



Public Document Pack

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Committee Manager Jane Fulton

17 January 2019

Standards

A meeting of the Standards will be held in on the Thursday, 31st January, 2019 at 6.00 pm and you are requested to attend.

Members: Councillors Dillon (Vice-Chair), English (Chairman), Blampied, Edwards, Mrs Rapnik, Dr Walsh and Wheal

AGENDA

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members and Officers are invited to make any declarations of pecuniary, personal and/or prejudicial interests that they may have in relation to items on this agenda, and are reminded that they should re-declare their interest before consideration of the item or as soon as the interest becomes apparent.

Members and Officers should make their declaration by stating:

- a) The item that they have in the interest in
- b) Whether it is a pecuniary, personal and/or prejudicial interest
- c) The nature of the interest

3. MINUTES

To approve as a correct record the Minutes of the meeting held on 21 June 2018, which are attached.

4. ITEMS ON THE AGENDA THAT THE CHAIRMAN OF THE MEETING IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY BY REASON OF SPECIAL CIRCUMSTANCES

5. ASSESSMENT PANEL DECISION - ALLEGATION AGAINST A BONGOR REGIS TOWN COUNCILLOR (Pages 1 - 26)

This report advised the Committee of the outcome of the Assessment Panel's investigation into allegations received against Councillor Damien Enticott, a Bognor Regis Town Councillor.

6. REVIEW OF THE LOCAL ASSESSMENT PROCEDURE (Pages 27 - 46)

A revised Local Assessment Procedure was adopted by the Council on 8 November 2017 and it was agreed that a review would be undertaken following a year of operation. This report therefore considers how the Procedure has worked in practice, proposes some minor amendments for clarity, and seeks the views of the Committee on any other changes to be put forward.

7. RECRUITMENT OF ADDITIONAL INDEPENDENT PERSONS TO THE STANDARDS COMMITTEE (Pages 47 - 50)

As requested by the Committee at its last meeting on 21 June 2018, this report seeks further views from Members on the approach to recruiting additional Independent persons and presents options for a way forward.

8. REGISTER OF ASSESSMENTS OF COMPLAINTS AGAINST COUNCILLORS (Pages 51 - 62)

This report updates the Committee on the complaints against Councillors received over the past two years.

Note : *Indicates report is attached for all Members of the Council only and the press (excluding exempt items). Copies of reports can be obtained on request from the Committee Manager).

Note : Members are reminded that if they have any detailed questions would they please inform the Chairman and/or relevant Director in advance of the meeting.

ARUN DISTRICT COUNCIL

REPORT TO THE STANDARDS COMMITTEE ON 31 JANUARY 2019

SUBJECT:	Assessment Panel Decision – Allegation against Bognor Regis Town Councillor Damien Enticott
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REPORT AUTHOR:	Liz Fitcher – Group Head of Council Advice & Monitoring Officer
DATE:	26 November 2018
EXTN:	01903 737610

EXECUTIVE SUMMARY:

This report advises the Committee of the outcome of the Assessment Panel's investigation into allegations received against Councillor Damien Enticott, a Bognor Regis Town Councillor.

RECOMMENDATIONS:

It is recommended that:

- (1) the decisions of the Assessment Panel be noted; and
- (2) the outcome of the Committee's review of the publication period be confirmed at the meeting.

1.0 BACKGROUND

- 1.1 The role of the Assessment Panel is to consider whether the Councillor has breached the Code of Conduct based on the complaint received. If this is found to be the case, then the Panel will decide on whether any action should be taken. In this case, three separate complaints were received against the Councillor.
- 1.2 The Panel met on 17 October 2018 and the findings from its investigation are attached as Appendix A, B and C. No review of the decision was requested by either the Councillor or the Complainants by the expiry date of the review period. The decision notices were published on 26 November 2018.
- 1.3 In finding the Councillor in breach of the Code of Conduct, the Panel determined that its decision notices should be published for the maximum period of 12 months. In line with paragraph 6.8 of the Local Assessment Procedure, the Panel wish to ask the Committee to carry out a further review of its findings to determine whether there should be a longer timeframe for publishing these decisions in view of the nature of the complaints.

2.0 PROPOSALS

- 2.1 To note the decisions of the Assessment Panel made in accordance with the Local Assessment Procedure.

3.0 OPTIONS

1. To accept the Panel's request for a further review of the publication period for these decisions and confirm an alternative publication period.
2. To not accept the Panel's request and confirm the publication period as 12 months.

4.0 CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		✓
Relevant District Ward Councillors		✓
Other groups/persons (please specify) <ul style="list-style-type: none">• The decision notices were consulted upon with the Subject Member and Complainant before being published	✓	

5.0 ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail below)	YES	NO
Financial		✓
Legal	✓	
Human Rights/Equality Impact Assessment		✓
Community Safety including Section 17 of Crime & Disorder Act		✓
Sustainability		✓
Asset Management/Property/Land		✓
Technology		✓
Other (please explain)		✓

6.0 IMPLICATIONS:

None

7.0 REASON FOR THE DECISION:

To reflect the Local Assessment Procedure which requires the decision of the Assessment Panel to be reported to the Standards Committee.

8.0 BACKGROUND PAPERS:

Members Code of Conduct and Local Assessment Procedure
<https://www.arun.gov.uk/complaints-against-councillors>

**ARUN DISTRICT COUNCIL
ASSESSMENT PANEL – 17 OCTOBER 2018**

DECISION NOTICE - COMPLAINT 1

Subject Member	Councillor Damien Enticott
Representing	Bognor Regis Town Council
Assessment Panel Members	Councillor Paul English - Chairman Councillor David Edwards Councillor Ann Rapnik Councillor Robert Wheal John Thompson – Independent Person

Summary of Complaint

The complaint related to comments made by the Subject Member in a social media post on 4 July 2018, using his title of Councillor, which were considered to be highly offensive, anti-Semitic and inaccurate.

The Complainant believed that the Subject Member had brought the Town Council into disrepute, damaging the Council’s standing and reputation, as well as the relationship between the Town Council and the electorate for whom it serves. On this basis, the Complainant was of the view that the Subject Member was in breach of Bognor Regis Town Council’s Code of Conduct.

How the Code of Conduct applied to this complaint

As required by the Localism Act 2011, all Town and Parish Councils across the Arun District have adopted a Code of Conduct and required each councillor to sign up to this Code. Whilst all the Codes work to the same general principles, Bognor Regis Town Council has established its own rules for defining the general obligations of its councillors and the arrangements for registering and disclosing pecuniary and other interests. The assessment of this complaint was reviewed against the Bognor Regis Town Council’s Code of Conduct adopted by the Council on 9 March 2015 and reviewed on 2 July 2018.

The Panel’s Decision

The Complainant had identified six paragraphs within their complaint that they believed demonstrated that there had been a breach of the Code of Conduct by the Subject Member. The Panel considered the report of the Investigating Officer and then heard statements from the Complainant as well as from a witness they had brought to the hearing.

As the Subject Member failed to attend and no satisfactory explanation was given for his absence, the Panel decided to proceed with the hearing.

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Having reviewed all the evidence presented, the Panel was deeply concerned over the Subject Member's conduct. In finding the Subject Member in breach of Bognor Regis Town Council's Code of Conduct on all six paragraphs raised by the Complainant, the Panel recognised the offence and distress his conduct had caused locally, nationally and internationally.

In reviewing the evidence presented from the many media and news articles provided to them, the Panel found that they clearly identified the Subject Member as a Bognor Regis Town Councillor. The Panel believed that the Subject Member's actions had not reflected the overriding principles of conduct expected of a local government councillor thereby bringing local democracy into disrepute.

The Panel's decision on each of the six paragraphs is set out below:

Paragraph 1 - Champion the needs of residents	
<i>Decision</i>	BREACH
<i>Reason for the Decision</i>	<ol style="list-style-type: none"> 1. Whilst it was recognised that social media posts presented as evidence prior to 22 February 2018 were made before the Subject Member was elected to the office of councillor, the Panel did feel they had relevance for two reasons: <ol style="list-style-type: none"> a. anyone reviewing the older posts would not have been able to distinguish that the Subject Member had not been a councillor at the time of their posting and therefore may perceive these to be his ongoing views in his role as a councillor; and b. the earlier posts indicated a predisposition of the Subject Member to make inappropriate comments. 2. The Panel supported the view of the Complainant that by using the title 'Cllr' on his social media accounts this did demonstrate that the Subject Member was acting in his official capacity as a Councillor when he made the social media post on 4 July 2018. 3. Based on the evidence reviewed, the Panel supported the Complainant in their view that the Subject Member had not championed the needs of the whole community by posting such a statement. 4. The Subject Member's conduct in making this social media post was regarded as bringing his office as a councillor as well as Bognor Regis Town Council itself into disrepute. 5. On this basis, the Panel determined that the Subject Member had breached paragraphs 3.1, 3.3 and 3.6 (Respect) and paragraph 3.9 (Disrepute) of Bognor Regis Town Council's Code of Conduct.

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Paragraph 2 – Deal with representations or enquiries from residents, members of the community and visitors fairly, appropriately and impartially	
<i>Decision</i>	BREACH
<i>Reason for the Decision</i>	<ol style="list-style-type: none"> 1. The evidence confirmed that the Subject Member had represented himself as acting in his official capacity as a Councillor by using the title ‘Cllr’ on his social media account. 2. The Subject Member confirmed in a public statement that he did post the statement to his social media account dated 4 July 2018. 3. The Subject Member did not act impartially in posting what could be, and was, perceived as discriminatory comments in this social media post as evidenced by the numerous local, national and international news articles; and in the complaint received. 4. The Subject Member’s conduct was regarded as bringing their office of Councillor as well as Bognor Regis Town Council itself into disrepute. 5. On this basis, the Panel determined that the Subject Member had breached paragraph 3.9 (Disrepute) and Principle 3 (Objectivity) of the General Principles of Bognor Regis Town Council’s Code of Conduct.

Paragraph 5 – Listen to the interests of all parties	
<i>Decision</i>	BREACH
<i>Reason for the Decision</i>	<ol style="list-style-type: none"> 1. The Panel had no evidence from the Subject Member to demonstrate that he had considered the interests of all parties before posting the social media post on 4 July 2018. 2. Evidence presented confirmed that the Subject Member had been given advice by the Town Clerk on two occasions about the importance of following Bognor Regis Town Council’s Social Media Policy which forms part of the Code of Conduct. 3. The Subject Member’s conduct was regarded as bringing their office of Councillor as well as Bognor Regis Town Council itself into disrepute. 4. The Subject Member had not followed the adopted Social Media Policy for Councillors that formed part of the Bognor Regis Town Council’s Code of Conduct, in particular the requirement at paragraph 10.1 “<i>Councillors must not use insulting or offensive language or engage in any conduct that would not be acceptable in a workplace. They must show consideration for others’ privacy and for topics that may be considered controversial, such as politics or religion</i>”.

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	5. On this basis, the Panel determined there been a breach of Bognor Regis Town Council’s Code of Conduct as defined in paragraph 3.9 (Disrepute) and the Social Media Policy that forms part of the Code.
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Paragraph 6 – Be accountable for their decisions and co-operate when scrutinised	
<i>Decision</i>	BREACH
<i>Reason for the Decision</i>	<ol style="list-style-type: none"> 1. The Panel supported the Complainant’s view that the Subject Member had not been accountable for their decisions and co-operated when scrutinised by: <ol style="list-style-type: none"> a. initially denying they had posted the social media comment; and b. not responding to the Monitoring Officer’s contact about the complaint made. 2. Further, the Panel considered that this initial denial did not demonstrate truthfulness from the Subject Member as required by the General Principles of the Town Council’s Code of Conduct. 3. The Panel acknowledged that the Subject Member had subsequently retracted this denial and confirmed that he did post the social media post on 4 July 2018. However, reviewing his public statement, the Panel noted this referred to the Subject Member saying “... <i>will not be attending any courses if requested to do so</i>” and he would “<i>continue to express myself freely for my electorate and my apologies will only be to the people of Hatherleigh ward if requested. It is only the residents of Hatherleigh Ward that I truly represent as a councillor and who I am accountable to</i>”. The Panel’s view was that this did not demonstrate that the Subject Member was accountable for his wider role as an elected councillor of Bognor Regis Town Council. 4. The Subject Member’s conduct was regarded as bringing their office of Councillor as well as Bognor Regis Town Council itself into disrepute. 5. On this basis, the Panel determined there had been a breach of Bognor Regis Town Council’s Code of Conduct as defined in paragraph 3.9 (Disrepute) and Principle 6 (Honesty) of the General Principles of the Code.

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Paragraph 8 – Behave in accordance with all the legal obligations, alongside any requirements contained within their authority’s policies, protocols and procedures	
<i>Decision</i>	BREACH
<i>Reason for the Decision</i>	<ol style="list-style-type: none"> 1. The Subject Member had signed up to Bognor Regis Town Council’s Code of Conduct following his election on 22 February 2018. The Code sets out the standards required by councillors and co-opted members of the Town Council. It confirms that councillors must comply with the Code whenever they: <ol style="list-style-type: none"> a. conduct the business of the Council; or b. act as a representative of the Council. 2. The Social Media Policy is an appendix to the Code of Conduct that the Subject Member signed an undertaking to comply with. 3. The Subject Member had knowledge of the requirements of the Social Media Policy evidenced by information provided by the Town Clerk. 4. The Subject Member used the title ‘Cllr’ on his social media accounts demonstrating that he was acting in his official capacity as a Councillor when publishing any posts. 5. The Social Media Policy confirms at paragraph 11.1 that failure to comply with the Policy may result in a formal complaint being made to the Monitoring Officer to be dealt with under the Council’s Standards Procedures. 6. On this basis, the Panel determined that there had been a breach of Bognor Regis Town Council’s Social Media Policy which forms part of the Code of Conduct in relation to paragraph 3 (Who this Policy covers), paragraph 5 (Users’ Responsibilities) and Paragraph 10 (Best Practice).

Paragraph 10 – Always treat people with respect	
<i>Decision</i>	BREACH
<i>Reason for the Decision</i>	<ol style="list-style-type: none"> 1. The Panel considered that the Subject Member had not always treated people with respect based on the evidence presented that he had: <ol style="list-style-type: none"> a. made offensive remarks in the social media post on 4 July 2018; b. threatened his fellow councillors in an email sent following the posting; and c. ignored the advice of the Town Clerk’s office in not following the requirements of the Social Media Policy. 2. The Subject Member was also seen to not have acted with objectivity, one of the general principles of

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	<p>the Town Council's Code of Conduct, by making what have been perceived as discriminatory comments in the social media post on 4 July 2018 evidenced by the news articles covered in the local, national and international press.</p> <ol style="list-style-type: none">3. The Subject Member's conduct was regarded as bringing their office of Councillor as well as Bognor Regis Town Council itself into disrepute.4. On this basis, the Panel determined that there had been a breach of Bognor Regis Town Council's Code of Conduct as defined in paragraph 3.9 (Disrepute), Principle 3 (Objectivity) of the General Principles of the Code and paragraphs 3.1, 3.3 and 3.6 (Respect).
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Sanctions to be recommended to Bognor Regis Town Council

In view of the severity of this breach of Bognor Regis Town Council's Code of Conduct by the Subject Member, the Panel have recommended a number of sanctions to the Town Council for consideration.

1. The Clerk to the Council should report the findings of the Subject Member's conduct to Bognor Regis Town Council.
2. The Subject Member should be reprimanded publicly for his failure to abide by the Code of Conduct.
3. The Subject Member should be reminded publicly of the undertaking they signed following their election to observe the requirements of the Code of Conduct to comply with the Localism Act 2011.
4. The decision of the Assessment Panel should be published to Bognor Regis Town Council's website.
5. The Subject Member's Group Leader (or whoever agrees the allocation of committee seats) should suspend the Subject Member from all Committees and Sub-Committees of the Council for a minimum period of six months. The Subject Member will still be able to carry out his official duties as a councillor and he will be able to attend any meetings open to the public and attend any meeting of other organisations that are open to the public or he is invited to as a member of the public.
6. The Subject Member should be removed by the Council from all outside appointments to which he has been appointed for a minimum period of six months. The Subject Member will still be able to carry out his official duties as a councillor and he will be able to attend any meetings open to the public and attend any meeting of other organisations that are open to the public or he is invited to as a member of the public.
7. The proximity pass available to the Subject Member should be withdrawn for a minimum period of six months so he is only able to access the public areas of Bognor Regis Town Hall within the building's opening times. This will still allow the Subject Member to attend meetings that are open to the public and

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the Town Council's Full Council meetings and carry out his official duties as a Councillor.

8. The Clerk to the Council should explore what further training can be offered to the Subject Member to reinforce the requirements of the Code of Conduct and Social Media Policy, with this training to be provided within six months of the date of this decision.

Publication of the Decision

1. Following the review period, the decision of the Panel will be published to Arun District Council's website for a period of 12 months.
2. The Panel's decision will be reported to the next meeting of the Standards Committee and the Panel intend to ask the Committee to carry out a further review of whether there should be a longer timeframe for this publication.

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**ARUN DISTRICT COUNCIL
ASSESSMENT PANEL – 17 OCTOBER 2018**

DECISION NOTICE - COMPLAINT 2

Subject Member	Councillor Damien Enticott
Representing	Bognor Regis Town Council
Assessment Panel Members	Councillor Paul English - Chairman Councillor David Edwards Councillor Ann Rapnik Councillor Robert Wheal John Thompson – Independent Person

Summary of Complaint

The complaint related to a social media post made by the Subject Member on 4 July 2018 which the Complainant believed was extremely anti-Semitic in its tone. The Complainant acknowledged that this post was subsequently removed by the Subject Member, however, not before it was widely reported in the media locally, nationally and worldwide.

The Complainant believed that the Subject Member was in breach of the Bognor Regis Town Council’s Code of Conduct on the basis of his actions whilst acting as a Councillor.

How the Code of Conduct applied to this complaint

As required by the Localism Act 2011, all Town and Parish Councils across the Arun District have adopted a Code of Conduct and required each councillor to sign up to this Code. Whilst all the Codes work to the same general principles, Bognor Regis Town Council has established its own rules for defining the general obligations of its councillors and the arrangements for registering and disclosing pecuniary and other interests. The assessment of this complaint was reviewed against the Bognor Regis Town Council’s Code of Conduct adopted by the Council on 9 March 2015 and reviewed on 2 July 2018.

The Panel’s Decision

The Complainant had identified seven paragraphs within their complaint that they believed demonstrated that there had been a breach of the Code of Conduct by the Subject Member. The Panel considered the report of the Investigating Officer and then heard statements from the Complainant.

As the Subject Member failed to attend and no satisfactory explanation was given for his absence, the Panel decided to proceed with the hearing.

Having reviewed all the evidence presented, the Panel was deeply concerned over

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the Subject Member's conduct. In finding the Subject Member in breach of Bognor Regis Town Council's Code of Conduct on all seven paragraphs raised by the Complainant, the Panel recognised the offence and distress his conduct had caused locally, nationally and internationally.

In reviewing the evidence presented from the many media and news articles provided to them, the Panel found that they clearly identified the Subject Member as a Bognor Regis Town Councillor. The Panel believed that the Subject Member's actions had not reflected the overriding principles of conduct expected of a local government councillor thereby bringing local democracy into disrepute.

The Panel's decision on each of the seven paragraphs is set out below:

Paragraph 1 - Champion the needs of residents	
<i>Decision</i>	BREACH
<i>Reason for the Decision</i>	<ol style="list-style-type: none"> 1. The Panel supported the view of the Complainant that by using the title 'Cllr' on his social media accounts this did demonstrate that the Subject Member was acting in his official capacity as a Councillor when he made the social media post on 4 July 2018. 2. Based on the evidence reviewed, the Panel supported the Complainant in their view that the Subject Member had not championed the needs of the whole community by posting such a statement. 3. The Subject Member's conduct in making this social media post was regarded as bringing his office as a councillor as well as Bognor Regis Town Council itself into disrepute. 4. On this basis, the Panel determined that the Subject Member had breached paragraphs 3.1, 3.3 and 3.6 (Respect) and paragraph 3.9 (Disrepute) of Bognor Regis Town Council's Code of Conduct.

Paragraph 2 – Deal with representations or enquiries from residents, members of the community and visitors fairly, appropriately and impartially	
<i>Decision</i>	BREACH
<i>Reason for the Decision</i>	<ol style="list-style-type: none"> 1. The evidence confirmed that the Subject Member had represented himself as acting in his official capacity as a Councillor by using the title 'Cllr' on his social media account. 2. The Subject Member confirmed in a public statement that he did post the statement to his social media account dated 4 July 2018. 3. The Subject Member did not act impartially in posting what could be, and was, perceived as discriminatory comments in this social media post as evidenced by the numerous local, national and international news

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	<p>articles; and in the complaint received.</p> <p>4. The Subject Member’s conduct was regarded as bringing their office of Councillor as well as Bognor Regis Town Council itself into disrepute.</p> <p>5. On this basis, the Panel determined that the Subject Member had breached paragraph 3.9 (Disrepute) and Principle 3 (Objectivity) of the General Principles of Bognor Regis Town Council’s Code of Conduct.</p>
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Paragraph 5 – Listen to the interests of all parties	
<i>Decision</i>	BREACH
<i>Reason for the Decision</i>	<ol style="list-style-type: none"> 1. The Panel had no evidence from the Subject Member to demonstrate that he had considered the interests of all parties before posting the social media post on 4 July 2018. 2. The Panel was provided with evidence that mentoring had been put in place at the time of the Subject Member’s election to the Town Council as it had been recognised that he had previously made outbursts on social media. 3. Evidence presented confirmed that the Subject Member had been given advice by the Town Clerk on two occasions about the importance of following Bognor Regis Town Council’s Social Media Policy which forms part of the Code of Conduct. 4. The Subject Member’s conduct was regarded as bringing their office of Councillor as well as Bognor Regis Town Council itself into disrepute. 5. The Subject Member had not followed the adopted Social Media Policy for Councillors that formed part of the Bognor Regis Town Council’s Code of Conduct, in particular the requirement at paragraph 10.1 <i>“Councillors must not use insulting or offensive language or engage in any conduct that would not be acceptable in a workplace. They must show consideration for others’ privacy and for topics that may be considered controversial, such as politics or religion”</i>. 6. On this basis, the Panel determined there been a breach of Bognor Regis Town Council’s Code of Conduct as defined in paragraph 3.9 (Disrepute) and the Social Medial Policy that forms part of the Code.

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Paragraph 6 – Be accountable for their decisions and co-operate when scrutinised	
<i>Decision</i>	BREACH
<i>Reason for the Decision</i>	<ol style="list-style-type: none"> 1. The Panel supported the Complainant’s view that the Subject Member had not been accountable for their decisions and co-operated when scrutinised by: <ol style="list-style-type: none"> a. initially denying they had posted the social media comment; and b. not responding to the Monitoring Officer’s contact about the complaint made. 2. Further, the Panel considered that this initial denial did not demonstrate truthfulness from the Subject Member as required by the General Principles of the Town Council’s Code of Conduct. 3. The Panel acknowledged that the Subject Member had subsequently retracted this denial and confirmed that he did post the social media post on 4 July 2018. However, reviewing his public statement, the Panel noted this referred to the Subject Member saying “... <i>will not be attending any courses if requested to do so</i>” and he would “<i>continue to express myself freely for my electorate and my apologies will only be to the people of Hatherleigh ward if requested. It is only the residents of Hatherleigh Ward that I truly represent as a councillor and who I am accountable to</i>”. The Panel’s view was that this did not demonstrate that the Subject Member was accountable for his wider role as an elected councillor of Bognor Regis Town Council. 4. The Subject Member’s conduct was regarded as bringing their office of Councillor as well as Bognor Regis Town Council itself into disrepute. 5. On this basis, the Panel determined there had been a breach of Bognor Regis Town Council’s Code of Conduct as defined in paragraph 3.9 (Disrepute) and Principle 6 (Honesty) of the General Principles of the Code.

Paragraph 8 – Behave in accordance with all the legal obligations, alongside any requirements contained within their authority’s policies, protocols and procedures	
<i>Decision</i>	BREACH
<i>Reason for the Decision</i>	<ol style="list-style-type: none"> 1. The Subject Member had signed up to Bognor Regis Town Council’s Code of Conduct following his election on 22 February 2018. The Code sets out the standards required by councillors and co-opted members of the Town Council. It confirms that councillors must comply with the Code whenever they:

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	<ul style="list-style-type: none"> a. conduct the business of the Council; or b. act as a representative of the Council. <ol style="list-style-type: none"> 2. The Social Media Policy is an appendix to the Code of Conduct that the Subject Member signed an undertaking to comply with. 3. The Subject Member had knowledge of the requirements of the Social Media Policy evidenced by information provided by the Town Clerk. 4. The Subject Member used the title 'Cllr' on his social media accounts demonstrating that he was acting in his official capacity as a Councillor when publishing any posts. 5. The Social Media Policy confirms at paragraph 11.1 that failure to comply with the Policy may result in a formal complaint being made to the Monitoring Officer to be dealt with under the Council's Standards Procedures. 6. On this basis, the Panel determined that there had been a breach of Bognor Regis Town Council's Social Media Policy which forms part of the Code of Conduct in relation to paragraph 3 (Who this Policy covers), paragraph 5 (Users' Responsibilities) and Paragraph 10 (Best Practice).
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Paragraph 9 – Value their colleagues and staff and engage with them in an appropriate manner	
<i>Decision</i>	BREACH
<i>Reason for the Decision</i>	<ol style="list-style-type: none"> 1. The Panel considered that the Subject Member had not always valued their colleagues and staff based on evidence presented that he had: <ul style="list-style-type: none"> a. verbally abused the Complainant in an email sent following the posting; b. threatened his fellow councillors in an email sent following his posting; and c. ignored the advice of the Town Clerk's Office when they provided guidance immediately following his election and again in May about the requirements of the Code of Conduct's Social Media Policy. 2. The Subject Member's conduct was regarded as bringing their office of Councillor as well as of Bognor Regis Town Council itself into disrepute. 3. On this basis, the Panel determined that there had been a breach of Bognor Regis Town Council's Code of Conduct as defined in paragraph 3.9 (Disrepute) and the General Principles of the Code.

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Paragraph 10 – Always treat people with respect	
<i>Decision</i>	BREACH
<i>Reason for the Decision</i>	<ol style="list-style-type: none"> 1. The Panel considered that the Subject Member had not always treated people with respect based on the evidence presented that he had: <ol style="list-style-type: none"> a. made offensive remarks in the social media post on 4 July 2018; b. threatened his fellow councillors in an email sent following the posting; and c. ignored the advice of the Town Clerk’s office in not following the requirements of the Social Media Policy. 2. The Subject Member was also seen to not have acted with objectivity, one of the general principles of the Town Council’s Code of Conduct, by making what have been perceived as discriminatory comments in the social media post on 4 July 2018 evidenced by the news articles covered in the local, national and international press. 3. The Subject Member’s conduct was regarded as bringing their office of Councillor as well as Bognor Regis Town Council itself into disrepute. 4. On this basis, the Panel determined that there had been a breach of Bognor Regis Town Council’s Code of Conduct as defined in paragraph 3.9 (Disrepute), Principle 3 (Objectivity) of the General Principles of the Code and paragraphs 3.1, 3.3 and 3.6 (Respect).

Sanctions to be recommended to Bognor Regis Town Council
<p>In view of the severity of this breach of Bognor Regis Town Council’s Code of Conduct by the Subject Member, the Panel have recommended a number of sanctions to the Town Council for consideration.</p> <ol style="list-style-type: none"> 1. The Clerk to the Council should report the findings of the Subject Member’s conduct to Bognor Regis Town Council. 2. The Subject Member should be reprimanded publicly for his failure to abide by the Code of Conduct. 3. The Subject Member should be reminded publicly of the undertaking they signed following their election to observe the requirements of the Code of Conduct to comply with the Localism Act 2011. 4. The decision of the Assessment Panel should be published to Bognor Regis Town Council’s website. 5. The Subject Member’s Group Leader (or whoever agrees the allocation of committee seats) should suspend the Subject Member from all Committees and Sub-Committees of the Council for a minimum period of six months. The Subject Member will still be able to carry out his official duties as a councillor and he will be able to attend any meetings open to the public and attend any meeting of other organisations that are open to the public or he is invited to as a member of the public.

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6. The Subject Member should be removed by the Council from all outside appointments to which he has been appointed for a minimum period of six months. The Subject Member will still be able to carry out his official duties as a councillor and he will be able to attend any meetings open to the public and attend any meeting of other organisations that are open to the public or he is invited to as a member of the public.
7. The proximity pass available to the Subject Member should be withdrawn for a minimum period of six months so he is only able to access the public areas of Bognor Regis Town Hall within the building's opening times. This will still allow the Subject Member to attend meetings that are open to the public and the Town Council's Full Council meetings and carry out his official duties as a Councillor.
8. The Clerk to the Council should explore what further training can be offered to the Subject Member to reinforce the requirements of the Code of Conduct and Social Media Policy, with this training to be provided within six months of the date of this decision.

Publication of the Decision

1. Following the review period, the decision of the Panel will be published to Arun District Council's website for a period of 12 months.
2. The Panel's decision will be reported to the next meeting of the Standards Committee and the Panel intend to ask the Committee to carry out a further review of whether there should be a longer timeframe for this publication.

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**ARUN DISTRICT COUNCIL
ASSESSMENT PANEL – 17 OCTOBER 2018**

DECISION NOTICE - COMPLAINT 3

Subject Member	Councillor Damien Enticott
Representing	Bognor Regis Town Council
Assessment Panel Members	Councillor Paul English - Chairman Councillor David Edwards Councillor Ann Rapnik Councillor Robert Wheal John Thompson – Independent Person

Summary of Complaint

The complaint related to a statement made by the Subject Member on his social media accounts on 4 July 2018 which were alleged to be anti-Semitic and racist.

The Complainant alleged that the Subject Member had conducted themselves in a manner which could be regarded as bringing his office as a Councillor and the Bognor Regis Town Council itself into disrepute. On this basis, the Complainant believed that the Subject Member was in breach of the Bognor Regis Town Council's Code of Conduct.

How the Code of Conduct applied to this complaint

As required by the Localism Act 2011, all Town and Parish Councils across the Arun District have adopted a Code of Conduct and required each councillor to sign up to this Code. Whilst all the Codes work to the same general principles, Bognor Regis Town Council has established its own rules for defining the general obligations of its councillors and the arrangements for registering and disclosing pecuniary and other interests. The assessment of this complaint was reviewed against the Bognor Regis Town Council's Code of Conduct adopted by the Council on 9 March 2015 and reviewed on 2 July 2018.

The Panel's Decision

The Complainant had identified six paragraphs within their complaint that they believed demonstrated that there had been a breach of the Code of Conduct by the Subject Member.

The Panel considered the report of the Investigating Officer. The Panel noted that the Complainant had declined to attend the hearing as they were satisfied that the Investigating Officer's report covered all the points they wished to raise.

As the Subject Member failed to attend and no satisfactory explanation was given for his absence, the Panel decided to proceed with the hearing.

Appendix C

Having reviewed all the evidence presented, the Panel was deeply concerned over the Subject Member's conduct. In finding the Subject Member in breach of Bognor Regis Town Council's Code of Conduct on all six paragraphs raised by the Complainant, the Panel recognised the offence and distress his conduct had caused locally, nationally and internationally.

In reviewing the evidence presented from the many media and news articles provided to them, the Panel found that they clearly identified the Subject Member as a Bognor Regis Town Councillor. The Panel believed that the Subject Member's actions had not reflected the overriding principles of conduct expected of a local government councillor thereby bringing local democracy into disrepute.

The Panel's decision on each of the six paragraphs is set out below:

Paragraph 1 - Champion the needs of residents	
<i>Decision</i>	BREACH
<i>Reason for the Decision</i>	<ol style="list-style-type: none"> 1. Whilst it was recognised that social media posts presented as evidence prior to 22 February 2018 were made before the Subject Member was elected to the office of councillor, the Panel did feel they had relevance for two reasons: <ol style="list-style-type: none"> a. anyone reviewing the older posts would not have been able to distinguish that the Subject Member had not been a councillor at the time of their posting and therefore may perceive these to be his ongoing views in his role as a councillor; and b. the earlier posts indicated a predisposition of the Subject Member to make inappropriate comments. 2. The Panel supported the view of the Complainant that by using the title 'Cllr' on his social media accounts this did demonstrate that the Subject Member was acting in his official capacity as a Councillor when he made the social media post on 4 July 2018. 3. Based on the evidence reviewed, the Panel supported the Complainant in their view that the Subject Member had not championed the needs of the whole community by posting such a statement. 4. The Subject Member's conduct in making this social media post was regarded as bringing his office as a councillor as well as Bognor Regis Town Council itself into disrepute. 5. On this basis, the Panel determined that the Subject Member had breached paragraphs 3.1, 3.3 and 3.6 (Respect) and paragraph 3.9 (Disrepute) of Bognor Regis Town Council's Code of Conduct

Appendix C

Paragraph 4 – Exercise judgement and not compromise their position	
<i>Decision</i>	BREACH
<i>Reason for the Decision</i>	<ol style="list-style-type: none"> 1. The evidence confirmed that the Subject Member had represented himself as acting in his official capacity as a Councillor by using the title ‘Cllr’ on his social media account. 2. The Panel supported the Complainant’s view that the Subject Member had not exercised judgement as a councillor by publishing a social media post that: <ol style="list-style-type: none"> a. caused offence and distress, especially to the Jewish community, as evidenced in local, national and international news articles; b. had not considered the views of all parties; and c. did not follow the requirements of the Town Council’s Social Media Policy 3. Further, the Panel supported the Complainant’s view that the Subject Member had compromised his position as a councillor by initially denying posting the statement and subsequently retracting this denial and confirming he did post the social media post on 4 July 2018. 4. The Subject Member’s conduct was regarded as bringing their office of Councillor as well as Bognor Regis Town Council itself into disrepute. 5. On this basis, the Panel determined that the Subject Member had breached paragraphs 3.1, 3.3 and 3.6 (Respect) and Principle 6 (Honesty) of the General Principles of Bognor Regis Town Council’s Code of Conduct.

Paragraph 5 – Listen to the interests of all parties	
<i>Decision</i>	BREACH
<i>Reason for the Decision</i>	<ol style="list-style-type: none"> 1. The Panel had no evidence from the Subject Member to demonstrate that he had considered the interests of all parties before posting the social media post on 4 July 2018. 2. Evidence presented confirmed that the Subject Member had been given advice by the Town Clerk on two occasions about the importance of following Bognor Regis Town Council’s Social Media Policy which forms part of the Code of Conduct. 3. The Subject Member’s conduct was regarded as bringing their office of Councillor as well as Bognor Regis Town Council itself into disrepute. 4. The Subject Member had not followed the adopted Social Media Policy for Councillors that formed part of the Bognor Regis Town Council’s Code of Conduct, in particular the requirement at paragraph 10.1

Appendix C

	<p><i>“Councillors must not use insulting or offensive language or engage in any conduct that would not be acceptable in a workplace. They must show consideration for others’ privacy and for topics that may be considered controversial, such as politics or religion”.</i></p> <p>5. On this basis, the Panel determined there been a breach of Bognor Regis Town Council’s Code of Conduct as defined in paragraph 3.9 (Disrepute) and the Social Media Policy that forms part of the Code.</p>
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Paragraph 6 – Be accountable for their decisions and co-operate when scrutinised	
<i>Decision</i>	BREACH
<i>Reason for the Decision</i>	<ol style="list-style-type: none"> 1. The Panel supported the Complainant’s view that the Subject Member had not been accountable for their decisions and co-operated when scrutinised by: <ol style="list-style-type: none"> a. initially denying they had posted the social media comment; and b. not responding to the Monitoring Officer’s contact about the complaint made. 2. Further, the Panel considered that this initial denial did not demonstrate truthfulness from the Subject Member as required by the General Principles of the Town Council’s Code of Conduct. 3. The Panel acknowledged that the Subject Member had subsequently retracted this denial and confirmed that he did post the social media post on 4 July 2018. However, reviewing his public statement, the Panel noted this referred to the Subject Member saying “... <i>will not be attending any courses if requested to do so</i>” and he would “<i>continue to express myself freely for my electorate and my apologies will only be to the people of Hatherleigh ward if requested. It is only the residents of Hatherleigh Ward that I truly represent as a councillor and who I am accountable to</i>”. The Panel’s view was that this did not demonstrate that the Subject Member was accountable for his wider role as an elected councillor of Bognor Regis Town Council. 4. The Subject Member’s conduct was regarded as bringing their office of Councillor as well as Bognor Regis Town Council itself into disrepute. 5. On this basis, the Panel determined there had been a breach of Bognor Regis Town Council’s Code of Conduct as defined in paragraph 3.9 (Disrepute) and Principle 6 (Honesty) of the General Principles of the Code.

Appendix C

Paragraph 10 – Always treat people with respect	
<i>Decision</i>	BREACH
<i>Reason for the Decision</i>	<ol style="list-style-type: none"> 1. The Panel considered that the Subject Member had not always treated people with respect based on the evidence presented that he had: <ol style="list-style-type: none"> a. made offensive remarks in the social media post on 4 July 2018; b. threatened his fellow councillors in an email sent following the posting; and c. ignored the advice of the Town Clerk’s office in not following the requirements of the Social Media Policy. 2. The Subject Member was also seen to not have acted with objectivity, one of the general principles of the Town Council’s Code of Conduct, by making what have been perceived as discriminatory comments in the social media post on 4 July 2018 evidenced by the news articles covered in the local, national and international press. 3. The Subject Member’s conduct was regarded as bringing their office of Councillor as well as Bognor Regis Town Council itself into disrepute. 4. On this basis, the Panel determined that there had been a breach of Bognor Regis Town Council’s Code of Conduct as defined in paragraph 3.9 (Disrepute), Principle 3 (Objectivity) of the General Principles of the Code and paragraphs 3.1, 3.3 and 3.6 (Respect).

Paragraph 11 – Provide leadership through behaving in accordance with the principles of the Code	
<i>Decision</i>	BREACH
<i>Reason for the Decision</i>	<ol style="list-style-type: none"> 1. The Panel supported the Complainant’s view that the Subject Member had not provided leadership by not behaving in accordance with the principles of the Town Council’s Code of Conduct as evidenced by him: <ol style="list-style-type: none"> a. publishing an offensive quote without reflecting on the consequences this might have on the community; b. initially denying that he had published the post and then retracting this denial; and c. publishing a statement that, whilst this was aimed at offering an apology for the offence caused, referred to his intention to continue to express himself freely for his electorate. 2. The Subject Member’s conduct was regarded as bringing their office of Councillor as well as Bognor Regis Town Council itself into disrepute. 3. On this basis, the Panel determined that there had

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	been a breach of Bognor Regis Town Council's Code of Conduct as defined in paragraph 3.9 (Disrepute) and Principle 7 (Leadership) of the General Principles of the Code.
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Sanctions to be recommended to Bognor Regis Town Council

In view of the severity of this breach of Bognor Regis Town Council's Code of Conduct by the Subject Member, the Panel have recommended a number of sanctions to the Town Council for consideration.

1. The Clerk to the Council should report the findings of the Subject Member's conduct to Bognor Regis Town Council.
2. The Subject Member should be reprimanded publicly for his failure to abide by the Code of Conduct.
3. The Subject Member should be reminded publicly of the undertaking they signed following their election to observe the requirements of the Code of Conduct to comply with the Localism Act 2011.
4. The decision of the Assessment Panel should be published to Bognor Regis Town Council's website.
5. The Subject Member's Group Leader (or whoever agrees the allocation of committee seats) should suspend the Subject Member from all Committees and Sub-Committees of the Council for a minimum period of six months. The Subject Member will still be able to carry out his official duties as a councillor and he will be able to attend any meetings open to the public and attend any meeting of other organisations that are open to the public or he is invited to as a member of the public.
6. The Subject Member should be removed by the Council from all outside appointments to which he has been appointed for a minimum period of six months. The Subject Member will still be able to carry out his official duties as a councillor and he will be able to attend any meetings open to the public and attend any meeting of other organisations that are open to the public or he is invited to as a member of the public.
7. The proximity pass available to the Subject Member should be withdrawn for a minimum period of six months so he is only able to access the public areas of Bognor Regis Town Hall within the building's opening times. This will still allow the Subject Member to attend meetings that are open to the public and the Town Council's Full Council meetings and carry out his official duties as a Councillor.
8. The Clerk to the Council should explore what further training can be offered to the Subject Member to reinforce the requirements of the Code of Conduct and Social Media Policy, with this training to be provided within six months of the date of this decision.

Publication of the Decision

1. Following the review period, the decision of the Panel will be published to Arun District Council's website for a period of 12 months.
2. The Panel's decision will be reported to the next meeting of the Standards Committee and the Panel intend to ask the Committee to carry out a further review of whether there should be a longer timeframe for this publication.

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ARUN DISTRICT COUNCIL

REPORT TO STANDARDS COMMITTEE ON 31 JANUARY 2019

SUBJECT:	Review of the Local Assessment Procedure
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REPORT AUTHOR:	Liz Fitcher – Group Head of Council Advice & Monitoring Officer
DATE:	11 January 2019
EXTN:	01903 737610

EXECUTIVE SUMMARY:

A revised Local Assessment Procedure was adopted by the Council on 8 November 2017 and it was agreed that a review would be undertaken following a year of operation. This report therefore considers how the Procedure has worked in practice, proposes some minor amendments for clarity, and seeks the views of the Committee on any other changes to be put forward.

RECOMMENDATIONS:

The Committee is requested to recommend to Full Council that:

- (1) The Local Assessment Procedure be amended to reflect the changes shown in Appendix A to the report;
- (2) A copy of the amended Local Assessment Procedure be sent to all Town and Parish Councils; and
- (3) A review of the Procedure be undertaken following a further two years of operation, or sooner if required, and reported back to the Standards Committee.

1.0 BACKGROUND

1.1 A revised Local Assessment Procedure was considered by the Committee at its meeting on 19 October 2017 and was subsequently adopted by the Council on 8 November 2017. A further revision was agreed by the Council on 7 March 2018 to include a Police Protocol so any complaints about criminal matters could be referred directly to Sussex Police. The Procedure applies to all Arun District Councillors and Town/Parish Councillors within the Arun District.

1.2 As requested by the Committee, it was agreed that the Procedure would be reviewed after a year of operation.

2.0 PROPOSALS

2.1 The Procedure has worked well. It has met the aims that the Committee had in introducing a two stage review process, namely to:

- create a transparent and simple to follow document that would guide complainants through the process at the outset;
- highlight to any councillor who is the subject of a complaint what they should expect to see happen; and
- give clearer timescales of when to expect responses, thereby speeding up the time taken to investigate and resolve a complaint.

2.2 Feedback has been sought from those parties involved in complaints that have gone to Stage 2 of the Procedure, involving an Assessment Panel, and this has been positive.

2.3 Taking into account comments made about the Procedure in practice, there are six sections where change is being proposed. These changes are highlighted in the Procedure at Appendix A and the reasons are set out below:

2.4 **Paragraph 4**

Three additions are being proposed:

- Whilst the flow chart at Appendix 3 confirms that this stage will be completed within 28 working days, it is suggested that an additional paragraph is added to confirm this timescale for clarity. This new paragraph (4.2) also confirms the timescale for acknowledging any complaint received.
- In practice, the Monitoring Officer has been consulting with an Independent Person before using her discretion not to proceed with a complaint under one of the subparagraphs in paragraph 4.2. This has been so some independence can be seen to all parties from any decision taken. It is therefore proposed that this practice is formalised.
- This stage has no right of review and for clarity it is suggested that an additional paragraph is added to confirm this and that the Monitoring Officer's decision will be reported to the Standards Committee for information.

2.5 **Paragraph 5**

Clarity is being proposed in:

- A new paragraph 5.5 to confirm that the investigation will be completed within 28 working days (as explained in Appendix 3), unless the Monitoring Officer advises within that timeframe that more time is needed by the Investigating Officer to conduct their review.
- This stage also has no right of review and for clarity it is suggested that an additional paragraph is added to confirm this and that the Monitoring Officer's decision will be reported to the Standards Committee for information.

2.6 **Paragraph 6**

To reflect the practice introduced, it is being proposed that:

- The third, fourth and final bullet points in paragraph 6.6 are amended to state that the report will be issued when the decision notice is published as well as in a report to the Standards Committee, so Members and the relevant Town/Parish Council are made aware as soon as the final decision notice is issued to all parties.

2.7 **Paragraph 8**

To reflect the practice introduced, it is being proposed that:

- An additional paragraph 8.6 is added to confirm that if no review is requested by either the Complainant or Subject Member, both will be advised in writing that the decision has been confirmed and how the decision will be published.

2.8 Paragraph 9

Clarity is being proposed in:

- (i) Paragraph 9.1 to confirm that the Chairman of the Assessment Panel will not always be the Chairman of the Standards Committee, except when the Chairman is in attendance, and that the decision notice will initially be sent to the Complainant and Subject Member only for review.
- (ii) Paragraph 9.2 to confirm that the decision notice will be published once the review period has passed and clarify the publication arrangements.

2.9 Appendix 3 – Procedure Flowchart

It is proposed that a further timescale is introduced for those complaints that are dealt with under a Stage 1 investigation. As currently, the initial investigation is to be completed within 28 working days. However, as confirmed in paragraph 5.5, there is then a 14 day period for consultation with both the Complainant and Subject Member before the Investigation Officer's report is presented to the Independent Person for review. For clarification, it is suggested that the flowchart confirms this and that the Monitoring Officer may request an extension of time if required. This extension is to allow for those few occasions where the complaint is complex or the investigation requires interviews with multiple witnesses.

2.10 Finally, there are three issues that the Committee's views are sought on:

1. Would Members of the Standards Committee wish to be circulated the decision letter issued by the Monitoring Officer for complaints that do not proceed to further investigation or for these to continue to only be referenced in the monitoring report presented to each meeting? *The Monitoring Officer and Chairman's view is that the former approach would help the Committee to be aware of any complaint dealt with in this way as soon as it has been resolved in case any question is raised with them prior to their next meeting and provide them with the full details.*
2. If the complaint does not go any further than Stage One (as paragraph 5.8 confirms), would Members wish for the Investigating Officer's report to be published to the Council's website and presented to the next Standards Committee for information or for these to continue to only be referenced in the monitoring report presented to each meeting? *The Monitoring Officer, Chairman and Independent Persons are all of the view that for transparency reasons the decision notice should be published as otherwise the Complainant and Subject Member need to be asked to keep this confidential.*
3. Should the Complainant's name be published in the decision notice as the Procedure is silent on this? *Paragraph 2.4 of the Procedure does confirm that the Subject Member will usually be told who has complained about them. However, it is silent on whether the Complainant's name will be published in the decision notice. The Monitoring Officer has not been publishing this in the absence of a clear direction. The Monitoring Officer, Chairman and Independent Persons are all of the view that the Complainant's name should be included in the decision notice in the interests of fairness to all parties, unless they have been granted anonymity.*

2.11 Members views are welcomed on these proposals and any other issues that they wish to raise.

- 3.0 OPTIONS:**
1. To support the amendments to the Local Assessment Procedure for recommendation to Full Council
 2. To not support the amendments to the Procedure
 3. To propose alternative amendments to the Procedure

4.0 CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		✓
Relevant District Ward Councillors		✓
Other groups/persons (please specify) <ul style="list-style-type: none"> • Chairman of the Committee • Brian Green and John Thompson, Independent Persons 	✓	

5.0 ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail below)	YES	NO
Financial		✓
Legal	✓	
Human Rights/Equality Impact Assessment		✓
Community Safety including Section 17 of Crime & Disorder Act		✓
Sustainability		✓
Asset Management/Property/Land		✓
Technology		✓
Other (please explain)		✓

6.0 IMPLICATIONS:

Whilst the Local Assessment Procedure works well in its current format, the amendments proposed aim to clarify and increase transparency of the process for dealing with complaints made against councillors.

7.0 REASON FOR THE DECISION:

To reflect the decision of the Council that the Local Assessment Procedure be reviewed after a year of operation.

8.0 BACKGROUND PAPERS:

Localism Act 2011, section 28
<http://www.legislation.gov.uk/ukpga/2011/20/section/28/enacted>

Report and Minutes to Standards Committee
<https://www.arun.gov.uk/standards-committee>

Minutes of Full Council
<https://www.arun.gov.uk/full-council>

LOCAL ASSESSMENT PROCEDURE

Adopted by Arun District Council – 8 November 2017

| Version 1.~~21~~ – ~~March 2018~~ [March 2019](#)

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1 BACKGROUND

- 1.1 Under Section 28 of the Localism Act 2011, the Council must have in place “arrangements” under which allegations that an Elected or co-opted Councillor of the authority or of a Town or Parish Council within the authority’s area (herein after referred to as the ‘Subject Member’) has failed to comply with the authority’s Code of Conduct can be investigated and decisions made on such allegations.
- 1.2 These arrangements provide for the Council to appoint at least one Independent Person¹ whose views must be sought by the Council before it takes a decision on whether an allegation should be investigated, and whose views can be sought by the Council at any other stage, or by the Subject Member against whom an allegation has been made.
- 1.3 The Council has adopted a Code of Conduct for Councillors, which is published on the Council’s website and is available for inspection on request from the Council’s office (see below).
- 1.4 Each Town and Parish Council is also required to adopt a Code of Conduct. If you wish to inspect a Town or Parish Council’s Code of Conduct, it should be available on their website, or you can make enquiries of their Town or Parish Clerk.
- 1.5 All Parish councils within the Arun District, and Arundel Town Council, have signed up to Arun District Council’s Code of Conduct. Bognor Regis and Littlehampton Town Councils have developed their own Code of Conduct.

2 HOW TO MAKE A COMPLAINT

- 2.1 If you wish to make a complaint against a Councillor, please complete the online complaint form which can be found on our website (<http://www.arun.gov.uk/complaints-against-councillors>) or write to:

The Monitoring Officer
Arun District Council
Arun Civic Centre
Maltravers Road
Littlehampton
West Sussex
BN17 5LF

Or by email to monitoring.officer@arun.gov.uk

- 2.2 The Monitoring Officer is a senior officer of the Council who has statutory responsibility for maintaining the register of Councillors’ interests and who is responsible for administering the system for complaints of Councillor misconduct.

¹ The Independent Person is a person who has applied for the post and is appointed by Councillors of the Council. The definition of an Independent Person can be found in Section 28 of the Localism Act 2011.

- 2.3 Please provide your name and address and contact details so that we can acknowledge receipt of your complaint and keep you informed of progress. Anonymous complaints will not be accepted.
- 2.4 As a matter of fairness and natural justice, the Subject Member will usually be told who has complained about them and receive details of the complaint. However, the Monitoring Officer may withhold your identity if he/she can be satisfied that there are reasonable grounds for doing so, e.g. belief that the complainant or any witness to the complaint may be at risk of physical harm or intimidation, or that their employment may be jeopardised if their identity is disclosed.

3 WILL MY COMPLAINT BE INVESTIGATED?

- 3.1 The Code of Conduct applies to Councillors whilst they are acting in their official capacity as a Councillor, or give the impression that they are acting in this capacity. The Code does not apply when they are acting in their capacity as a private individual.
- 3.2 If the Monitoring Officer is of the view that your complaint does not fundamentally relate to a code of conduct matter, then he/she will decline to progress it further under this procedure. For example, it is generally considered that complaints relating to the consideration of planning applications will not be dealt with under this procedure if there is an alternative legal remedy. You will be advised if this is the case.
- 3.3 Complaints which identify criminal conduct or breach of other regulations by any person, will be referred by the Monitoring Officer to Sussex Police for consideration, in accordance with an agreed protocol as set out in Appendix 4, or any other regulatory agency.
- 3.4 If the Subject Member is no longer a Councillor, or resigns/is removed from office at any point during the investigation, the Monitoring Officer has the power to withdraw the complaint and take no further action. A record of the complaint will be kept on file in the event that the Subject Member returns to office in the future and a subsequent complaint is lodged against them.
- 3.5 In appropriate cases, the Monitoring Officer may seek to resolve the complaint informally, without the need for a formal investigation. Such informal resolution may involve the Councillor accepting that his/her conduct was unacceptable and offering an apology, or other remedial action. Where a reasonable proposal for local resolution is proposed, but you are not willing to accept that offer, the Monitoring Officer will take account of this in deciding whether your complaint merits formal investigation.
- 3.6 If your complaint relates to a Parish Councillor, the Monitoring Officer will seek the views of the Town/Parish Clerk about the complaint. Their view will be recorded in the investigation report and taken into account when a decision on whether to investigate is made.

4 WHEN WILL A COMPLAINT NOT BE ACCEPTED?

4.1 The resources involved in carrying out a formal investigation can be considerable and must be balanced by the severity of the complaint and the sanctions available to the Assessment Panel (see Appendix 2), should a breach of the code be found.

4.14.2 Your complaint will be acknowledged by the Monitoring Officer within 5 working days of receipt. You will then be informed within 28 working days whether your complaint has been accepted.

4.24.3 The Monitoring Officer has the discretion not to proceed with complaints, including those:-

- a) Containing no or insufficient evidence to demonstrate a breach of the Code;
- b) Where there are alternative, more appropriate, remedies that should be explored first;
- c) Where you and the Subject Member have agreed a local resolution e.g. a written or verbal apology, mediation;
- d) Where the complaint is by one Councillor against another, a greater allowance for robust political debate (but not personal abuse or “unparliamentary” language) may be given;
- e) That are malicious, politically motivated, or ‘tit for tat’;
- f) Where an investigation would not be in the public interest or the matter would not warrant any sanction (see Appendix 2);
- g) Where a substantially similar complaint has previously been considered and no new material evidence has been submitted;
- h) Relating to allegations concerning a Councillor’s private life;
- i) Relating to conduct in the distant past (over six months before);
- j) Relating to dissatisfaction with a Council (or Parish Council) decision; and
- k) About someone who is no longer a member of the Council (or relevant Parish Council) or who is seriously ill (see 3.4 above)

4.4 The Monitoring Officer will consult with an Independent Person before using this discretion and confirming their decision to you.

4.5 You will have no right of review of the Monitoring Officer’s decision. The decision of the Monitoring Officer, will be reported to the Standards Committee for information.

5. HOW IS THE INVESTIGATION CONDUCTED? – INITIAL ASSESSMENT - STAGE 1

5.1 On the basis that your complaint is accepted, the Monitoring Officer will acknowledge receipt of your complaint within 5 working days, confirm that it will be investigated and will keep you informed as the complaint investigation progresses.

5.2 The Monitoring Officer will appoint an Investigating Officer (IO), who may be another senior officer of the same authority, an Officer of another authority, or an external investigator.

5.3 The IO will decide whether or not they need to meet with you to further clarify the detail of your complaint, and/or for you to explain your understanding of events. There may also be a discussion about what supporting documents may need to be provided and who else the IO may need to interview.

5.4 The IO will write to the Councillor against whom the complaint has been made, providing them with a copy of the complaint (unless the right to anonymity has been agreed – see 2.4 above) and ask them to provide their explanation of the event(s), to suggest what other supporting documents may be required and who else the IO may wish to interview. If your complaint relates to a Town or Parish Councillor, the IO will also advise the Town/Parish Clerk.

5.45.5 The investigation will be completed within 28 working days unless the Monitoring Officer advises within that timeframe that more time is needed by the IO to conduct their review.

5.55.6 At the end of the investigation, the IO will produce a draft report and provide copies for both you and the Subject Member to respond to within 14 days.

5.65.7 Both you and the Subject Member will be given the opportunity to comment on the draft report, and indicate agreement (or otherwise) with the content.

5.75.8 The IO will then send a copy of the report – having taken account of any comments from you and/or the Subject Member – to the Monitoring Officer for reviewing.

5.85.9 The Monitoring Officer will consult with an Independent Person to decide whether to:-

- a) Take no action if there is clear evidence that there has been no breach of the Code of Conduct
- b) Resolve the matter informally by asking the Subject Member to:-
 - i. take part in mediation with you in order to settle the complaint, providing both parties are willing to do so, and/or
 - ii. send a written apology to you, which is acceptable to the Monitoring Officer and the Chairman of the Standards Committee; and/or
 - iii. attend training, and/or
 - iv. correct an entry in the Register of Interests or correct a declaration made; OR

c) Progress to Stage 2 where the complaint is considered by the Assessment Panel

e)5.10 You will have no right of review of the Monitoring Officer's decision. The decision of the Monitoring Officer, will be reported to the Standards Committee for information.

6 ASSESSMENT PANEL HEARING – STAGE 2

(If the Monitoring Officer and Independent Person support the complaint going forward)

- 6.1 The Assessment Panel will consist of 3 members of the Council's Standards Committee, plus an Independent Person.
- 6.2 The Monitoring Officer will also attend to present the report from the IO.
- 6.3 The Hearing will be called within a maximum period of 4 months from receipt of the complaint and the Panel will be selected from available Members of the Standards Committee. Councillors representing the ward where you live will not be permitted to sit on the Panel, nor will any Councillor who has any connection with the Subject Member.
- 6.4 Panel Members will be provided with copies of the original complaint, the IO report, any additional information or comments provided by you and/or the Subject Member, or statements from witnesses to the event.
- 6.5 Unless it is not practical, reasonable or is not likely to assist the Assessment Panel in its consideration of the Complaint, the Panel will follow the process outlined in Appendix 1.
- 6.6 Following the hearing and an agreed outcome being reached, the Panel shall prepare and sign a written decision for the Monitoring Officer to send to:
 - the Subject Member
 - you
 - the Standards Committee and all Independent Persons (when the decision notice is published and via a report to Standards Committee)
 - all District Councillors (via a report to Standards Committee)
 - all members of the Council's Senior Management Team (when the decision notice is published) where the complaint is about an Arun District Councillor
 - the Clerk and Chairman of the Town/Parish Council when the decision notice is published at the same time that the report is presented to the Standards Committee where the complaint is about a Town or Parish Councillor.
- 6.7 Separately, the Panel may provide the Monitoring Officer with any lessons to be learnt from the Complaint and any actions the Panel wish to suggest the Council to consider.
- 6.8 The Monitoring Officer shall publish the decision on the Council's website and that decision shall remain on the website for up to a period of 12 months unless the Standards Committee has requested a longer timeframe.
- 6.9 The Monitoring Officer shall place a report before the next meeting of the Standards Committee, for the Committee to ask questions about the decision of the Panel and discuss:
 - any lessons learnt identified by the Panel
 - any actions the Panel has suggested the Council consider

and make any recommendations it feels are appropriate for Full Council to consider.

In order to avoid unnecessary printing of paper, generally the report will only include a summary of the Panel's decision and Councillors are requested to bring the full copy of the decision they have been sent, with them to the meeting of the Standards Committee and Full Council.

7 DECISION

7.1 The Panel can reach a finding of:

- (i) no breach of the Code of Conduct
- (ii) the Complaint relates to an offence under Section 34 Localism Act 2011 [Offences] and the Panel will refer the Complaint and all evidence the Council is aware of to the Police. Such offences arise from failure, without reasonable excuse, to disclose a Pecuniary Interest or participation in the debate and/or votes on a matter in which the Subject Member has a Pecuniary Interest and has not been granted a dispensation.
- (iii) a breach of the Code of Conduct that Arun District Council, or the relevant Town or Parish Council, is responsible for dealing with
- (iv) to take no action on the Complaint because, even though a breach of the Code of Conduct has occurred, the Panel is of the view that it would not serve the public interest to pursue the consideration of the Complaint
- (v) to take no action on the Complaint because, the Subject Member is no longer a Councillor or co-opted Councillor of the Local Authority and the Panel is of the view that it would not serve the public interest to pursue the consideration of the Complaint (if the Councillor has resigned during the course of the investigation, the complaint would have been rejected at the initial assessment stage)

7.2 The Panel shall specify the period that its decision shall remain on Arun District Council's website, which shall be no longer than 12 months, unless the Standards Committee has carried out a further review and requested a longer timeframe.

7.3 Where the Panel is dealing with a Complaint against a Parish or Town Councillor or co-opted Councillor, and reaches a finding that the Subject Member has breached the Code of Conduct adopted by the Parish or Town Council, the Panel shall write to the Chairman and Clerk of that Parish or Town Council and inform them of its finding and request that the Parish or Town Council considers what action to take in relation to the Subject Member.

7.4 In order to assist the Parish or Town Council, the Panel may identify what action it would have taken had the Subject Member been an Arun District Councillor in breach of Arun District Council's Code of Conduct.

7.5 It is noted that, although Arun District Council is the 'relevant authority' and it may have regard to the Subject Member's failure when deciding what action to take, in practical terms Arun District Council cannot enforce that such action is taken and therefore it is for the Parish or Town Council to make a decision about what action to take and how to achieve compliance.

7.6 Arun District Council suggests to the Parish or Town Councils within its district that those Councils seek individual undertakings from each of their Councillors; that the Councillor agrees to abide by their responsibilities under the Localism Act 2011, the Parish or Town Council Code of Conduct and to comply with any consequential request made to the Member by the Parish or Town Council.

8 RIGHT OF REVIEW

8.1 If either you or the Subject Member considers the decision of the Panel was not fair, or proportionate, they can appeal by asking for a Review within 20 working days from the date of the covering letter sent to them with the Decision Notice, stating why they consider the Assessment Panel decision was not fair or proportionate.

8.2 The request must be in writing to the Monitoring Officer.

8.3 The Monitoring Officer will check the reasons given in the request for the Review and if those reasons are not clear the Monitoring Officer will contact the party requesting the Review and ask for clarification.

8.4 The Review will be referred to the Standards Committee for a decision via a report presented by the Monitoring Officer.

8.5 There are no further rights of appeal within the Council's Local Assessment Procedure.

~~8.5~~8.6 If no review is requested by either the Complainant or Subject Member, both will be advised in writing that the decision has been confirmed and how the decision will be published.

9 PUBLICATION OF DECISION

~~9.1~~ As soon as reasonably practicable after the Panel have reached a decision, the Monitoring Officer will prepare a formal decision notice (in consultation with the Chairman of the Assessment Panel) ~~Standards Committee~~ and send a copy to you and the Subject Member for review (as paragraph 8 confirms)., ~~and any Town or Parish Council concerned.~~

9.1

9.2 Once the review period has passed ~~the~~ Monitoring Officer will publish the decision notice to the Council's website, make ~~it the decision notice~~ available for public inspection, circulate it to those parties listed in paragraph 6.6, ~~and~~ report the decision to the next appropriate Standards Committee meeting.

APPENDIX 1 – ASSESSMENT PANEL HEARING PROCEDURES

Introductory Stage

1. Quorum of the Panel is three Elected Members, plus an Independent Person.
2. Hearings of the Panel will be held in closed session.
3. The Panel will elect a Chairman, who will be an Elected Member.
4. The Chairman will invite all attendees to introduce themselves.
5. The Chairman will explain the purpose of the Hearing and why it has been called.
6. The Monitoring Officer will outline the case and explain why they believe that the Subject Member has breached, or failed to follow, the Code of Conduct.

Assessment Stage 1 – the complainant

7. The Monitoring Officer will call the complainant, any other witnesses, and Investigating Officer into the hearing.
8. The Chairman will introduce those present and summarise the complaint and the process followed thus far, and the procedure for the Panel Hearing.
9. The complainant will explain why they feel that the Subject Member has breached/failed to follow the Code of Conduct.
10. The Panel Members may ask questions of the Monitoring Officer, Investigating Officer, complainant and any other witnesses.
11. The complainant and Monitoring Officer will be asked to give closing remarks.
12. The complainant and any other witnesses will leave the hearing to allow the Panel to continue their assessment.

Assessment Stage 2 – the Subject Member

13. The Monitoring Officer will call the Subject Member, any other witnesses, and the Investigatory Officer into the hearing.
14. The Chairman will introduce those present and summarise the complaint and the process followed thus far, and the procedure for the Panel Hearing.
15. The Subject Member will explain why they feel they have not breached/failed to follow the Code of Conduct.
16. The Monitoring Officer and Panel Members may ask questions of the Investigating Officer, Subject Member and their witnesses.

17. The Subject Member and Monitoring Officer will be asked to give closing remarks.
18. The Subject Member and any other witnesses will leave the hearing to allow the Panel to continue their assessment.

Decision Stage

19. The Independent Person will be invited to make comments.
20. The Panel will strive to reach a decision at that time, but may need further time to deliberate or seek further information.
21. If the Panel are able to conclude their deliberations on the day, the Chairman will call separately the complainant and then the Subject Member back into the room and announce the decision of the Panel.
22. If the Panel need further time to deliberate, they will agree a deadline and advise the complainant and the Subject Member of the decision in writing.
23. If the Panel decide that no breach has taken place, the hearing will close.
24. If the Panel decide that a breach has taken place, the Subject Member will be invited to comment on any mitigating circumstances.
25. The Monitoring Officer may comment on appropriate/suitable sanction.
26. The Independent Person will be invited to give further comment.
27. The Panel Members will consider an appropriate sanction.
28. The Chairman will advise separately the complainant and the Subject Member of the chosen sanction.
29. Panel Hearing closes.

Notes:-

- The Chairman has discretion to revise this procedure at a Hearing
- The Panel may proceed with the Hearing in the absence of the Subject Member and the complainant where no satisfactory explanation for their absence has been provided
- The Panel may adjourn the Hearing at any time

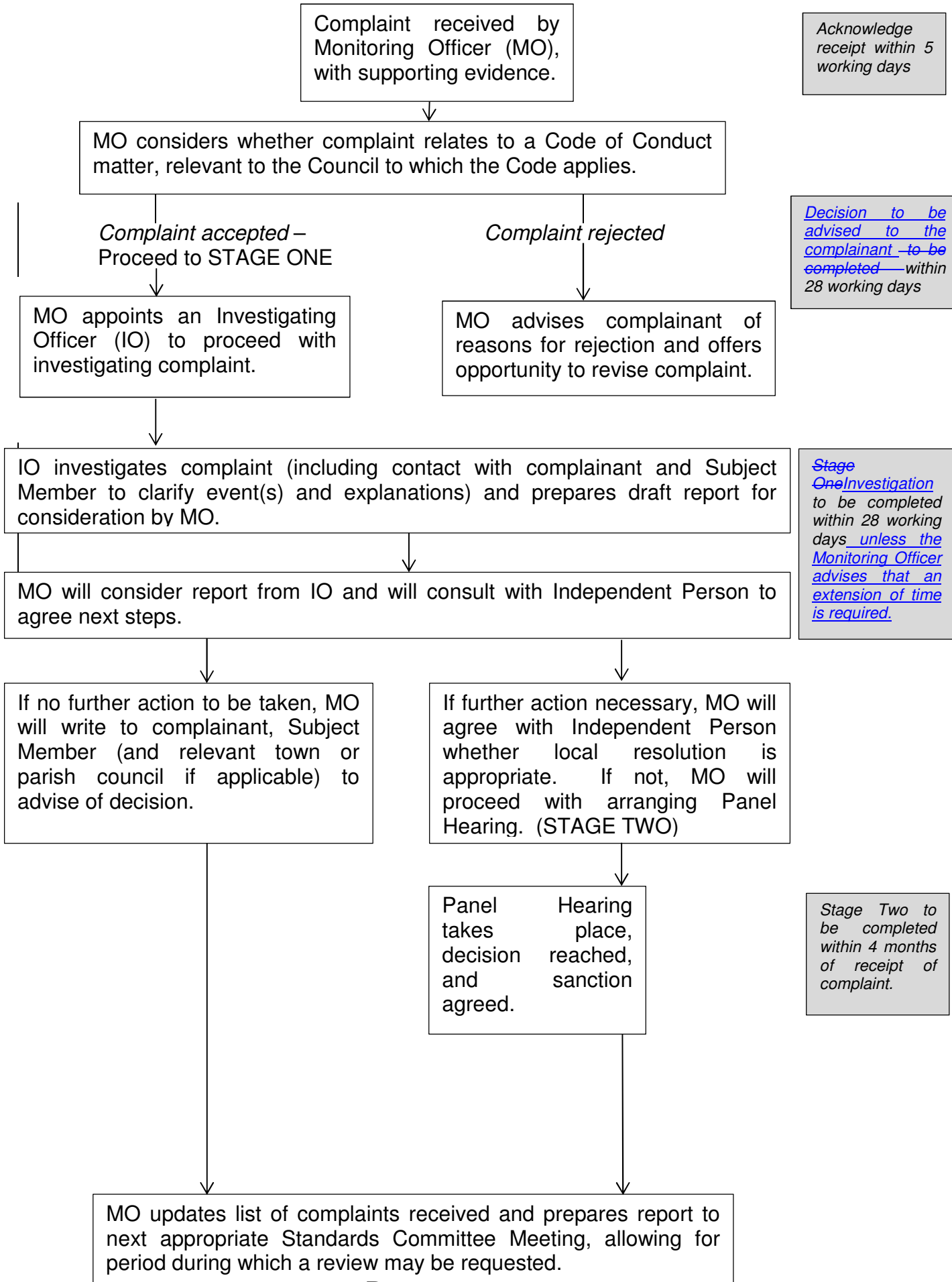
APPENDIX 2 – AVAILABLE SANCTIONS

The Panel may choose one or more of the following sanctions (or make recommendation of a sanction to the Town or Parish Council that the Subject Member represents):-

1. Censure or reprimand the Subject Member
2. Publish the findings in respect of the Subject Member's conduct
3. Report the findings to Council for information
4. Recommend to the Subject Member's Group Leader that he/she be removed from any or all Committees or Sub-Committees of the Council
5. Instruct the Monitoring Officer to arrange training for the Subject Member
6. Remove the Subject Member from all outside appointments to which he/she has been appointed or nominated by the Council
7. Withdraw facilities provided to the Subject Member, such as computer, website and/or email and internet access for an agreed period
8. Exclude the Subject Member from the Council's offices or other premises for an agreed period
9. Restrict the Subject Member's access to the Council's Officers for an agreed period
10. Recommend suitable training, mediation/conciliation be given
11. Accept a written apology from the Subject Member
12. Remind the Subject Member of the undertaking signed at the point of their election, in relation to the Members Code of Conduct (to comply with the Localism Act 2011)
13. Remind the Subject Member of the need to declare their pecuniary interests via the Register of Interests form – to be updated at regular intervals when requested or when circumstances alter – and at the beginning of any committee meeting where that interest relates to an Agenda item

The Panel has no power to suspend or disqualify the Subject Member.

APPENDIX 3 - PROCEDURE FLOWCHART



APPENDIX 4 - PROTOCOL BETWEEN ARUN DISTRICT COUNCIL'S MONITORING OFFICER AND SUSSEX POLICE

This protocol is in place for the reporting of potential criminal offences arising under Section 34 of the Localism Act 2011 concerning the registration and/or disclosure of disclosable pecuniary interests as defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012. The protocol will work on the following basis:

1. In the event that Arun's Monitoring Officer receives a complaint regarding a potential disclosable pecuniary interest offence, they will make immediate contact with Sussex Police through the Chief Inspector, Arun and Chichester Commander. Current contacts are:

Name	Kris Ottery, Acting Chief Inspector
Email	Kris.Ottery@sussex.pnn.police.uk
Tel	101 Ext. 580223

2. Similarly if Sussex Police receives a complaint, they will inform the Monitoring Officer at Arun District Council, currently

Name	Liz Fatcher, Group Head of Council Advice & Monitoring Officer
Email	liz.fatcher@arun.gov.uk
Tel	01903 737610

3. Sussex Police will register the complaint and conduct an initial assessment but may approach Arun's Monitoring Officer for background information on the complaint.
4. If Sussex Police decide not to prosecute the matter, they will normally pass the relevant evidence to Arun's Monitoring Officer so that consideration can be given to an investigation under the Members Code of Conduct Local Assessment Procedure. In the event that Arun District Council's Standards Committee decides to pursue an investigation through the Local Assessment Procedure, they will inform Sussex Police of their decision.
5. Both Arun's Monitoring Officer and Sussex Police will endeavour to keep complainants regularly updated as to the progress of their complaint.

APPENDIX 5 – REVISIONS LOG

Revision Log		
Version Number	Date	Revision
1.0	8 November 2017	Procedure adopted at Full Council
1.1	7 March 2018	Police Protocol adopted at Full Council – attached as Appendix 4

ARUN DISTRICT COUNCIL

REPORT TO STANDARDS COMMITTEE ON 31 JANUARY 2019

SUBJECT:	Recruitment of Additional Independent Persons to the Standards Committee
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REPORT AUTHOR:	Liz Fatcher – Group Head of Council Advice & Monitoring Officer
DATE:	9 January 2019
EXTN:	01903 737610

EXECUTIVE SUMMARY:

As requested by the Committee at its last meeting on 21 June 2018, this report seeks further views from Members on the approach to recruiting additional Independent Persons and presents options for a way forward.

RECOMMENDATIONS:

If the Committee wish to pursue the appointment of further Independent Members, it is recommended that:

- (1) the option for recruiting additional Independent Person(s) to the Standards Committee, as set out in the report, be endorsed with authority being given to the Group Head of Council Advice & Monitoring Officer, in consultation with the Chairman of the Committee, to agree the application pack and advertisement; and
- (2) two Members of the Committee and an Independent Person, as confirmed at the meeting, be appointed to sit on the Interview Panel.

1.0 BACKGROUND

- 1.1 Section 28 of the Localism Act 2011 requires the Council to appoint at least one Independent Person to its Standards Committee. The Committee considered a report at its last meeting on 21 June 2018 which sought support to extending the appointment of the existing two Independent Persons, Brian Green and John Thompson, for a further five year term. The recommendation of the Committee to confirm this extension was subsequently agreed by Full Council on 18 July 2018.
- 1.2 At the time, the Committee also discussed whether having two independent persons was sufficient and whether further appointments should be pursued. It was agreed that a recruitment process be commenced when possible and a further report be made to the next meeting of the Committee.
- 1.3 It has not been possible to commence a recruitment process before now, mainly due to the increase in workload for the Monitoring Officer from a significant number of complex complaints being made against Councillors under the Code of Conduct between July to November 2018. The consequential workload has provided an opportunity to test out all

stages of the Local Assessment Procedure and has involved the Independent Persons in the majority of the complaints. The work has been distributed as evenly as possible between the two Independent Persons and both have been able to respond in a timely manner to the Monitoring Officer. The support of the Independent Persons in all the investigations undertaken has been extremely valuable.

- 1.4 The two Independent Persons, Brian Green and John Thompson, have been consulted on whether they feel that the workload from the recent cases has been too onerous and whether they have any views on the appointment of additional Independent Persons. Both will provide their views at the meeting.
- 1.5 The Monitoring Officer's view is that the current arrangements with the Independent Persons are working well under the Local Assessment Procedure and if the Committee still support the recruitment of additional Independent Persons then they have been presented with a proposed way forward.

2.0 PROPOSALS

- 2.1 If a recruitment exercise is to be pursued, then it is proposed that a similar approach is undertaken to that adopted by the Audit & Governance Committee in July 2018 in appointing new members to the Independent Remuneration Panel which conducts reviews of the Members Allowances Scheme. They successfully appointed new members to this Panel through advertising in the business community and on the Council's website.
- 2.2 The first stage of this approach would be to:
- a) place an advert in the Council's e-newsletter (organised by Economic and Cultural Development) which is circulated to around 3,500 businesses on a monthly basis;
 - b) post the advert onto the Business Partnership webpages; and
 - c) post the advert on the Job Vacancies page of the Council's website
- 2.3 This would be on a no cost basis. The posting of the advert would be accompanied by a news release promoting the advert on the Council's website thereby bringing it to the attention of the public as is required by the Localism Act 2011.
- 2.4 Should this approach be unsuccessful then the second stage would be for an advert to be placed in the local media – Bognor Regis Observer, Littlehampton Gazette and West Sussex Gazette. This option is not being recommended at the initial stage due to the costs involved and the success that the Audit & Governance Committee had from the no-cost options.
- 2.5 The advert would include an information pack explaining more about the role and this would be developed in consultation with the Chairman of the Committee and seek the views of the existing Independent Persons.
- 2.6 The Committee may wish to consider at this stage whether it wishes to appoint one or more Independent Persons so this can be clarified in the advert.

2.7 In terms of selecting a candidate(s), it is suggested that an interview panel is established comprising two members of the Committee, an existing Independent Person (all to be confirmed at this meeting) and the Group of Council Advice & Monitoring Officer. Any recommendation for appointment of additional Independent Persons would need to be made by the Committee to Full Council in accordance with the Council's Constitution.

3.0 OPTIONS:

1. To pursue the appointment of additional Independent Persons and endorse the approach proposed for the recruitment exercise; or
2. To not take any further action based on the existing two Independent Persons being sufficient to cover the workload of this role.

4.0 CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		✓
Relevant District Ward Councillors		✓
Other groups/persons (please specify) <ul style="list-style-type: none"> • Brian Green and John Thompson, Independent Persons 	✓	
5.0 ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail below)	YES	NO
Financial		✓
Legal	✓	
Human Rights/Equality Impact Assessment		✓
Community Safety including Section 17 of Crime & Disorder Act		✓
Sustainability		✓
Asset Management/Property/Land		✓
Technology		✓
Other (please explain)		✓

6.0 IMPLICATIONS:

None as the Council has already appointed two Independent Persons in accordance with the requirements of Section 28(7) of the Localism Act 2011.

7.0 REASON FOR THE DECISION:

To take forward the request of the Committee to recruit additional Independent Persons.

8.0 BACKGROUND PAPERS:

Localism Act 2011, section 28

<http://www.legislation.gov.uk/ukpga/2011/20/section/28/enacted>

Report and Minutes to Standards Committee on 21 June 2018

<https://www.arun.gov.uk/standards-committee>

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