

## ESSENTIAL REFERENCE PAPER 'A'

### IMPLICATIONS/CONSULTATIONS

Contribution to the Council's Corporate Priorities/ Objectives <i>(delete as appropriate)</i> :	Priority 1 – Improve the health and wellbeing of our communities  Priority 2 – Enhance the quality of people's lives  Priority 3 – Enable a flourishing local economy
Consultation:	In line with the procedure, the Independent person was consulted throughout the process.
Legal:	<p>The Council has a duty under section 27 of the Localism Act 2011 to promote and maintain high standards of conduct by Members and co-opted Members of the authority. Under section 28 of the Act, the authority must adopt a Code dealing with the conduct that is expected of Members when acting in that capacity. Any alleged failure to comply with the authority's Code of Conduct must be dealt with under the adopted local complaints handling arrangements.</p> <p>9.2 If the authority receives a complaint of a breach of the Code of Conduct, it is therefore obliged to follow its adopted procedures and to do so in a manner that meets the legal duties under section 27</p> <p>9.3 The Standards Sub-Committee is the designated Committee for determination of any final complaints if the Monitoring Officer concludes (as per paragraph 7 of the East Herts Council Councillor Complaints Procedure) that informal resolution is inappropriate. Given the nature of the complaints and the Investigator's conclusions, the Interim Monitoring Officer considered informal resolution</p>

	to be inappropriate and the matter was referred for determination by the Standards Sub-Committee.
Financial:	There is no specific budget for Member investigation
Human Resource:	East Herts Council is only designated to investigate employment matters concerning its own Authority.
Risk Management:	The Member Code of Conduct and process for carrying out investigations into breaches of the Code are part of the Council's overall governance framework.
Health and wellbeing – issues and impacts:	
Equality Impact Assessment required:	In line with the Public Sector Equality Duty, public bodies must, in the exercise of its functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not. The contents of this report do not directly impact on equality.