

STANDARDS COMMITTEE

22 February 2018 at 6.00 p.m.

Present: - Councillors English (Chairman), Mrs Bence (Vice-Chairman – on election), Dillon, Edwards, and Mrs Rapnik.

*Independent Persons* – Mr B Green and Mr J Thompson.

[Note: Cllr English was absent from the meeting during consideration of the matters referred to in Minute 444 to Minute 449 (Part). Councillor Mrs Bence chaired the meeting in his absence].

444. ELECTION OF VICE-CHAIRMAN

The Committee

RESOLVED

That Councillor Mrs Bence be elected Vice-Chairman for the meeting.

445. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Dr Walsh, Tyler and Wheal.

446. DECLARATIONS OF INTEREST

Councillor Edwards declared a Personal Interest in Agenda Item 7 – Assessment Panel Decision - Allegation against Felpham Parish Councillors - as he was a member of the Parish Council at the time of the complaint.

447. MINUTES

The Minutes of the meeting held on 19 October 2017 were approved by the Committee as a correct record and signed by the Vice Chairman.

448. UPDATE TO THE LOCAL ASSESSMENT PROCEDURE – POLICE PROTOCOL

The Committee received a report from the Group Head of Council Advice & Monitoring Officer reminding Members that at its last meeting, the Committee had supported the introduction of a revised Local Assessment Procedure for complaints made under the Members Code of Conduct. This had been subsequently adopted by Full Council on 8 November 2017.

An outstanding element of this new Procedure was a protocol to allow complaints to be immediately referred to the Police when a potential criminal offence was involved. The Group Head of Council Advice & Monitoring Officer explained that work had been undertaken in consultation with the Acting Chief Inspector for the Arun & Chichester Division of the Sussex Police and a draft Police Protocol had been produced for the Committee to consider so that this could be incorporated into the Local Assessment Procedure. It was outlined that what was being proposed was a simple protocol making it very clear what the basis for reporting to the Police would be and who the contact would be between.

The other outstanding request of the Committee had been for a Habitual/Vexatious Complaints Policy to be introduced. The Group Head of Council Advice & Monitoring Officer reported that from the research she had undertaken, the introduction of this Policy this was not something that many Councils recommended. In addition, the recently adopted revised Local Assessment Procedure provided sufficient discretion to the Monitoring Officer, in consultation with an Independent Person, to deal with complaints of this nature and so it was proposed that no further action on introducing this Policy be taken.

Having considered the draft Protocol, the Committee

RECOMMEND TO FULL COUNCIL – That

- (1) the Police Protocol, as set out in Appendix 1, be approved and incorporated into the Local Assessment Procedure; and
- (2) the Group Head of Council Advice & Monitoring Officer be given authority to make the necessary consequential updates to the Local Assessment Procedure.

The Committee also

RESOLVED

That no further action be undertaken to introduce a Habitual/Vexatious Complaints Policy.

449. ASSESSMENT PANEL DECISION – ALLEGATION AGAINST FELPHAM PARISH COUNCILLORS

The Committee received and noted a report from the Group Head of Council Advice & Monitoring Officer advising Members of the outcome of the Assessment Panel's investigation into allegations against two Felpham Parish Councillors, Councillors Michael Harvey and Graham Matthews.

In submitting this report, the Group Head of Council Advice & Monitoring Officer advised the Committee that concern had been expressed by one of the councillors named in this complaint that their details were still public and being reported over a year after the complaint was made, even when no breach had been found by the Assessment Panel. Their concerns were understood as this complaint had taken some months to be resolved. It was anticipated that such delays would not recur now that a revised Local Assessment Procedure had been agreed by the Council.

These concerns had been raised with the Chairman and it was suggested that the Committee re-consider the period for publication of these decisions. A period of 12 months had been proposed by the Assessment Panel which would run until 13 September 2018. It was suggested that this period should be reduced and there be no further publication of these decisions.

Having discussed this suggestion, the Committee

RESOLVED

That the publication period for these assessments be ceased with immediate effect.

450. SIGNING UP TO THE NEW CODE OF CONDUCT BY ARUN DISTRICT COUNCILLORS

The Committee received a verbal update from the Group Head of Council Advice & Monitoring Officer on the actions taken since the revised Code of Conduct had been adopted by Full Council on 8 November 2017.

The Committee noted that all Arun District Councillors had now signed up to the revised Code of Conduct following its adoption on 8 November 2017 and completed their Register of Interests. Councillors would now be asked to review their register on an annual basis with the next review planned for November 2018; and then from May each year thereafter.

The Committee recorded its thanks to Shirley Zeman, PA to the Chief Executive and Group Heads, for all her hard work in compiling the new Register.

451. SIGNING UP TO THE NEW CODE OF CONDUCT BY PARISH COUNCILS IN THE ARUN DISTRICT

The Committee received a verbal update from the Group Head of Council Advice & Monitoring Officer on the actions taken since the revised Code of Conduct had been adopted by Full Council on 8 November 2017.

The Group Head of Council Advice & Monitoring Officer updated the Committee on the liaison that had taken place with all Town and Parish Councils within the Arun District to encourage their sign up to the revised Code of Conduct.

To date, 15 Parish Councils had signed up to the new Code; and 2 Councils, namely Bersted and Middleton-on-Sea, had decided not to adopt the revised Code and continue to work to the previous arrangements. The remaining Town and Parish Councils were still to confirm the action they intended to take. The Group Head of Council Advice & Monitoring Officer clarified that any complaints against Town and Parish Councillors received would be assessed against the Code of Conduct adopted by their own Council, but the complaint investigation would follow Arun District Council's Local Assessment Procedures.

The Group Head of Council Advice & Monitoring Officer advised Members that the intention was to update the Council's website to confirm which Code each Parish Council had adopted when this review had been concluded to make it simpler for the public to make any complaints.

The Committee noted that a further update would be made to the next meeting, including a note of all Councils that had agreed to adopt Arun District Council's Code of Conduct and those who had not.

452. EXEMPT INFORMATION

The Committee

RESOLVED

That under Section 100A (4) of the Local Government Act 1972, the public and accredited representatives of newspapers be excluded from the meeting for the following item of business on the grounds that it may involve the likely disclosure of exempt information as defined in Part 1 and Part 5 of Schedule 12A of the Act by virtue of the paragraph specified against the item.

453. REGISTER OF ASSESSMENTS OF COMPLAINTS AGAINST COUNCILLORS (Exempt – Paragraph 1 – Information Relating to Any Individual)

The Committee received a report from the Group Head of Council Advice & Monitoring Officer which updated Members on the complaints against Councillors received since January 2015.

For this meeting a full copy of the Register had been attached to the report as Appendix A and the Committee worked through some of the complaints which were listed as either not being completed or where there was a need to review any lessons learnt.

The Committee discussed complaint reference 5808 which they agreed not to progress as the Subject Member is no longer a Parish Councillor and the complaint was received too long ago to allow for an effective and meaningful investigation.

The Committee then noted the content of the report.

(The meeting concluded at 6.31 pm)