

Arun District Council

REPORT TO:	Standards Committee – 16 January 2025
SUBJECT:	Monitoring Officer Report – January 2025
LEAD OFFICER:	Daniel Bainbridge, Group Head of Law & Governance
LEAD MEMBER:	Councillor David Huntley
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.”	
DIRECTORATE POLICY CONTEXT:	
All of the matters contained within this report relate to functions that sit within the remit of the Chief Executive’s Office and the Law & Governance group.	
FINANCIAL SUMMARY:	
No financial implications.	

1. PURPOSE OF REPORT

- 1.1 The Council’s Constitution (Part 3, Section 5.4) outlines the responsibilities of the Standards Committee, and this report informs Committee Members of matters relating to these responsibilities.

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.

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 Constitution has been amended to reflect the changes to the senior management structure following the arrival of Dawn Hudd as Chief Executive in July 2024. These changes were made under the Monitoring Officer’s delegated authority. Further changes were considered by the Constitution Working Party on 21 October 2024 and recommended to Full Council on 6 November 2024. These changes were approved, and an updated version of the Constitution was published on 19 December 2024.

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

- 4.3 The Monitoring Officer has nothing further to report on this item since his report to Committee on 17 October 2024.

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

- 4.4 There are currently two town/parish councils who have not yet adopted the 2021 LGA Model Code. The Monitoring Officer has been consulted by one of these councils who are looking to review their Code and move towards adoption of the Model Code. This review is underway, and officers await that council’s decision.

Signing Acceptance of the Code of Conduct

- 4.5 There is nothing specific to report on this matter at this meeting.

Monitoring the Operation of the Code of Conduct

- 4.6 A separate report to committee concerning a review of the code is included in the agenda pack for this meeting.

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

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

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.

4.8 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

4.9 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.

4.10 Training on the Code of Conduct 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 attended two town/parish councils in order to brief them on the Code of Conduct and other matters.

Recruitment of Independent Persons

4.11 At its last meeting on 17 October 2024, Standards Committee agreed to recommend to Full Council the appointment of three Independent Persons (IPs). At Full Council on 6 November 2024, those appointments were approved and the terms of service for the three IPs commenced on 7 November 2024. Those terms of service are for four years, therefore expiring in 2028. The Monitoring Officer has already received support from all three IPs on complaints dealt with since 7 November.

Member Learning and Development

4.12 This item is the subject of a separate report 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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BACKGROUND DOCUMENTS: None