest regulations (subject to the areas outlined above).

Emma Duncan
Monitoring Officer
14th April 2015