

Arun District Council

REPORT TO:	STANDARDS COMMITTEE 13.10.22
SUBJECT:	MONITORING OFFICER REPORT – OCTOBER 2022
LEAD OFFICER:	DANIEL BAINBRIDGE – MONITORING OFFICER
LEAD MEMBER:	COUNCILLOR PAUL ENGLISH
WARDS:	ALL
CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION: The Localism Act 2011 requires local authorities to “...promote and maintain high standards of conduct by members and co-opted members of the authority.” [Chapter 7, para 27(1)].	
DIRECTORATE POLICY CONTEXT: None	
FINANCIAL SUMMARY: No financial implications as this is an information report.	

1. PURPOSE OF REPORT

The Council’s Constitution (Part 3, Section 5.4) outlines the responsibility of the Standards Committee, and this report informs committee members of matters relating to this responsibility.

2. RECOMMENDATIONS

1.1. The Committee is asked to note the contents of this report.

3. EXECUTIVE SUMMARY

1.2. This is a regular report to the Committee by the Monitoring Officer to give the Committee an overview of the work of the Monitoring Officer that falls within the scope of the functions for which the Committee is responsible.

4. DETAIL

4.1. The functions of the Monitoring Officer are set out in Part 2 of the Constitution (Article 11; Para 4). 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. N/A

- d. 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.
- e. Conducting investigations – the Monitoring Officer will consider allegations of misconduct by Councillors in accordance with the Council’s adopted Local Assessment Procedure.
- f. N/A
- g. N/A
- h. N/A

Maintaining the Constitution

4.2. The latest version of the Constitution was published on 7 July 2022. The Monitoring Officer has since identified a number of items that require amendment, including changes to job titles and reporting lines following the Chief Executive’s restructure of senior management in July 2022. Proposed amendments will be presented to a future meeting of the Constitution Working Party and Full Council.

Protocol on Member and Officer Relations (Part 8.2 of the Constitution)

4.3. The Protocol provides the guide to good working relationships between Members and Officers of the Council. The Monitoring Officer is currently reviewing the Protocol to ensure it is up-to-date and fit for purpose, that it reflects current national guidance, and that it provides a genuinely effective guide for both Councillors and Officers in their daily interactions. This latter point is vital to the fundamental principle that Councillors and Officers should work together as one ‘team’.

4.4. A report will be brought to the Committee’s meeting in January with proposed changes to the Protocol. It is important that the, together with the other items to be brought to the Committee at its January meeting, are reviewed and updated ahead of the May 2023 local elections.

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

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

Signing Acceptance of the Code of Conduct

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

Monitoring the Operation of the Code of Conduct

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

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

4.8. No further changes have taken place since the last report. However, the Monitoring Officer is currently reviewing the Local Assessment Procedure in line with comments he made to the Committee’s meeting on 23 June 2022, and any proposed changes will be brought to the Committee’s meeting in January.

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.

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

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

4.10. The register of complaints under consideration and investigation is a separate item on the agenda for this meeting 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.

4.11. Training on the Code of Conduct will be incorporated into the Members Induction Programme that will follow the local elections in May 2023. The final induction programme will be brought to the Committee at its meeting in January.

Recruitment of Independent Persons

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

Member Learning and Development

4.13. The Committee is referred to the Training Matrix attached at Appendix A. This records the mandatory training which Councillors are required to have completed before they can sit on specific committees. The matrix assists those Councillors looking for a substitute to know who can be asked.

4.14. The Monitoring Officer is constantly monitoring the training and development of Councillors on all areas related to their work.

5. CONSULTATION

5.1. This report forms a consultation tool with Committee members.

6. OPTIONS / ALTERNATIVES CONSIDERED

6.1. None.

7. COMMENTS BY THE GROUP HEAD OF FINANCE/SECTION 151 OFFICER

7.1. As this is an information report, no financial implications are identified.

8. RISK ASSESSMENT CONSIDERATIONS

8.1. As this is an information report, no risk assessment considerations are necessary.

9. COMMENTS OF THE GROUP HEAD OF LAW AND GOVERNANCE & MONITORING OFFICER

9.1. The Monitoring Officer's comments are contained within the body of the report.

For items 10 – 17 below, there are no direct impacts arising from this report.

10. HUMAN RESOURCES IMPACT

11. HEALTH & SAFETY IMPACT

12. PROPERTY & ESTATES IMPACT

13. EQUALITIES IMPACT ASSESSMENT (EIA) / SOCIAL VALUE

14. CLIMATE CHANGE & ENVIRONMENTAL IMPACT/SOCIAL VALUE

15. CRIME AND DISORDER REDUCTION IMPACT

16. HUMAN RIGHTS IMPACT

17. FREEDOM OF INFORMATION / DATA PROTECTION CONSIDERATIONS

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BACKGROUND DOCUMENTS: None