

ARUN DISTRICT COUNCIL

REPORT TO THE STANDARDS COMMITTEE ON 16 DECEMBER 2021

SUBJECT: Review of the Local Assessment Procedure and Hearings Procedure

REPORT AUTHOR: Sameera Khan - Monitoring Officer
DATE: November 2021
EXTN: 37610
AREA: Corporate Support – Law & Governance

EXECUTIVE SUMMARY:

In February 2021, the Council adopted a new Local Assessment Procedure and associated Hearings Procedure in relation to the management of Code of Conduct Complaints Against Councillors. This report seeks Committee's view on whether a review of these procedures should be undertaken.

RECOMMENDATIONS:

The Committee is asked to consider:

- 1) Whether the Local Assessment Procedure and Hearings Panel Procedure are effective and appropriate and need no review at this time; or
- 2) Whether the Monitoring Officer be authorised to carry out changes identified during Committee's consideration of this item; or
- 3) Whether the Local Assessment Procedure and Hearings Panel Procedure should be fully reviewed

1. BACKGROUND:

- 1.1 Standards Committee – at their meeting on 18 February 2021 – resolved to adopt the revised Local Assessment and Hearings Procedures (Minute 483 refers).
- 1.2 These procedures have been followed for a number of Code of Conduct complaints received since adoption. There have also been two Hearings since the adoption, so both Procedures have been invoked and 'tested'.
- 1.3 A number of anomalies have been identified, which are attached at Appendix A and which the Monitoring Officer will explain to Members as part of the discussion around this Agenda item.

1.4 Committee are therefore requested to consider whether a full review of the Procedures is required, or whether the Monitoring Officer is instructed to make the changes identified by Committee Members as a consequence of the consideration of this Agenda item.

2. PROPOSALS

Standards Committee is asked to consider:

- 1) Whether the Local Assessment Procedure and Hearings Panel Procedure are effective and appropriate and need no review at this time; or
- 2) Whether the Monitoring Officer be authorised to carry out changes identified during Committee’s consideration of this item; or
- 3) Whether the Local Assessment Procedure and Hearings Panel Procedure should be fully reviewed

3. OPTIONS:

- 1) To instruct the Monitoring Officer to make the identified changes to the Procedures
- 2) To carry out a full review of the Local Assessment and Hearings Procedures to ensure that the content is relevant and appropriate
- 3) To not carry out a review

4. CONSULTATION:

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

6. IMPLICATIONS:

Any full review of the Procedures will obviously result in demands on Officer and Member time, and consideration also needs to be given to adhering to official guidelines in terms of the content.

7. REASON FOR THE DECISION:

To ensure that the Procedures are concise, clear and achievable.

8. BACKGROUND PAPERS:

List of identified anomalies – Appendix A

Hearings Procedure - Appendix B

Local Assessment Procedure – Appendix C