

STANDARDS COMMITTEE

16 September 2021 at 6.00 pm

Present: Councillors Tilbrook (Chair), English (Vice-Chair), Caffyn, Daniells, English and Haywood

Also present was Independent Person Mrs S Prail.

Councillor Gunner was also in attendance for all or part of the meeting.

272. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors Bennett, Gregory, Kelly and Independent Persons Mr J Thompson and Mr J Cooke.

273. DECLARATIONS OF INTEREST

There were no Declarations of Interest made.

274. MINUTES

The Minutes of the meeting held on 01 July 2021 were approved by the Committee. These would be signed at the end of the meeting.

275. PUBLIC QUESTION TIME

The Chair confirmed that no questions were submitted for this meeting.

276. MONITORING OFFICER REPORT

Upon invitation of the Chair, the Deputy Monitoring Officer introduced his report and drew Members' attention to the two different types of matters contained within it – information matters and procedural matters. He explained some Members were yet to signify acceptance of the new Code of Conduct; he updated Members that the Local Government Association (LGA) had now issued guidance on the Model Code, which Arun had partly adopted, and he confirmed he would circulate this guidance after the meeting; a list of Members trained to sit on the Standards Committee had been attached to the agenda; Officers had been carrying out consultation on the new Code of Conduct Complaint Form, which was a separate item on the Agenda; he spoke about assembling Panels for the purpose of hearing complaints, and explained that in the process of setting these up a number of issues had arisen. One being that all Members that had volunteered to attend were from the same political party, and whilst this was not unusual in a majority Council, Members at Arun may have a different view, and he was interested to hear Member views on the matter.

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The Chair invited questions from Members, and the following questions and points were raised:

- Whether the Constitution would be updated following the previous Full Council Meeting
- Could the whole Constitution to be downloaded in its entirety.
- The implications for all Members yet to sign the Code and the process to ensure this happened.
- Could more Councillors be trained to sit on the Standards Committee as currently there were not many Members available to Substitute.

The questions were answered by the Deputy Monitoring Officer and the Head of Law and Governance.

A discussion took place around whether the Hearings Panel should be politically balanced. Some Members expressed a view that they did not need to be politically balanced, as any Member of Standards Committee should be impartial, and it should not matter which political party they were a Member of. Other Members expressed a view that the Hearings Panels should be politically balanced wherever possible, as they should have the appearance of being fair.

The Deputy Monitoring Officer then went on to draw Members' attention to the Member/Officer Protocol, which he suggested should be reviewed, so Members could decide whether or not this needed to change. He explained some Officers had raised concerns about what they saw as being their relationship with Members. The Deputy Monitoring Officer suggested consultation took place with the Corporate Management Team and Human Resources about what they felt may need to change; followed by consultation with Members, as some Members had also raised concerns about how they are/are not working with Officers; then they could proceed to look at how other local authorities had dealt with any issues that may have arisen during the consultation process. It was asked that time be given in the Work Programme for this work to be carried out.

Discussion was had around the Member/Officer Protocol. The subject of Member complaints about Officers was raised, in particular the process for this, and how it may need clarifying so there was a clear route for Members who wished to make a complaint about Officers.

The recommendation was then proposed by Councillor Tilbrook and seconded by Councillor Caffyn.

Having provided feedback regarding the Member/Officer Protocol the Committee

RESOLVED

That the Monitoring Officer Report be noted.

277. REVIEW OF CODE OF CONDUCT COMPLAINT FORM

Upon invitation of the Chair, the Group Head of Law and Governance introduced the report and explained she had been informed that members of the public had been prevented from complaining due to the process and lengthy complaint form.

Members took part in a full debate and the following points were raised:

- The form should make clear exactly what the breach was and where in the Code this was.
- Clarification was sought around whether multiple Subjects or Complainants could be put on one form.
- It was suggested that the form should contain a message about data protection and what would happen with people's data once they had submitted the form.

The Head of Law and Governance said that she would be happy to review the above points and bring the Code of Conduct Complaint Form to the next Committee Meeting to be presented to Members again. This was then Proposed by Councillor Tilbrook and Seconded by Councillor Caffyn.

The Committee

RESOLVED

That the Review of Code of Conduct Complaint Form would be brought back to the next Committee Meeting on 16 December 2021

278. WORK PROGRAMME

The Committee noted the Work Programme.

279. REGISTER OF ASSESSMENT OF COMPLAINTS AGAINST COUNCILLORS

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

There were no questions from Members.

The Committee

RESOLVED

That the Register of Complaints against Councillors and progress of any outstanding complaints be noted.

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280. 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.

281. REGISTER OF ASSESSMENT OF COMPLAINTS AGAINST COUNCILLORS

The recommendation was Proposed by Councillor Tilbrook and Seconded by Councillor Caffyn.

Following a discussion, the Committee

RESOLVED

That the Register of Complaints against Councillors be noted.

(The meeting concluded at 7.03 pm)