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ARUN DISTRICT COUNCIL

REPORT TO STANDARDS COMMITTEE

ON 23 JUNE 2022

REPORT

SUBJECT: Monitoring Officer Report – June 2022

REPORT AUTHOR: Solomon Agutu – Interim Monitoring Officer
DATE: June 2022
EXTN: 37610
AREA: Corporate Support – Law & Governance

EXECUTIVE SUMMARY:

This is a regular report to Committee by the Monitoring Officer to give Members an overview of the work of the Interim Monitoring Officer relevant to this Committee.

RECOMMENDATIONS: That Committee

1. Notes the Monitoring Officer Report and supports the proposed items for the future workplan.

Background

The functions of the Monitoring Officer (MO) are set out in Part 2 of the Constitution (Articles). Those functions relevant to Standards Committee are:

- (a) Maintaining the Constitution – the Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by Councillors, Officers and the public.
- (b) N/A
- (c) Supporting the Standards Committee – the Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Standards Committee.
- (d) Conducting investigations – the Monitoring Officer will consider allegations of misconduct by Councillors in accordance with the Council's adopted Local Assessment Procedure.

Maintaining the Constitution

Following the meeting of Full Council on 11 May 2022 the up-to-date version of the Constitution was published on 31 May 2022. A number of items were carried forward for further discussion by the Constitution Working Party (CWP).

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Member/Officer Protocol.

This is the protocol which regulates Member/Officer relations. As the new Committee model of governance continues to evolve a review of this Protocol will be undertaken by the new Group Head of Law & Governance (Monitoring Officer) after they take up their post on 20 June 2022.

Monitoring take-up of the Arun new Code of Conduct by Parish and Town Councils

Following adoption of the new Code of Conduct, the Monitoring Officer (supported by Independent Persons) held a briefing session for all Parish Clerks to promote the adoption of the new Code in the Parish Councils. The new Code was then submitted to the Parishes for adoption. So far, 23 Parishes have agreed to adopt the Code. Of the remaining councils:-

- Middleton-on-Sea Parish Council is remaining with the 2012 Code
- Littlehampton Town Council has their own Code

Signing Acceptance of the Code

The Monitoring Officer monitors the signing of acceptance by Members of the new Code. All Arun District councillors have now signed their declarations.

Monitoring the Operation of the Code.

At their meeting on 16 December 2021, Committee discussed the effectiveness and relevance of the 2021 Code and suggested some updates., Committee agreed that the Code in place was effective and appropriate and did not require a full review. However, they did wish for a clearer definition of registrable interests. Committee requested that the narrative included in Bognor Regis Town Council's Code of Conduct be replicated within Arun's Code. (Minute 536 refers). The Monitoring Officer has reviewed the proposals and the Monitoring Officer did not believe that explanations should be part of or within the Code but if needed should be given as a standalone briefing paper. At the last meeting Committee asked for a separate paper on this issue.

Monitoring the operation of the Local Assessment/Hearing Procedure and recommending any revisions to the Full Council.

No further updates.

Where not covered by the Local Assessment Procedure, determining the action to be taken on any failure of a District Councillor, Town or Parish Councillor or co-opted Member to comply with the relevant authority's Code of Conduct following a report from the Monitoring Officer.

The Monitoring Officer has nothing to report on this issue at this meeting.

Conducting Investigations and arranging for the establishment of Hearing Panels under the Local Assessment Procedure

The register of complaints under consideration and investigation is a separate item on the agenda and shows where investigations are in progress.

Delivery of training on the Members' Code of Conduct to District Councillors, Town and Parish Councillors and co-opted Members.

Training on the Code of Conduct was delivered to district councillors virtually, by an external provider, on 7 December 2021 – 23 District Councillors attended this. The recording of the presentation, and a copy of the presentation slides, was subsequently circulated to all Councillors, and those who were unable to attend the presentation have been asked to

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watch the recording and confirm to the Monitoring Officer that they have done so. A reminder was issued on 02.02.22, and again on 1 April 2022 (following a request from Committee at their meeting on 30 March). At the time of writing this report, 11 councillors have confirmed that they have watched the recording (total of 34 completions).

Recruitment of Independent Persons

Nothing further to report.

Member Learning and Development

See Training Matrix attached at Appendix A. This is related to the mandatory training which Members are required to have before they can sit on a Committee. The matrix assists those Members looking for a substitute to know who can be asked.

The MO is constantly monitoring the training and development of Members on other areas related to their work. The Monitoring Officer believes that Members should help develop an induction programme and a rolling programme and a report is included on this agenda dealing with an induction programme for new Members following May 2023 elections. Following the next election it is proposed to adopt a training record of all training/briefing sessions attended by Members

2. PROPOSAL(S):

The proposal is that Committee notes the report and comment where necessary.

3. OPTIONS:

None

4. CONSULTATION:

N/A

Has consultation been undertaken with?	YES	NO
Relevant Town/Parish Council		✓
Relevant District Ward Councillors		✓
Other groups/persons (please specify)		✓
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial		✓
Legal		✓
Human Rights/Equality Impact Assessment		✓
Community Safety including Section 17 of Crime & Disorder Act		✓
Sustainability		✓

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Asset Management/Property/Land		✓
Technology		✓
Other (please explain)		✓

6. IMPLICATIONS:

This is a standard report to keep Committee Members abreast of the relevant work of the Monitoring Officer since the last meeting of the Committee

7. REASON FOR THE DECISION:

This report is for Committee information and to assist Members in developing the Standards Committee work programme.

8. BACKGROUND PAPERS:

Appendix A - Training Matrix