

# Arun District Council

<b>REPORT TO:</b>	<b>Standards Committee 20 July 2023</b>
<b>SUBJECT:</b>	<b>Monitoring Officer Report – July 2023</b>
<b>LEAD OFFICER:</b>	<b>Daniel Bainbridge – Monitoring Officer</b>
<b>LEAD MEMBER:</b>	Councillor David Huntley
<b>WARDS:</b>	<b>All</b>
<b>CORPORATE PRIORITY / POLICY CONTEXT / CORPORATE VISION:</b>	
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)].	
<b>DIRECTORATE POLICY CONTEXT:</b>	
None	
<b>FINANCIAL SUMMARY:</b>	
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

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

## 3. EXECUTIVE SUMMARY

3.1. 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.

3.2. This report is particularly important given the new membership of the Committee in the 2023/24 civic year. While some of the content of this report repeats content from the Monitoring Officer’s report to the February 2023 meeting, it is important that newly-elected Members are aware of some of the work undertaken by the Monitoring Officer in the 2022/23 civic year.

## **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**

- 4.1 On 18 January 2023, Full Council considered recommendations from the Constitution Working Party that the Constitution be updated in order to reflect the revised senior management structure and reporting lines, together with various other amendments. Those amendments were applied to the Constitution and an updated version was published on 2 February 2023.

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

- 4.2. Following consideration of a report at its meeting on 15 December 2022, this was presented to Full Council on 18 January 2023 and Full Council resolved to adopt the revised Protocol. The updated Protocol was published as part of the updated Constitution on 2 February 2023.

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

- 4.3. There is nothing specific to report on this matter at this meeting. Following the May 2023 local elections, the Monitoring Officer will contact those town and parish councils that have not yet adopted the LGA’s model code with the aim of bringing a universal approach to the model code across the District.

### **Signing Acceptance of the Code of Conduct**

- 4.4. The Monitoring Officer monitors the signing of acceptance by Councillors of the Code. Officers are continuing to collect signed Declarations following the local elections. At the time of writing this report, only one District Councillor who has not submitted a signed declaration and staff are working to achieve full compliance.

### **Monitoring the Operation of the Code of Conduct**

4.5. 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.**

4.6 The Monitoring Officer has no further updates on this item, with a revised set of procedures having been approved by Full Council at its meeting on 15 March 2023.

### **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.**

4.7 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**

4.8 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.**

4.9 Training on the Code of Conduct has formed part of the Member Induction Programme following the May elections. The Monitoring Officer will consider any requests for training received from town/parish councils, and has already arranged to attend two town/parish councils in order to brief them on the Code of Conduct and other matters.

### **Recruitment of Independent Persons**

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

### **Member Learning and Development**

4.11 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.

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

4.13 The Monitoring Officer will be discussing proposals for a Learning & Development Programme for Councillors as a separate item on this meeting's Agenda.

## **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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**CONTACT OFFICER:**

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**BACKGROUND DOCUMENTS:** None