

ARUN DISTRICT COUNCIL
REPORT TO STANDARDS COMMITTEE
ON 1 July 2021

PART A : REPORT

SUBJECT Monitoring Officer Report

REPORT AUTHOR: Solomon Agutu – Interim Monitoring Officer

DATE: 16 June 2021

EXTN: 37432

COMMITTEE: Standards Committee

EXECUTIVE SUMMARY:

This report asks Standards Committee to note the report of the Monitoring Officer (MO) by reference to the MO functions.

RECOMMENDATIONS: That Committee

1. Notes and comments on the Monitoring Officer Report

Background

The functions of the Monitoring Officer 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)

(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.

These functions are reflected in the Committee Terms of Reference.

Promoting and maintaining high standards of conduct by District Councillors, Town and Parish Councillors and co-opted Members.

The promotion of high standards of conduct is not only through the code of conduct but also through the promotion and adoption of protocols. There is currently a Member/Officer protocol in Arun which needs to be reviewed in the light of the change to the Committee style of governance. In Parishes, the cases show that breakdown in relationships between

Members and Officers can be improved by a higher profile being given to the Member/Officer protocol. The MO will be contacting Parish Councils with a view to discussing the need to review their own Member/Officer protocols or adopting one where one does not exist.

Another issue which has become prominent in Arun is how Members conduct themselves during online meetings, specifically eating, drinking, smoking. The Monitoring Officer has received complaints about this and will be seeking the views of the Committee on whether a protocol is needed for this

Advising the Council and Town and Parish Councils on the adoption or revision of the Members' Code of Conduct.

The Council has adopted a new Code of Conduct based partly on the LGA model. Following adoption, the MO held a briefing session for all Parish Clerks to promote the adoption of the new code in the Parish Councils. The Briefing was supported by Independent Persons. The new code was then submitted to the Parishes for adoption. So far about three Parish Councils have advised that they will not be adopting the new Code.

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

The Local Assessment Procedure was adopted in March 2021 and the MO has no current recommendations for revision.

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 MO has nothing to report on this issue.

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

The report on another agenda item sets out the Register of Complaints under consideration and investigation.

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

Following the adoption of the new Code of Conduct the Monitoring Officer has been considering rolling out training. This has been delayed by the by-elections and the adoption of the new Committee style governance. The numbers involved will require more than one session at a time which is convenient to all District and Parish Councillors. Due to the logistic difficulties the MO is now considering whether it would be more efficient to record a training session to be made available online. This would be supplemented by live sessions.

Recruitment of Independent Persons

There is nothing to report under this heading as we currently have the correct number of Independent Persons. However, we need to consider how we can best use the skills and capabilities of Independent Persons.

Related Functions

The MO is constantly monitoring supporting the training and development of Members on other areas related to their work.

LGA Guidance on Code of Conduct - LGA has been promoting the LGA Model Code of Conduct. Some Councils have held back from adopting the code because they are waiting for guidance. The LGA is in the process of preparing guidance which will be useful to Arun as Arun has partially adopted the LGA Code.

2. PROPOSAL(S):

The proposal is that Committee notes the report and comment on the proposed work of the MO on refreshments during online meetings and work on Member/Officer protocols.

3. OPTIONS:

NA

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	x	
Legal	x	
Human Rights/Equality Impact Assessment	x	
Community Safety including Section 17 of Crime & Disorder Act	x	
Sustainability	x	
Asset Management/Property/Land	x	
Technology	x	
Other (please explain)	x	

6. IMPLICATIONS: N/A**7. REASON FOR THE DECISION:**

NA

8. BACKGROUND PAPERS:

NA