

# Public Document Pack

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## STANDARDS COMMITTEE

23 February 2023 at 6.00 pm

Present: Councillors P. English (Chair), Kelly (Vice-Chair), Bennett, Caffyn, J. English, Gregory and Wallsgrove

Also present were Independent Persons Mr John Cooke and Mrs Sandra Prail.

### 692. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Independent Person Mr John Thompson, and Councillors Coster and Daniells.

### 693. DECLARATIONS OF INTEREST

Councillor Kelly declared a Personal Interest in Agenda Item 13 as he had been present when the occurrence happened.

### 694. MINUTES

The Minutes of the meeting held on 15 December 2022 were approved by the Committee. These would be signed at the end of the meeting.

### 695. ITEMS NOT ON THE AGENDA WHICH THE CHAIRMAN OF THE MEETING IS OF THE OPINION SHOULD BE CONSIDERED AS A MATTER OF URGENCY BY REASON OF SPECIAL CIRCUMSTANCES

There were no urgent matters for this meeting.

### 696. PUBLIC QUESTION TIME

No public questions had been submitted for this meeting.

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697. MONITORING OFFICER REPORT

Upon the invitation of the Chair, the Monitoring Officer introduced the report. He explained that version 2.2 of the Constitution had now been published, following the meeting of Full Council in January, and all the amendments made had been through the Constitution Working Party and Full Council. The Protocol on Member and Officer relations, which had been considered by the Standards Committee in December, had been updated and incorporated into the Constitution. The Monitoring Officer Protocol had been adopted by the Council and also incorporated into the Constitution. Other key areas of the report were to be covered under separate items on the agenda.

There were no questions from Members.

The Committee noted the report.

698. MEMBER LEARNING AND DEVELOPMENT

Upon the invitation of the Chair, the Monitoring Officer introduced the report. He explained this was the induction programme for new Councillors and would run from May until July. The induction programme had previously been presented to Committee in its draft stage. Since the last Committee meeting, Officers had considered the balance between daytime and evening sessions, which had also been discussed with the Corporate Management Team. Taking into account the availability of the Officers, the Chamber and external trainers, Officers were happy with the Induction Programme as presented. As previously requested by Committee, the mandatory training sessions had now been highlighted. The Committee were asked to provide feedback and note the programme, as this would need to be provided to candidates and agents in the coming weeks. The Monitoring Officer thanked the Committee Services Manager, Jane Fulton, for all her work on the Member Induction Programme.

Members then took part in a question and answer session where the following points were raised:

- Members also thanked the Committee Services Manager for her work on this.
- Would mandatory training be mandatory for all Members, or just new Members? The Monitoring Officer confirmed mandatory training would need to be completed by all Councillors.
- It was thought having high attendance at sessions would make it more difficult to absorb information given, and it was asked whether priority could be given to Members that were likely to be sitting on the relevant Committees. The Monitoring Officer confirmed where possible this would be the case.
- Could training be given in smaller groups? The Monitoring Officer explained this would be more expensive, and there would also be issues with availability of external trainers. The Planning Committee would meet soon after the elections, and so it was important everyone was trained as soon as possible.

- Would any of the sessions be recorded for Councillors unable to attend? The Monitoring Officer explained that it was essential Members were physically present for the training, so they would not be hybrid meetings.
- Clarification was sought on the Module 2 sessions in June and July. It was explained there would be availability 15 Councillors at each session, and there would be a morning and an afternoon session on each date.
- Would there be any training for Chairs? The Monitoring Officer confirmed there would be Chair and Vice-Chair training but planning for that was still in progress, and may be run in conjunction with neighbouring local authorities to reduce costs.

The Committee noted the finalised Member Induction Programme.

699. REVIEW OF LOCAL ASSESSMENT PROCEDURE AND ASSESSMENT PANEL PROCEDURE

Upon the invitation of the Chair, the Monitoring Officer introduced the report. He explained an annual review of the Local Assessment Procedure had been carried out, and the major changes were summarised in 4.4 of the report. He then explained each of the major changes to the Committee.

Members then took part in a question and answer session where the following points were raised:

- It was hoped that Members had the choice as to whether to involve Group Leaders in complaints or not. The Monitoring Officer confirmed this was the case and explained that there was an error in paragraph 6 of the Local Assessment Procedure which he would correct. This was that the word 'declines' needed adding into the sentence 'If either the Subject Member or the complainant **declines** to engage with this informal process...'
- If a complaint was made prior to the elections, and by the time it was investigated the subject Member was no longer a Councillor, would the complaint progress? The Monitoring Officer confirmed that if someone stopped being a Councillor, the complaint would stop.
- If someone stopped being a District Councillor but was still a Parish or Town Councillor would the complaint continue? The Monitoring Officer explained that when a complaint came in, it would be determined which Councillor capacity they were acting under at the time, and therefore which Code of Conduct it fell under. If the complaint was made against someone acting as a District Councillor and they ceased being a District Councillor, the complaint would not be investigated further.

The recommendations were proposed by Councillor Bennett and seconded by Councillor Gregory.

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## The Committee

### RESOLVED

- 1) That they had reviewed the operation of the Local Assessment Procedure (Appendix A) and Hearings (Assessment Panel) Procedure (Appendix B), including the proposed amendments made by the Monitoring Officer; and

### RECOMMEND TO FULL COUNCIL

- 2) that the revised Local Assessment Procedure and Assessment Panel Procedure be adopted

## 700. REVIEW OF SOCIAL MEDIA GUIDANCE

Upon the invitation of the Chair, the Monitoring Officer introduced the report. He explained this was a review of the existing social media guidance for Councillors. The purpose of this was to assist Councillors in how they used social media, recognising it was a tool many Councillors wanted to use to engage with residents. The updated document reflected updated guidance from the Local Government Association (LGA). The Social Media Guidance also included guidance around what to do when faced with abuse on social media.

Members then took part in a question and answer session where the following points were raised:

- Could Councillors' personal mobile phones and apps be subject to Freedom of Information (FOI) requests? The Monitoring Officer explained that if Council business was being conducted via personal accounts, this could be subject to FOI requests.
- Should Councillors have separate accounts to conduct Council business? The Monitoring Officer explained it was strongly advised Members used their Arun email accounts to conduct Council business. Social Media accounts were not provided by Arun.

The recommendations were proposed by Councillor Bennett and seconded by Councillor Wallsgrove.

The Committee

RESOLVED

- 1) That they had considered and commented upon the revised Social Media Guidance for Councillors; and

RECOMMEND TO FULL COUNCIL

- 2) that the revised Social Media Guidance be adopted

At the end of this item the Chair asked the Monitoring Officer for clarification on whether non-Committee Members could attend the Standards Committee and ask to speak. This followed an email circulated to Members by the Monitoring Officer, and the Chair felt clarification was required.

The Monitoring Officer felt there was no reason a non-Committee Member should not be able to address the Standards Committee. The exception to this was during exempt business, as these reports were not circulated to all Members, only to Members of the Standards Committee, and there was an expectation of confidence around the complaints.

One Member asked whether non-Committee Members wishing to attend the Standards Committee could stay and listen to the exempt part of the meeting. The Monitoring Officer explained the Constitution stated non-Committee Members could stay for the exempt part of the meeting if they had a good reason to remain.

701. WORK PROGRAMME

The Committee noted the Work Programme.

702. REGISTER OF ASSESSMENT OF COMPLAINTS AGAINST COUNCILLORS

Upon the invitation of the Chair, the Monitoring Officer introduced the report. He explained that since the last Committee meeting 5 complaints had been received, progressed or completed. He highlighted the table at Paragraph 4.2 on page 82. Some complaints involved District Councillors, some involved Town or Parish Councillors. 4 of the complaints were ongoing, one had resulted in no breach of the Code and would not be progressed further. The Monitoring Officer had not identified any patterns or trends to the complaints.

Members then took part in a question and answer session where the following points were raised:

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- Was it expected some complaints may not have been dealt with by the election period? The Monitoring Officer explained all 4 of the live complaints would have reached the end of the initial assessment stage. He was unable to say whether these would move to the next stage of the procedure. If this were the case and the subject members were no longer Councillors, the investigation would cease.
- If it was determined before 20 March 2023 that a complaint would need to go to a Hearing Panel, could this happen during the pre-election period, or would this need to be delayed until after the elections? The Chair emphasised that the Standards Committee and Hearing Panels were non-political. The Monitoring Officer explained he would need to give thought on whether a Hearing Panel could take place, or whether it could be seen as promoting a candidate.
- How long did each complaint take from start to finish? The Monitoring Officer explained the initial phase of the procedure could take 20 working days, If this progressed to formal investigation, which was took up to 3 months, and there was a finding of a breach, a panel would need to be convened. It would take around 5/6 months to reach a Hearing Panel.

The Committee noted the report.

703. EXEMPT INFORMATION

The Committee

RESOLVED

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

704. REGISTER OF ASSESSMENT OF COMPLAINTS AGAINST COUNCILLORS

Upon the invitation of the Chair, the Monitoring Officer introduced the report.

Following a discussion, the Committee noted the contents of the report.

(The meeting concluded at 7.26 pm)