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## Standards Committee

Wednesday 4<sup>th</sup> December 2013 at 10.00am.

**COMMITTEE ROOM ONE, PARK NORTH, NORTH STREET, HORSHAM**

**Councillors:** Brian Donnelly (Chairman) Sheila Matthews  
David Coldwell (Vice-Chairman) Godfrey Newman  
Andrew Baldwin Tricia Youtan  
Philip Circus

**Co-opted advisory members:** Mary Jagger Independent person  
Paul Byford Independent person  
Valerie Court Parish Council representative  
Isabel Glenister Parish Council Representative

*You are summoned to the meeting to transact the following business*

TOM CROWLEY  
Chief Executive

## AGENDA

- |                                                                                                                   | Page No. |
|-------------------------------------------------------------------------------------------------------------------|----------|
| 1. Apologies for absence                                                                                          |          |
| 2. To approve as correct the minutes of the meeting of the Committee held on 25 <sup>th</sup> September 2013      | 1        |
| 3. To receive any declarations of interest from Members of the Committee                                          |          |
| 4. To receive the minutes of the Local Assessment Sub-Committee held on 6th November 2013                         | 7        |
| 5. To receive any announcements from the Chairman of the Committee, the Chief Executive or the Monitoring Officer |          |

6. To note the list of Standards Committee Reports and Documents available for inspection **17**
7. To receive the following report of the Monitoring Officer:  

Ethical Framework Update **23**
8. Items not on the agenda which the Chairman of the meeting is of the opinion should be considered as urgent because of the special circumstances

**STANDARDS COMMITTEE**  
**25<sup>th</sup> September 2013**

Present: Councillors: Brian Donnelly (Chairman), David Coldwell (Vice-Chairman), Andrew Baldwin, Sheila Matthews, Godfrey Newman

**Co-opted advisory members**

Present: Parish Council representatives: Val Court, Isabel Glenister  
Independent persons: Paul Byford, Mary Jagger

Apologies: Councillors: Philip Circus, Tricia Youtan

SC/10 **MINUTES**

The minutes of the meeting of the Committee held on 19<sup>th</sup> June 2013 were approved as a correct record and signed by the Chairman.

SC/11 **MINUTES OF THE MEETING OF SUB-COMMITTEE**

The minutes of the Local Assessment Sub-Committee held on 14<sup>th</sup> August 2013 were received.

SC/12 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

SC/13 **ANNOUNCEMENTS**

There were no announcements.

SC/14 **STANDARDS COMMITTEE REPORTS AND DOCUMENTS AVAILABLE FOR INSPECTION**

The list was noted.

SC/15 **INDEPENDENT PERSON REPORT**

Paul Byford, Independent Person, raised concerns regarding the Committee's inability to take action in relation to complaints where a member is not found to be acting in his or her official capacity and the effect that the member's alleged conduct can nevertheless have on public perception. He had expressed his concerns in a side letter following consultation concerning the case which had been considered on 14 August. Parish Representative Val Court agreed with his concerns. Councillor Sheila Matthews also spoke in support of Paul Byford's views.

SC/15 Independent Person Report (Cont.)

The Chairman of the Committee, who had also been Chairman of the Local Assessment Sub-Committee which sat on 14 August, agreed that the covering letter sending out the decision notice should include reference to the Sub-Committee's personal views on public perception.

SC/16 PARISH REPRESENTATIVE REPORT

There was no report.

SC/17 ETHICAL FRAMEWORK UPDATE

The Monitoring Officer presented the report on developments in the ethical framework that affected the role and activities of Councillors and the Council's business, including:

- Training and awareness: The Monitoring Officer and Senior Solicitor had attended a conference for Monitoring Officers regarding the new Standards Regime. There had been no uniformity of procedure amongst Councils as they had each adopted their own individual Codes of Conduct. Information gained at the conference would help to inform the current review of the Council's local standards regime.

Hoey Ainscough Associates, who had organised the conference, were organising workshops regarding the role of the Independent Person.

- The Monitoring Officer agreed to enquire whether these workshops could be extended to include Parish Council Representatives.
- Local assessment, review, other action, investigations and determinations: Since the Ethical Framework Update on 19 June 2013, the Local Assessment Sub-Committee had met once and considered two cases.
- Parish Clerks' Meetings: The Senior Solicitor had attended the Society of Local Council Clerks' meeting on 9 July and had provided advice to Parish Councillors regarding dispensations. The Senior Electoral Services Officer had also attended to provide information regarding forthcoming elections.
- Register of Interests: Register of Interests forms had been sent to District and Parish Councillors in July 2012. Update forms had also been sent out in July 2013.

All District Councillors had completed their full registers. To date three of the 44 District Councillors had not yet returned their update forms.

- A further reminder letter would be sent to the three remaining Members. The Chairman requested that the relevant Party Leaders should be informed.

Four Parish Councils had yet to upload full registers onto their own, or the Council's, website.

SC/17 Ethical Framework Update: Register of Interests (Cont.)

- The Chairman requested that the relevant Local Members should be advised in an effort to assist parishes.
  - Committee on Standards in Public Life: The CSPL's Annual report had been published in August. It included a number of areas of concern about the new regime regarding: sanctions; independent chairing; and inadequate time for transition to the new regime.
  - Publicity guidance: The Secretary of State had set up a consultation regarding proposals to require local authorities to comply with the Code of Recommended Practice on Local Authority Publicity's recommendations. The outcome of the consultation was awaited. Members were advised that the Monitoring Officer had sent publicity guidance in relation to the pre-election period to all Councillors and the Corporate Management Team in connection with the West Sussex County Council by-elections at Storrington and Warnham & Rusper divisions to be held on 26 September and 24 October respectively.
  - Filming of Public Meetings: The Department for Communities and Local Government (DCLG) had published guidance to help the public attend meetings and encourage transparency. On 22 August the Communities Secretary had stated that new guidance regarding filming, tweeting and reporting planning appeals would be published. The Committee discussed public involvement at meetings and the possible consequences of filming meetings in addition to recording them. It was noted that the Chairman should hold authority during a meeting in respect of disruptive behaviour.
  - Probity in Planning guidance: In April 2013 the LGA published a new guide reflecting changes in the Localism Act 2011 to help Councillors involved in planning to understand their roles and responsibilities. The Monitoring Officer had recently issued advice on predetermination and predisposition regarding member involvement in the Preferred Strategy consultation. She reported that a new transparency guide had been issued by the DCLG which related to the need to declare membership of any trade union. The Monitoring Officer advised that the current Code of Conduct adopted by the Council had retained a requirement to declare trade union membership.
- LGO case summaries and Standards cases: Case summaries were provided. The limited number of sanctions available under the new regime was noted.
- Local Standards regime – Review one year on: The review of the local standards regime had commenced and the working group had met on 11 September. The group had discussed the number of elected and advisory members; it had been suggested that a panel of trained Members could be established which could be drawn upon should the need arise.

SC/17 Ethical Framework Update:  
Local Standards regime – Review one year on (Cont.)

With regards to the need for the right to a review for the complainant, a right of appeal for the Member and further delegation of decision making, it was noted that information from other local authorities had been requested and would help to inform the decisions and recommendations made by the working group. The working group would meet again, with a provisional date of 23 October, and its recommendations would be presented to a future Committee meeting prior to consideration by Council.

- Performance Management: The annual report of complaints had been submitted to the Finance & Performance Working Group in May 2013 for scrutiny. For the period 1 April 2012 to 31 March 2013 there had been 157 complaints and 69 compliments (excluding Operational Services). The figures for the previous year had been 92 complaints and 148 compliments.
- The Monitoring Officer would circulate the report to members of the Committee.
- Freedom of Information: The annual report of Freedom of Information requests had been submitted to the Finance & Performance Working Group in May 2013. The number of requests for the period 1 April 2012 to 31 March 2013 totalled 523, compared with 574 for the previous year. The Monitoring Officer advised that there had been approximately 70 requests in the last month.

Datasets: The Secretary of State's Code of Practice (datasets) on the discharge of public authorities' functions under Part 1 of the Freedom of Information Act took effect from 1 September 2013. Should datasets be requested under the FOIA, the Council would be required to publish the data and update it as appropriate.

- Data Protection Act 1998: The Information Commissioner had not alerted the Council to any complaints that the Council had breached the Data Protection Act 1998.
- Members' Notification with the ICO: The information set out in the report was noted. Members noted that Parish Councillors were to be exempted from the additional data protection notification requirement and discussed the importance of using designated email addresses for Council business.
- Regulation of Investigatory Powers Act 2000: Changes to the legal framework restricting the Council's use of RIPA had come into force in November 2012. The Council had not used RIPA since 2007.
- Work Programme update: Members noted the updated Work Programme.

Members of the Committee noted the matters contained within the report.

SC/17 Ethical Framework Update (Cont.)

RESOLVED

That the contents of the report be noted.

REASONS

- i) To ensure that the Committee, the Members of the Council and others to whom the report is circulated are kept up to date with developments in the ethical framework.
- ii) To promote and maintain high standards of conduct amongst Members.

SC/18 LOCAL GOVERNMENT OMBUDSMAN UPDATE 2012 - 2013

The Monitoring Officer reported on the number and nature of complaints about the Council made to the Local Government Ombudsman (LGO), and provided details on the changes to the LGO's complaints process and the contents of its Annual Review letter.

Members noted the cases recorded for the 2012 -2013 reporting year.

The Monitoring Officer reported that the significant changes to the structure at the LGO, which had been implemented on a phased basis since October 2012, had been fully introduced since 1 April 2013. Under the new structure, the LGO would make decisions within twenty working days from receipt of complaints. Prompt decisions would be made on:

- All complaints that were outside its jurisdiction;
- Complaints that could quickly be resolved;
- Complaints that did not merit formal investigation; and
- Only pass on complaints that merited formal investigation to the investigation teams.

The LGO would no longer refer premature complaints to the Council. Instead, the LGO would inform complainants that they should direct their complaints to the Council, except where the complainant was vulnerable or otherwise could not reasonably be expected to progress the matter alone.

The LGO would no longer carry out follow-up checks with the complainants or the Council to see whether the complaint has been satisfactorily resolved.

The Monitoring Officer advised that the LGO's Annual Review letter had been received in July 2013, which provided annual statistics for the period from 1 April 2012 to 31 March 2013.

SC/18 Local Government Ombudsman Update 2012 – 2013 (Cont.)

The letter had stated that for this year only a total number of complaints received, without specific detail, had been provided in line with the LGO's new processes.

The LGO had invited the Council to take part in a consultation about the future format of its Annual Review letters, after which it was likely to provide more detailed information in next year's letter.

The Annual Review letter stated that in 2012-2013, the LGO had received 11 complaints about Horsham District Council, compared to the average of 10 complaints received for District and Borough Councils.

Members were advised of other changes to the LGO process which had been set out in the letter, including: a new team structure for the day-to-day management of the LGO; and the publication on its website of the final decision on all complaints in order to promote transparency and accountability.

Members of the Committee noted the matters contained within the report.

RESOLVED

That the contents of the report be noted.

REASONS

- i) To ensure that the Committee has the necessary information to ensure that complaints can be made to the Council with ease and complaints are dealt with appropriately.
- ii) To assist with establishing learning lessons so that the Council can improve its performance in the provision of its services.

*The meeting finished at 11.32am having commenced at 10.00am.*

CHAIRMAN



**STANDARDS COMMITTEE**  
**LOCAL ASSESSMENT SUB-COMMITTEE**  
**6 NOVEMBER 2013**

Present: Councillors: Brian Donnelly, Sheila Matthews, Tricia Youtan

Apologies: Philip Circus

LA/1 **ELECTION OF CHAIRMAN**

RESOLVED

That Brian Donnelly be appointed Chairman of the Sub-Committee for the purposes of this meeting.

LA/2 **ANNOUNCEMENTS**

The Chairman thanked Tricia Youtan for agreeing to join the sub-committee.

LA/3 **DECLARATIONS OF INTEREST**

There were no declarations of interest.

LA/4 **EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED

That under Section 100A of the Local Government Act 1972 as amended the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act 1972 by virtue of the paragraph specified against the items and in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

LA/5 **TO CONDUCT AN ASSESSMENT UNDER THE LOCALISM ACT 2011**  
**CHAPTER 7 AND THE 'ARRANGEMENTS' WHICH THE COUNCIL HAS**  
**PUT IN PLACE FOR THE ASSESSMENT OF SUCH COMPLAINTS**  
**UNDER S 28(6) OF THE ACT IN RELATION TO THE ALLEGED**  
**CONDUCT OF A PARISH COUNCILLOR (CASE REFERENCE CES 96)**

The Local Assessment Sub-Committee assessed a complaint that a Parish Councillor had failed to comply with the Parish Council's Code of Members' Conduct ("the Code").

LA/5 To conduct an assessment under the Localism Act 2011 Chapter 7 and the 'arrangements' which the Council has put in place for the assessment of such complaints under s 28(6) of the Act in relation to the alleged conduct of a Parish Councillor (Case Reference CES 96) (Cont.)

On 26 September 2013 an allegation against the Councillor had been made under section 28 (6) Localism Act 2011 in accordance with the Council's procedure for complaints against Members.

It was alleged that:

A Parish Councillor breached paragraph 3(1), paragraph 3(2)(b) and paragraph 5 of their Parish Council's Code of Members' Conduct:

3(1) *'You must treat others with respect'*

3(2)(b) *'You must not bully any person'*

5 *'You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute'.*

Members considered the opinion of the Independent Person appointed by the Council under the Localism Act 2011, section 28(7), and considered the opinion of a Parish Representative appointed by the Council to advise on Parish matters.

Members of the Sub-Committee noted that the Council's complaints procedure required that complaints be made within 28 days of the alleged incident unless considered reasonable to exercise discretion. The alleged incident had occurred on 26 February 2013, seven months prior to the date when the allegation had been made.

Members of the Sub-Committee considered whether there was sufficient evidence to give reasonable justification for the delay in the submission of the complaint that would warrant taking action now.

### **RESOLVED**

In accordance with Chapter 7 of the Localism Act 2011 and the Arrangements adopted by the District Council to deal with Code of Conduct complaints regarding Councillors, the Local Assessment Sub-Committee decided that no further action should be taken. This was because the allegation had not been made within 28 days of the alleged incident and the sub-committee did not consider there was any reasonable justification for the delay in the submission of the complaint that would warrant taking action now.

LA/5 To conduct an assessment under the Localism Act 2011 Chapter 7 and the 'arrangements' which the Council has put in place for the assessment of such complaints under s 28(6) of the Act in relation to the alleged conduct of a Parish Councillor (Case Reference CES 96) (Cont.)

### **REASON**

- (i) The Council's complaints procedure requires that complaints are made within 28 days of the alleged incident. The incident giving rise to the allegation is alleged to have taken place on 26 February 2013. The sub-committee did not consider there was good reason as to why the complaint was not made within this time period.
- (ii) The complainant had notice of the matters alleged in the complaint immediately following the meeting on 26 February 2013. The matter was raised with the parish council on 24 June 2013 and the complainant was advised to make his complaint to the District Council Standards Committee. However, the complaint was not made to the District Council Monitoring Officer until 26 September 2013, some seven months after the incident complained of.
- (iii) The sub-committee accept that time bars should not be enforced rigidly against a complainant where justice requires that the time be extended and the complainant heard. The sub-committee accepts it may be reasonable to exercise discretion in certain circumstances.
- (iv) The complainant states he refrained from complaining earlier because he had been trying unsuccessfully to build bridges with the Parish Council. The sub-committee do not consider this to be a reasonable justification for making the complaint out of time.
- (v) The sub-committee were unable to deduce a clear understanding of the alleged incident from the information supplied and time lapse since the incident makes it unlikely that it would be possible now to establish the material facts with reasonable confidence after such a long lapse.
- (vi) The sub-committee felt that if the matter was as serious as the complainant contended then they would have expected to receive the complaint

**LA/5 To conduct an assessment under the Localism Act 2011 Chapter 7 and the 'arrangements' which the Council has put in place for the assessment of such complaints under s 28(6) of the Act in relation to the alleged conduct of a Parish Councillor (Case Reference CES 96) (Cont.)**

immediately or in any event within 28 days of the incident on 26 February 2013. Alternatively, if the complainant had concerns of a criminal nature then they would have expected these to have been made direct to the police immediately after the incident and not to the Standards Committee some 7 months after the event complained of.

- (vii) The decision reached is a proportionate response to the allegations.
- (viii) The Independent Person appointed by the Council under the Localism Act s 28(7) has been consulted and agrees that this is an appropriate course.
- (ix) The parish representative co-opted by the Council to advise it on parish matters has been consulted and agrees that this is an appropriate course.

**LA/6 TO CONDUCT AN ASSESSMENT UNDER THE LOCALISM ACT 2011 CHAPTER 7 AND THE 'ARRANGEMENTS' WHICH THE COUNCIL HAS PUT IN PLACE FOR THE ASSESSMENT OF SUCH COMPLAINTS UNDER S 28(6) OF THE ACT IN RELATION TO THE ALLEGED CONDUCT OF A PARISH COUNCILLOR (CASE REFERENCE CES 95)**

The Local Assessment Sub-Committee assessed a complaint that a Parish Councillor had failed to comply with the Parish Council's Code of Members' Conduct ("the Code").

Members of the sub-committee were reminded that the Local Assessment Sub-Committee had previously considered a complaint by the complainant regarding the Councillor in June 2012.

On 26 September 2013 two allegations against the Councillor had been made under section 28 (6) Localism Act 2011 in accordance with the Council's procedure for complaints against Members.

**Allegation One:**

That a Parish Councillor breached paragraph 3(1), paragraph 3(2)(b) and paragraph 5 of their Parish Council's Code of Members' Conduct:

3(1) *'You must treat others with respect'*

3(2)(b) *'You must not bully any person'*

LA/6 To conduct an assessment under the Localism Act 2011 Chapter 7 and the 'arrangements' which the Council has put in place for the assessment of such complaints under s 28(6) of the Act in relation to the alleged conduct of a Parish Councillor (Case Reference CES 95) (Cont.)

- 5        *'You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute'.*

Members considered the opinion of the Independent Person appointed by the Council under the Localism Act 2011, section 28(7), and considered the opinion of a Parish Representative appointed by the Council to advise on Parish matters.

Members of the sub-committee noted that the Council's complaints procedure required that complaints were made within 28 days of the alleged incident unless considered reasonable to exercise discretion. The alleged incident had occurred on 26 February 2013, seven months prior to the date when the allegation had been made.

Members of the sub-committee considered whether there was sufficient evidence to give reasonable justification for the delay in the submission of the complaint that would warrant taking action now.

**Allegation Two:**

That a Parish Councillor breached paragraph 2(4)(d), paragraph 5, paragraph 6(a), paragraph 12(1)(a)(ii), paragraph 14(1), paragraph 15(1)(a) and paragraph 15(1)(c) of their Parish Council's Code of Members' Conduct:

2(4)(d) *Where a Member has a Disclosable Pecuniary Interest... 'It is a criminal offence, without reasonable excuse, to take part in discussions or votes at meetings'*

5.        *'You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute'.*

6(a)     *'You must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage'*

12(1)(a)(ii) *'Where you have a prejudicial interest in any business of your authority you must withdraw from the room or chamber where a meeting considering the business is being held ..... whenever it becomes apparent that the business is being considered at that meeting unless you have obtained a dispensation from your authority.'*

LA/6 To conduct an assessment under the Localism Act 2011 Chapter 7 and the 'arrangements' which the Council has put in place for the assessment of such complaints under s 28(6) of the Act in relation to the alleged conduct of a Parish Councillor (Case Reference CES 95) (Cont.)

14(1) *'Where you have a Disclosable Pecuniary Interest in any business of your authority and you attend a meeting of your authority at which the business is considered you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration or when the interest becomes apparent.'*

15(1)(a) *'Where you have a Disclosable Pecuniary Interest in any business of your authority: you must not participate or participate further in any discussions of the matter at a meeting;*

15(1)(c) *'Where you have a Disclosable Pecuniary Interest in any business of your authority: you must withdraw from the room or chamber where the meeting considering the matter is being held unless you have received a dispensation from your authority.'*

The breaches arose from three alleged incidents that took place on 31 January 2013, 17 June 2013 and another where dates had not been specified.

Members considered the opinion of the Independent Person appointed by the Council under the Localism Act 2011, section 28(7), and considered the opinion of a Parish Representative appointed by the Council to advise on Parish matters.

Members of the sub-committee noted that the Council's complaints procedure required that complaints were made within 28 days of the alleged incident.

The second allegation referred to alleged incidents that occurred on: 31 January 2013, almost eight months prior to the date when the allegation was made; 17 June 2013, approximately three months prior to the date when the allegation was made; and the third on unspecified dates.

Members of the sub-committee considered whether there was sufficient evidence to give reasonable justification for the delay in the submission of the complaints that would warrant taking action now.

Members discussed the aspect of the complaint which was alleged to have occurred at unspecified dates and considered whether there was sufficient evidence presented to indicate a potential breach of the Code.

LA/6     To conduct an assessment under the Localism Act 2011 Chapter 7 and the 'arrangements' which the Council has put in place for the assessment of such complaints under s 28(6) of the Act in relation to the alleged conduct of a Parish Councillor (Case Reference CES 95) (Cont.)

## **RESOLVED**

- (1) **Allegation One:** In accordance with Chapter 7 of the Localism Act 2011 and the Arrangements adopted by the District Council to deal with Code of Conduct complaints regarding Councillors, the Local Assessment Sub-Committee decided that no further action should be taken on the first allegation. This was because the allegation had not been made within 28 days of the alleged incident and the sub-committee did not consider there was any reasonable justification for the delay in the submission of the complaint that would warrant taking action now.

## **REASON**

- (i) The Council's complaints procedure requires that complaints are made within 28 days of the alleged incident. The incident giving rise to the allegation is alleged to have taken place on 26 February 2013. The sub-committee did not consider there was good reason as to why the complaint was not made within this time period.
- (ii) The complainant had notice of the matters alleged in the complaint immediately following the meeting on 26 February 2013. The matter was raised with the parish council on 24 June 2013 and the complainant was advised to make his complaint to the District Council Standards Committee. However, the complaint was not made to the District Council Monitoring Officer until 26 September 2013, some seven months after the incident complained of.
- (iii) The sub-committee accept that time bars should not be enforced rigidly against a complainant where justice requires that the time be extended and the complainant heard. The sub-committee accepts it may be reasonable to exercise discretion in certain circumstances.

LA/6 To conduct an assessment under the Localism Act 2011 Chapter 7 and the 'arrangements' which the Council has put in place for the assessment of such complaints under s 28(6) of the Act in relation to the alleged conduct of a Parish Councillor (Case Reference CES 95) (Cont.)

- (iv) The complainant states he refrained from complaining earlier because he had been trying unsuccessfully to build bridges with the Parish Council. The sub-committee do not consider this to be a reasonable justification for making the complaint out of time.
- (v) The sub-committee were unable to deduce a clear understanding of the alleged incident from the information supplied and time lapse since the incident makes it unlikely that it would be possible now to establish the material facts with reasonable confidence after such a long lapse.
- (vi) The sub-committee felt that if the matter was as serious as the complainant contended then they would have expected to receive the complaint immediately or in any event within 28 days of the incident on 26 February 2013. Alternatively, if the complainant had concerns of a criminal nature then they would have expected these to have been made direct to the police immediately after the incident and not to the Standards Committee some 7 months after the event complained of.
- (vii) The decision reached is a proportionate response to the allegations.
- (viii) The Independent Person appointed by the Council under the Localism Act s 28(7) has been consulted and agrees that this is an appropriate course.
- (ix) The parish representative co-opted by the Council to advise it on parish matters has been consulted and agrees that this is an appropriate course.



LA/6 To conduct an assessment under the Localism Act 2011 Chapter 7 and the 'arrangements' which the Council has put in place for the assessment of such complaints under s 28(6) of the Act in relation to the alleged conduct of a Parish Councillor (Case Reference CES 95) (Cont.)

- (2) **Allegation Two:** In accordance with Chapter 7 of the Localism Act 2011 and the Arrangements adopted by the District Council to deal with Code of Conduct complaints regarding Councillors, the Local Assessment Sub-Committee decided that no action should be taken on the second allegation. This is because: the allegations in relation to 31 January 2013 and 17 June were not made within 28 days of the alleged incidents and the sub-committee did not consider there was any reasonable justification for the delay in the submission of the complaint that would warrant taking action now; and there was no evidence of a potential breach of the Code of Conduct provided by the complainant in support of the allegation in relation to incidents on unspecified dates.

#### **REASON**

- (i) The Council's complaints procedure requires that complaints are made within 28 days of the alleged incident. The incidents giving rise to the allegation are alleged to have taken place on 31 January 2013, 17 June 2013 and other unspecified dates between three and nine months ago. The sub-committee accepts that time bars should not be enforced rigidly but did not consider there was good reason as to why the complaint was not made within this time period.
- (ii) The sub-committee noted that the alleged interest appeared to relate to a previous site which was not relevant to the circumstances surrounding the alleged incidents on 31 January and 17 June, but which related to a previous allegation which had been determined by the sub-committee in July 2012.
- (iii) The sub-committee also noted that in the context of beneficial interests in land a member will have a disclosable pecuniary interest only if the matter upon which a decision is to be made by the authority actually relates to (is about) the Councillor's, his wife's or partner's landholding, which was not the case in this instance.

LA/6

To conduct an assessment under the Localism Act 2011 Chapter 7 and the 'arrangements' which the Council has put in place for the assessment of such complaints under s 28(6) of the Act in relation to the alleged conduct of a Parish Councillor (Case Reference CES 95) (Cont.)

- (iv) Any concerns regarding the content of a planning representation should be raised as part of the planning process rather than an ethical behaviour complaint.
- (v) The part of the allegation which related to unspecified dates was not supported by any evidence of a potential for a breach of the Code.
- (vi) The decision reached is a proportionate response to the allegations.
- (vii) The Independent Person appointed by the Council under the Localism Act s 28(7) has been consulted and agrees that this is an appropriate course.
- (viii) The parish representative co-opted by the Council to advise it on parish matters has been consulted and agrees that this is an appropriate course.

*The meeting finished at 12.42pm having commenced at 11.30am*

CHAIRMAN

## LIST OF STANDARDS COMMITTEE REPORTS AND DOCUMENTS – May 2012 to March 2014

The following reports and documents are available for inspection by arrangements with the Monitoring Officer and her staff.

The most up-to-date version of the list is available via the following link:

<http://www.horsham.gov.uk/council/10255.aspx>

### PART A - REPORTS

Date of report	Subject of report
Future Reports	
14.12.12	Ethical Framework Update
20.03.13	Ethical Framework Update
20.03.13	Local Government Ombudsman Update
19.06.13	Ethical Framework Update
25.09.13	Ethical framework update Local Government Ombudsman update
04.12.13	Ethical framework update
19.3.14	Ethical framework update Code of Conduct review report Local Government Ombudsman update Chairman's annual report

### PART B – DOCUMENTS

	Description	Date	Publisher	Internet Links
SCD1	Comments from ACSeS: Draft Disclosable Pecuniary Interests Regulations	30.05.2012	ACSeS	
SCD2	Ombudsman Complaints 2012/13 Reporting Year to 29 February 2013	27.06.2012	HDC	
SCD3	The Localism Act 2011 (Commencement No. 6 and Transitional, Savings and Transitory Provisions) Order 2012	08.06.2012	Parliament	<a href="http://www.legislation.gov.uk/uksi/2012/1463/contents/made">http://www.legislation.gov.uk/uksi/2012/1463/contents/made</a>
SCD4	The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012	08.06.2012	Parliament	<a href="http://www.legislation.gov.uk/uksi/2012/1464/contents/made">http://www.legislation.gov.uk/uksi/2012/1464/contents/made</a>

SCD5	The Local Elections (Declaration of Acceptance of Office) Order 2012	15.06.2012	Parliament	<a href="http://www.legislation.gov.uk/ukxi/2012/1500/contents/made">http://www.legislation.gov.uk/ukxi/2012/1500/contents/made</a>
SCD6	Can You See What it is Yet?	15.06.2012	LGL	<a href="http://localgovernmentlawyer.co.uk/index.php?option=com_content&amp;view=article&amp;id=10692:can-you-see-what-it-is-yet&amp;catid=181:editors-blog">http://localgovernmentlawyer.co.uk/index.php?option=com_content&amp;view=article&amp;id=10692:can-you-see-what-it-is-yet&amp;catid=181:editors-blog</a>
SCD7	Advice from Jonathan Goolden on Standards Transitional Arrangements	22.06.2012	ACSeS	<a href="http://www.acses.org.uk/doc/filename/1652/Advice_from_Jonathan_Goolden_on_the_Standards_Transitional_Arrangements.doc">http://www.acses.org.uk/doc/filename/1652/Advice_from_Jonathan_Goolden_on_the_Standards_Transitional_Arrangements.doc</a>
SCD8	The Art of Complaining	22.06.2012	LGL	<a href="http://localgovernmentlawyer.co.uk/index.php?option=com_content&amp;view=article&amp;id=10753%3Athe-art-of-complaining&amp;catid=181%3Aeditors-blog&amp;Itemid=27">http://localgovernmentlawyer.co.uk/index.php?option=com_content&amp;view=article&amp;id=10753%3Athe-art-of-complaining&amp;catid=181%3Aeditors-blog&amp;Itemid=27</a>
SCD9	Code of Conduct Complaints Flowchart	01.07.2012	HDC	
SCD10	Introduction and Guide to the Code of Conduct for Members of [N] Council	11.07.2012	ACSeS	<a href="http://www.acses.org.uk/doc/filename/1663/Intro_and_Guide_to_Codes.doc">http://www.acses.org.uk/doc/filename/1663/Intro_and_Guide_to_Codes.doc</a>
SCD11	Protocol between Nottinghamshire Monitoring Officers and Nottinghamshire Police	01.07.2012	ACSeS	<a href="http://www.acses.org.uk/doc/filename/1684/Protocol_Between_Notts_MOs_Notts_Police_-_July_2012.doc">http://www.acses.org.uk/doc/filename/1684/Protocol_Between_Notts_MOs_Notts_Police_-_July_2012.doc</a>
SCD12	Openness and Transparency on Personal Interests	01.08.2012	DCLG	<a href="http://www.communities.gov.uk/documents/localgovernment/pdf/2193362.pdf">http://www.communities.gov.uk/documents/localgovernment/pdf/2193362.pdf</a>
SCD13	Hampshire County Council Brief to Counsel – Disclosure of Pecuniary Interests	19.10.2012	ACSeS	<a href="http://www.acses.org.uk/doc/filename/1699/Brief_to_Counsel_-_Phillip_Coppel_HF000003712585_.doc">http://www.acses.org.uk/doc/filename/1699/Brief_to_Counsel_-_Phillip_Coppel_HF000003712585_.doc</a>
SCD14	Hampshire County Council Opinion of Philip Coppel QC – Disclosure of Pecuniary Interests	19.10.2012	ACSeS	<a href="http://www.acses.org.uk/doc/filename/1700/SCAN-bbk4wcskg_HF000003749708_.pdf">http://www.acses.org.uk/doc/filename/1700/SCAN-bbk4wcskg_HF000003749708_.pdf</a>
SCD15	The Localism Act 2011 - Disclosable Pecuniary Interests And Co-Opted Members – Simon Bird Qc	26.10.2012	ACSeS	<a href="http://www.acses.org.uk/doc/filename/1703/The_Localism_Act_2011_-_Disclosable_Pecuniary_Interests_and_Co-opted_Member.doc">http://www.acses.org.uk/doc/filename/1703/The_Localism_Act_2011_-_Disclosable_Pecuniary_Interests_and_Co-opted_Member.doc</a>
SCD16	Making It Easier To Set Up New Town And Parish Councils – Discussion Paper	31.10.2012	DCLG	<a href="http://www.communities.gov.uk/documents/localgovernment/pdf/2246057.pdf">http://www.communities.gov.uk/documents/localgovernment/pdf/2246057.pdf</a>
SCD17	Local Assessments, Reviews and Determinations – July 2012 onwards	06.03.2013	HDC	
SCD18	Local Government Ombudsman Case Summaries	12.12.2012	HDC	

SCD19	Schedule of Local Assessment Sub-Committee Membership to May 2013	12.12.2012	HDC	
SCD 20	Standards Committee Work Programme	06.03.13	HDC	
SCD 21	LGO Case Schedule 1 March 2012 to 1March 2013	06.03.13	HDC	
SCD 22	LGO Case Summaries	06.03.13	LGO	<a href="http://www.lgo.org.uk/news/2013/feb/ombudsman-says-york-council-misled-elderly-woman-roof-works/">http://www.lgo.org.uk/news/2013/feb/ombudsman-says-york-council-misled-elderly-woman-roof-works/</a> <a href="http://www.lgo.org.uk/news/2013/feb/ombudsman-criticises-bolton-council-failure-protect-neighbour-development/">http://www.lgo.org.uk/news/2013/feb/ombudsman-criticises-bolton-council-failure-protect-neighbour-development/</a> <a href="http://www.lgo.org.uk/news/2013/jan/ombudsman-criticises-kettering-council-family-housing-error/">http://www.lgo.org.uk/news/2013/jan/ombudsman-criticises-kettering-council-family-housing-error/</a>
SCD 23	National Standards Case Summaries	06.03.13	Various council websites	<a href="http://www.norfolk.gov.uk/view/stand010213item6pdf">http://www.norfolk.gov.uk/view/stand010213item6pdf</a>
SCD 24	DCLG Letter Brandon Lewis	27.12.12	DCLG	<a href="https://www.gov.uk/government/publications/council-tax-freeze-2013-to-2014">https://www.gov.uk/government/publications/council-tax-freeze-2013-to-2014</a>
SCD 25	DCLG Letter Brandon Lewis	05.02.13	DCLG	<a href="http://localgovernmentlawyer.co.uk/index.php?option=com_content&amp;view=article&amp;id=13128:standards-rules-of-the-local-authority-road&amp;catid=59:governance-a-risk-articles">http://localgovernmentlawyer.co.uk/index.php?option=com_content&amp;view=article&amp;id=13128:standards-rules-of-the-local-authority-road&amp;catid=59:governance-a-risk-articles</a>
SCD 26	Paul Hoey Article on Disclosable Pecuniary Interests	19.02.13	Local Government Lawyer	<a href="http://www.localgovernmentlawyer.co.uk/index.php?option=com_content&amp;view=article&amp;id=13301:disclosable-pecuniary-interests--what-did-the-government-intend-to-capture&amp;catid=63:planning-articles">http://www.localgovernmentlawyer.co.uk/index.php?option=com_content&amp;view=article&amp;id=13301:disclosable-pecuniary-interests--what-did-the-government-intend-to-capture&amp;catid=63:planning-articles</a>
SCD 27	Committee on Standards in Public Life 14 <sup>th</sup> Report	Jan 13		<a href="http://www.public-standards.gov.uk/wp-content/uploads/2013/01/Standards_Matter.pdf">http://www.public-standards.gov.uk/wp-content/uploads/2013/01/Standards_Matter.pdf</a>
SCD 28	Publicity Guidance for Councillors for County Council Elections	20.03.13	HDC	<a href="https://www.gov.uk/government/publications/recommended-code-of-practice-for-local-authority-publicity">https://www.gov.uk/government/publications/recommended-code-of-practice-for-local-authority-publicity</a> <a href="http://www.horsham.gov.uk/files/Part_5G_Issue_22(1).pdf">http://www.horsham.gov.uk/files/Part_5G_Issue_22(1).pdf</a>
SCD29	Declaring Interests Flowchart – Questions for Members	May 2013	HDC	
SCD30	Local Assessments, Reviews and Determinations – July 2012 onwards (updated with non-personal data)	May 2013	HDC	
SCD31	Schedule of Local Assessment Sub-Committee Membership to May 2013	May 2013	HDC	

SCD32	The Committee on Standards in Public Life Annual Plan for 2013-2014	April 2013	Committee on Standards in Public Life	<a href="http://www.public-standards.gov.uk/wp-content/uploads/2013/04/Annual-plan-13-144.pdf">http://www.public-standards.gov.uk/wp-content/uploads/2013/04/Annual-plan-13-144.pdf</a>
SCD33	The Code of Recommended Practice on Local Authority Publicity	March 2011	Department for Communities and Local Government	<a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/5670/1878324.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/5670/1878324.pdf</a>
SCD34	Secretary of State for DCLG: Councillors and Lobbying: Letter	12.03.2013	Department for Communities and Local Government	<a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/140313/130312_Letter_to_Hilary_Benn.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/140313/130312_Letter_to_Hilary_Benn.pdf</a>
SCD35	CPS' guidance on 'Misconduct in Public Office'	May 2013	Crown Prosecution Service	<a href="http://www.cps.gov.uk/legal/l_to_o/misconduct_in_public_office/">http://www.cps.gov.uk/legal/l_to_o/misconduct_in_public_office/</a>
SCD36	<i>Cosford and others v R</i> (2013)	April 2013	Case decision: [2013] EWCA Crim 466	<a href="http://www.bailii.org/ew/cases/EWCA/Crim/2013/466.html">http://www.bailii.org/ew/cases/EWCA/Crim/2013/466.html</a>
SCD37	Probity in planning for councillors and officers	April 2013	Local Government Association	<a href="http://www.local.gov.uk/c/document_library/get_file?uuid=e0cde66c-8cda-4f56-b784-a45cdd41f089&amp;groupId=10180">http://www.local.gov.uk/c/document_library/get_file?uuid=e0cde66c-8cda-4f56-b784-a45cdd41f089&amp;groupId=10180</a>
SCD38	Local Government Ombudsman Case Summaries March 2013 – June 2013	June 2013	HDC	
SCD39	Standards case summaries March 2013 – June 2013	June 2013	HDC	
SCD40	Work Programme	June 2013	HDC	
SCD41	Letter Predetermination	June 2013	Department for Communities and Local Government	<a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/200496/Letter-Predetermination-March2013.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/200496/Letter-Predetermination-March2013.pdf</a>
SCD42	Annual Report 2012-2013	September 2013	Committee on Standards in Public Life	<a href="http://www.public-standards.gov.uk/wp-content/uploads/2013/08/Annual-report-Final-for-publication-190813.pdf">http://www.public-standards.gov.uk/wp-content/uploads/2013/08/Annual-report-Final-for-publication-190813.pdf</a>
SCD43	Local Government Ombudsman Case Summaries June 2013 – September 2013	September 2013	HDC	
SCD44	Standards case summaries June 2013- September 2013	September 2013	HDC	
SCD45	Government removes 'volunteering tax' on councillors	September 2013	Department for Communities and Local Government	<a href="https://www.gov.uk/government/news/government-removes-volunteering-tax-on-councillors">https://www.gov.uk/government/news/government-removes-volunteering-tax-on-councillors</a>

SCD46	Your council's cabinet – going to its meetings, seeing how it works A guide for local people	September 2013	Department for Communities and Local Government	<a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/207528/Your_councils_cabinet_-_going_to_its_meetings_seeing_how_it_works.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/207528/Your_councils_cabinet_-_going_to_its_meetings_seeing_how_it_works.pdf</a>
SCD47	Eric Pickles opens up planning appeals and lays down challenge	September 2013	Department for Communities and Local Government and Planning Inspectorate	<a href="https://www.gov.uk/government/news/eric-pickles-opens-up-planning-appeals-and-lays-down-challenge">https://www.gov.uk/government/news/eric-pickles-opens-up-planning-appeals-and-lays-down-challenge</a>
SCD48	Code of Practice for datasets	September 2013	Ministry of Justice	<a href="http://www.justice.gov.uk/downloads/information-access-rights/foi/code-of-practice-datasets.pdf">http://www.justice.gov.uk/downloads/information-access-rights/foi/code-of-practice-datasets.pdf</a>
SCD49	Guidance on Conduct of Members and Officers for County Council By Elections Storrington Division	September 2013	HDC	
SCD50	Guidance on Conduct of Members and Officers for County Council By Election Warnham and Rusper	September 2013	HDC	
SCD51	General Advice to Members Lobbying-Predetermination	September 2013	HDC	
SCD52	Openness and transparency on personal interests	September 2013	Department for Communities and Local Government	<a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/240134/Openness_and_transparency_on_personal_interests.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/240134/Openness_and_transparency_on_personal_interests.pdf</a>
SCD53	Illustrative text for code dealing with the conduct expected of members and co-opted members of the authority when acting in that capacity	April 2012	Department for Communities and Local Government	<a href="https://www.gov.uk/government/publications/illustrative-text-for-local-code-of-conduct--2">https://www.gov.uk/government/publications/illustrative-text-for-local-code-of-conduct--2</a>
SCD54	Push for greater town hall transparency on trade union interests	September 2013	Department for Communities and Local Government	<a href="https://www.gov.uk/government/news/push-for-greater-town-hall-transparency-on-trade-union-interests">https://www.gov.uk/government/news/push-for-greater-town-hall-transparency-on-trade-union-interests</a>
SCD55	Government's response to consultation on making it easier to set up new town and parish councils	September 2013	Department for Communities and Local Government	<a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/238996/Government_response_to_consultation_on_making_it_easier_to_set_up_new_town_and_parish_councils.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/238996/Government_response_to_consultation_on_making_it_easier_to_set_up_new_town_and_parish_councils.pdf</a>
SCD56	Updated DCLG guidance on 'Openness and transparency on personal interests: a guide for Councillors'	September 2013	Department for Communities and Local Government	<a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/240134/Openness_and_transparency_on_personal_interests.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/240134/Openness_and_transparency_on_personal_interests.pdf</a>
SCD57	Updated Illustrative text for local Codes of Conduct	September 2013	Department for Communities and Local Government	<a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/240161/120906_Illustrative_Code_of_Conduct_2_.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/240161/120906_Illustrative_Code_of_Conduct_2_.pdf</a>
SCD58	Press release by Brandon Lewis MP stating that Council's Codes of Conduct should specify a requirement to register	September 2013	Department for Communities and Local Government	<a href="https://www.gov.uk/government/news/push-for-greater-town-hall-transparency-on-trade-union-interests">https://www.gov.uk/government/news/push-for-greater-town-hall-transparency-on-trade-union-interests</a>

	personal trade union interests			
SCD59	Standards matter: A review of best practice in promoting good behaviour in public life	November 2013	Committee on Standards in Public Life	<a href="http://www.public-standards.gov.uk/lobbying-2/">http://www.public-standards.gov.uk/lobbying-2/</a>
SCD60	Fifth Biennial Survey at the Institute for Government - tracking public attitudes towards standards of conduct in public life	September 2013	Committee on Standards in Public Life	<a href="http://www.public-standards.gov.uk/wp-content/uploads/2013/11/CSPL-survey-2012.pdf">http://www.public-standards.gov.uk/wp-content/uploads/2013/11/CSPL-survey-2012.pdf</a>
SCD61	Statement on amendments to the Transparency Bill	September 2013	Department for Communities and Local Government	<a href="https://www.gov.uk/government/news/statement-on-amendments-to-the-transparency-bill">https://www.gov.uk/government/news/statement-on-amendments-to-the-transparency-bill</a>
SCD62	Local Government Ombudsman Case Summaries	November 2013	HDC	
SCD63	Local Government Ombudsman report: "No place like home: Councils' use of unsuitable bed and breakfast accommodation for homeless families and young people"	October 2013	Local Government Ombudsman	<a href="http://www.lgo.org.uk/news/2013/oct/councils-use-bed-breakfast-accommodation-failing-young-people-families-says-ombudsman/">http://www.lgo.org.uk/news/2013/oct/councils-use-bed-breakfast-accommodation-failing-young-people-families-says-ombudsman/</a>
SCD64	Local Government Ombudsman factsheet: Complaints about publicity given to a Planning application	September 2013	Local Government Ombudsman	<a href="http://www.lgo.org.uk/publications/fact-sheets/complaints-about-publicity-planning-application/">http://www.lgo.org.uk/publications/fact-sheets/complaints-about-publicity-planning-application/</a>
SCD65	Local Government Ombudsman factsheet: Complaints about section 106 agreements/planning obligations	September 2013	Local Government Ombudsman	<a href="http://www.lgo.org.uk/publications/fact-sheets/complaints-about-section-106-agreements/">http://www.lgo.org.uk/publications/fact-sheets/complaints-about-section-106-agreements/</a>
SCD66	Standards Case Summaries	November 2013	HDC	



# Report to Standards Committee

04 December 2013

By the Monitoring Officer

## INFORMATION REPORT

Not exempt



Horsham  
District  
Council

Ethical Framework Update: December 2013

### Executive Summary

This report is to:

- (i) Inform and update Members of the Council about recent developments in the ethical framework, which affect the role and activities of Councillors and the Council's business. In particular this report gives details on the following matters:
- Training and awareness;
  - Local assessment, review, other action, investigations and determinations;
  - Parish Clerks meeting
  - Parish related matters
  - Register of Interests;
  - Local Standards regime – Review: One year on;
  - Committee on Standards in Public Life;
  - Transparency Bill
  - Probity in Planning Guidance;
  - Publicity Guidance;
  - Filming of Council meetings;
  - LGO case summaries and Standards case summaries;
  - Performance management;
  - Freedom of Information;
  - Datasets
  - Data Protection Act 1998;
  - Regulation of Investigatory Powers Act 2000;
  - Work programme update.

### Recommendations

The Committee is recommended:

- (i) To note the matters set out in the report.

### Reasons for Recommendations

- (i) To ensure that the Committee, the Members of the Council and others to whom the report is circulated are kept up to date with developments in the ethical framework; and
- (ii) To promote and maintain high standards of conduct amongst members.

**Background Papers:****Standards Committee Documents:**

SCD 30  
SCD 31  
SCD 33  
SCD 37  
SCD 40  
SCD 45  
SCD 46  
SCD 47  
SCD 48  
SCD 54  
SCD 55  
SCD 56  
SCD 57  
SCD 58  
SCD 59  
SCD 60  
SCD 61  
SCD 62  
SCD 63  
SCD 64  
SCD 65  
SCD 66

**Consultation:****Wards affected:****Contact:**

CMT

All

Sandra Herbert

Monitoring Officer

Ext. 5482

## **BACKGROUND INFORMATION**

### **1 Introduction**

#### **The purpose of this report**

- 1.1 The purpose of this report is to inform and update Members of the Council of recent developments in the ethical framework, since the preparation of the last report in September 2013.

#### **Background/Actions taken to date**

- 1.2 Members regularly receive reports on developments in the ethical framework and this report continues that approach. Members of this Committee should be aware of the following helpful websites:
- Department for Communities and Local Government:  
<http://www.communities.gov.uk/>
  - Local Government Ombudsman:  
[www.lgo.org.uk](http://www.lgo.org.uk)

### **2 Statutory and Policy Background**

#### **Statutory background**

- 2.1 The statutory background can be found in the Localism Act 2011, Part 1 Chapters 6 and Chapter 7 and the Regulations made there under.

#### **Relevant Government policy**

- 2.2 The relevant Government policies, with regard to the ethical framework are contained in Department for Communities and Local Government Guidance 'Openness and Transparency on Personal Interests: A Guide for Councillors' and the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

#### **Relevant Council policy**

- 2.3 The Council's policy is set out in its Constitution and through the activities of this Committee and Council.

### **3 Details**

#### **Training and Awareness**

- 3.1 The authority has subscribed to the Hoey Ainscough Associates' interactive website, the Standards Exchange, which allows access to the latest news on standards issues, including cases and best practice from other authorities, access to help and support a dedicated forum and a regular standards bulletin. Learning from this resource will be provided to this Committee.
- 3.2 All members on the Standards Committee have been provided with induction on the Code of Members' Conduct and the Council's "arrangements" for assessing complaints against Members.

#### **Local assessment, review, other action, investigations and determinations (SCD30)**

- 3.3 Attached as Appendix 2 is the schedule of all assessment, review, other action, investigation and determination decisions since 01 July 2012.

#### **Local Assessment**

- 3.4 Since the last Ethical Framework Update was presented to this Committee, the Local Assessment Sub-Committee has met on two occasions. One case is due for consideration in December 2013. Further details are set out in Appendix 2.

#### **Local Review**

- 3.5 Since the date of the last Ethical Framework Update was presented to this Committee, the Local Review Sub-Committee has not met.

#### **Other action directed**

- 3.6 Since the date of the last Ethical Framework Update was presented to this Committee, no cases have been referred to the Monitoring Officer for Other Action.

#### **Local Investigations**

- 3.7 Since the date of the last Ethical Framework Update was presented to this Committee, no Local Investigations have been carried out.

#### **Local Determinations**

- 3.8 Since the date of the last Ethical Framework Update was presented to this Committee, no Local Determinations have been carried out.
- 3.9 Attached at Appendix 3 is a schedule of forthcoming Local Assessment Sub-Committee dates. Members are asked to consider the proposed Sub-Committee membership and reserves for those meetings **[SCD31]**.

## **Parish Clerk's meeting**

- 3.10 On 01 October 2013 the Monitoring Officer attended the Society of Local Council Clerks' meeting at Southwater Parish Council. The Ethical Framework Update report from 25 September 2013 was reported to the Parish Clerks meeting for their information. In addition clerks were advised about the review of the local standards regime being conducted at Horsham.

## **Parish related matters**

### **Setting up new Parish Councils**

- 3.11 In September 2013, the Government published its response to a consultation on making it easier to set up new town and parish councils. It announced that it intends to change the law to make it easier to create new Parish Councils. The proposed changes, following a consultation, include:

- 3.11.1 Reducing the number of petition signatures needed to start the process of establishing a new parish council from 10% of the local population to 7.5%;
- 3.11.2 Reducing the time that local authorities can take to decide on parish council applications to a maximum of one year, from receipt of a valid petition; and
- 3.11.3 Making it easier for community groups that have created a neighbourhood plan to start the process.

- 3.12 Further updates with regard to the proposed changes will be provided to the Standards Committee. A copy of the Government's response to the consultation [SCD55] can be located at the following link:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/238996/Government\\_response\\_to\\_consultation\\_on\\_making\\_it\\_easier\\_to\\_set\\_up\\_new\\_town\\_and\\_parish\\_councils.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/238996/Government_response_to_consultation_on_making_it_easier_to_set_up_new_town_and_parish_councils.pdf)

## **Parish Polls**

- 3.13 At the second reading of the Local Audit and Accountability Bill in the House of Commons, the Secretary of State, Eric Pickles, announced the Government's intention to add a provision to amend the procedures for parish polls (i.e. referendums).
- 3.14 Schedule 12 of the *Local Government Act 1972* allows a parish referendum to be held on any matter following a resolution at a parish meeting. This may take place at the instigation of the chairman or of 10 electors or one-third of those present, whichever is the least. This has the potential to lead to referendums being held, at the instigation of a very small number of voters, with the relevant parish council meeting the costs.
- 3.15 The proposed amendments to the procedures for parish polls shall be reported to the Standards Committee when further details are released.

## Register of Interests

- 3.16 In July 2013, Register of Interests Update forms were circulated to Parish Clerks and District Councillors. Members will recall that the format of the Register of Interests Update forms was amended in light of the updated DCLG guidance on 'Openness and transparency on personal interests: a guide for Councillors'. The Council's Update forms now state expressly that Councillors are not required to differentiate their own disclosable pecuniary interests which relate to them personally and those that relate to a spouse or civil partner, a person with whom a Councillor is living as husband or wife, or a person with whom a Councillor is living as if civil partners.
- 3.17 In September 2013, the Department for Communities and Local Government ("DCLG") issued updated guidance on Members' interests. The new non-statutory guidance suggests that in addition to registering Disclosable Pecuniary Interests and any other interest as set out within local Codes of Conduct, Members also need to register all personal interests that they may have to ensure that they comply with the seven principles of public life, which will necessarily include membership of any Trade Union.
- 3.18 The new guidance appears to ensure that Members avoid conflicts of interest when Councils consider issues directly affecting trade unions, such as reviews of taxpayer funded subsidies given to trade unions. A copy of the new guidance **[SCD56]** can be located at:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/240134/Openness\\_and\\_transparency\\_on\\_personal\\_interests.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/240134/Openness_and_transparency_on_personal_interests.pdf)

- 3.19 The DCLG also updated its Illustrative text for local Codes of Conduct, to include the wording for including Members' membership of any Trade Union. A copy of the updated Illustrative text for local Codes of Conduct **[SCD57]** can be located at:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/240161/120906\\_Illustrative\\_Code\\_of\\_Conduct\\_2\\_.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/240161/120906_Illustrative_Code_of_Conduct_2_.pdf)

- 3.20 On 20 September 2013, in a press release, Brandon Lewis MP also states that Council's Codes of Conduct should specify a requirement to register personal trade union interests, although this is not included in the new guidance. A copy of this press release **[SCD58]** can be located at:

<https://www.gov.uk/government/news/push-for-greater-town-hall-transparency-on-trade-union-interests>

- 3.21 All District Councillors have completed and returned their Register of Interest forms, which are available on their individual councillor pages on the Horsham District Council website: <http://www.horsham.gov.uk/council/members/1632.aspx>.

- 3.22 Annual Update forms were circulated to all Members at the Annual meeting in May 2013, many of which record new and revised interests. The update forms have also been uploaded and the majority are now available to view, and all District Councillors have returned their forms.
- 3.23 Parish Councils with websites have uploaded their councillors' Register of Interest forms to their websites; these can be accessed via links on the District Council website. The Register of Interest forms for Parish Councils without websites have been uploaded to the District Council website.  
<http://www.horsham.gov.uk/council/15041.aspx>
- 3.24 To date, four Parish Councils have yet to upload or send to the Monitoring Officer completed copies of their Registers of Interest forms.

### **Local standards regime – Review: One year on**

- 3.25 As Members will recall, Council requested that the local standards regime adopted in July 2012 be reviewed one year on from its adoption. A small working group of seven members has been created to bring forward proposals to discuss the areas to be considered under the review.
- 3.26 The second meeting of the working group took place on 23 October 2013, at which the following matters were considered:
- 3.26.1 Sufficient numbers of elected and advisory members;
  - 3.26.2 The need for a right of appeal;
  - 3.26.3 New 'guidance' on DPLs;
  - 3.26.4 Revised Nolan Principles; and
  - 3.26.5 Further delegation of decision-making.
- 3.27 The Monitoring Officer provided further information on different approaches by local authorities that were considered at the Monitoring Officer Conference that she attended on 11 July 2013.
- 3.28 Members should advise as to any further areas to be considered under the review.

### **Committee on Standards in Public Life**

- 3.29 The Committee on Standards in Public Life (the "Committee") reported in its Fourteenth Report *Standards matter: A review of best practice in promoting good behaviour in public life* that lobbying remained a significant and continuing risk to ethical standards and so began examining the transparency issues around lobbying.
- 3.30 On 05 November 2013, following evidence gathering, the Committee published its report *Strengthening Transparency Around Lobbying*. In early 2013, the Committee began its review to apply the Nolan principles to lobbying and consider how best the lobbied and lobbyists can adhere to the Nolan principles.

- 3.31 In its report, the Committee has concluded that a package of measures is urgently required to:
- 3.31.1 To deliver a greater culture of openness and transparency around lobbying;
  - 3.31.2 Provide greater clarity for public office holders on the standards expected of them; and
  - 3.31.3 To reassure the public that a more ethical approach to lobbying is actively being applied by all those involved in lobbying.
- 3.32 The Committee on Standards in Public Life's report identified 15 recommendations which included:
- 3.32.1 More timely and detailed disclosure about all significant meetings and hospitality involving external attempts to influence a public policy decision. Information should include dates of meetings, details of attendees and meaningful descriptors of subject-matter published within one month on a relevant website in an easily accessible format.
  - 3.32.2 Disclosure arrangements should be widened to cover special advisers and senior civil servants as well as Ministers, Permanent Secretaries and Departmental Boards.
  - 3.32.3 Public office holders who are outside the scope of the Freedom of Information Act (including Members of Parliament, Peers and Councillors) should be encouraged to disclose the same information and consideration should be given to including this in relevant Codes of Conduct.
- 3.33 A copy of the full report "*Strengthening Transparency Around Lobbying*" **[SCD59]** can be located at:
- [http://www.public-standards.gov.uk/wp-content/uploads/2013/11/2901376\\_LobbyingStandards\\_WEB.pdf](http://www.public-standards.gov.uk/wp-content/uploads/2013/11/2901376_LobbyingStandards_WEB.pdf)
- 3.34 On 23 September 2013, the CSPL launched its fifth Biennial Survey at the Institute for Government and completes ten years of tracking public attitudes towards standards of conduct in public life.
- 3.35 Key changes to overall perceptions, following the survey, include:
- 3.35.1 There has been a substantial decline in the percentage of respondents rating standards as 'high' or 'very high', while the percentage of those rating standards as 'quite poor' or 'poor' has steadily increased;
  - 3.35.2 The proportion of the population falling into two groupings characterised by positive attitudes ('all is well' and 'hopeful') increased from 62% in 2004 to 82% in 2008. During 2010. The year of the MPs' expenses scandal, the proportion in those positive groups fell to 55%. In the latest survey (2012) a slight improvement – 59% – was registered;



- 3.35.3 There is a very high level of confidence expressed in the fairness with which people will be treated by a range of public services in areas where the vast majority of people have most experience of the public sector such as doctors, police, planning officers;
- 3.35.4 The analysis of the cumulative data shows that public attitudes are responsive to events and their presentation and that public confidence can be improved as well as damaged by the way in which individuals and groups of individuals behave in public life;
- 3.35.5 Over the five surveys, public perceptions of a range of professions to tell the truth demonstrate consistent relative ratings. High court judges and police officers score highly while tabloid journalists and government ministers and MPs in general, score poorly. When compared with other British and European data, levels of trust in these professions are not especially low, except in comparison with the Netherlands and Scandinavia; and
- 3.35.6 Levels of trust are slightly higher among younger respondents, those from higher social grades and those from ethnic minorities.

3.36 A copy of the report **[SCD60]** can be located at:

<http://www.public-standards.gov.uk/wp-content/uploads/2013/11/CSPL-survey-2012.pdf>

### **Transparency Bill**

3.37 On 26 September 2013, Andrew Lansley, Leader of the House of Commons, announced that the government would publish amendments to the *Transparency of Lobbying, Third Party Campaigning and Trade Union Administration Bill*, aimed at addressing misunderstandings about government's intentions on third party campaigning. The Bill introduces:

- 3.37.1 Introduces a statutory register of consultant lobbyists and establishes a Registrar to enforce registration requirements;
- 3.37.2 Regulates more closely election campaign spending by those not standing for election or registered as political parties; and
- 3.37.3 Strengthens the legal requirements placed on trade unions in relation to their obligation to keep their list of members up to date.

3.38 The Government is working closely with the Electoral Commission and the National Council of Voluntary Organisations on how the legislation can be made clearer whilst maintaining the reforms to electoral law. A copy of the announcement **[SCD61]** can be located at:

<https://www.gov.uk/government/news/statement-on-amendments-to-the-transparency-bill>

### **Probity in Planning**

3.39 In April 2013, the Local Government Association published a guide reflecting the changes in the Localism Act 2011, to help Councillors understand their roles and responsibilities and avoid 'probity' difficulties. The guide has been written for officers and councillors involved in planning and clarifies how Councillors can be involved in planning discussions on plan making and on applications, on behalf of their communities in a fair, impartial and transparent manner.

- 3.40 The guide refers to requirement for local Codes, the Nolan Principles, the Register of Interests and disclosure of interests. The guide also discusses Predisposition, predetermination and bias, lobbying and the Planning process generally and includes a flowchart for Councillors to assess whether they hold a Disclosable Pecuniary Interest, which is specific to Planning Committee only. A copy of the guide [SCD37] can be located at:

[http://www.local.gov.uk/c/document\\_library/get\\_file?uuid=e0cde66c-8cda-4f56-b784-a45cdd41f089&groupId=10180](http://www.local.gov.uk/c/document_library/get_file?uuid=e0cde66c-8cda-4f56-b784-a45cdd41f089&groupId=10180)

### **Publicity guidance (SCD33)**

- 3.41 In March 2011, a revised Code of Recommended Practice on Local Authority Publicity (the 'Code') was made under the Local Government Act 1986, but its status was 'guidance'. Members will be aware that the Code of Members' Conduct currently provides that a member must have regard to any applicable Code of Recommended Practice on Local Authority.
- 3.42 On 08 April 2013, the Secretary of State announced his intention to legislate council publicity rules, as whilst all local authorities are to comply with the Code, there were concerns that rogue authorities flouted the rules and abused taxpayers' money by publishing 'political propaganda'.
- 3.43 The Secretary of State set up an open consultation on its proposal to protect the independent Press from unfair competition, by introducing legislation that would give the Secretary of State powers to make directions requiring local authorities to comply with some or all of the Code of Recommended Practice on Local Authority Publicity's recommendations. The consultation on the new Code closed on 06 May 2013.
- 3.44 The Local Audit and Accountability Bill, currently in its second reading in the House of Commons, includes details about the proposed changes the Code of Recommended Practice on Local Authority Publicity (Clause 38).
- 3.45 Two clauses are introduced to:
- 3.45.1 Enable the Secretary of State for Communities and Local Government to give directions to one or more local authorities, requiring them to comply with the Code; and
  - 3.45.2 Enable the Secretary of State for Communities and Local Government to make an order that applies to all local authorities, or local authorities of a specified description, imposing a duty on them to comply with the Code.
- 3.46 Currently there is much debate over clause 38 of the Bill, which gives the Secretary of State the power to direct a local authority regardless of whether that authority is complying with the code to which these powers relate, indicating that the powers are too wide.

- 3.47 A further update on this new Code shall be provided to the next Standards Committee. A copy of the Code of Recommended Practice on Local Authority Publicity (the 'Code') [**SCD 33**] can be accessed on the link below:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/5670/1878324.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/5670/1878324.pdf)

### **Filming of Council meetings**

- 3.48 In June 2013, the Department for Communities and Local Government published new guidance *"Your council's cabinet – going to its meetings, seeing how it works: A guide for local people"* (the "Guide").
- 3.49 The Guide aims to help the public know when they can attend meetings of a council's executive (i.e. the council's cabinet) and the type of documents and information available to them.
- 3.50 The Government believes that the earlier rules made by the last government did not provide maximum transparency because an executive was only required to hold meetings in public in certain limited circumstances. The new guidance has been produced to introduce greater transparency and openness into meetings of the executive, its committees and subcommittees. The new guidance has also strengthened the rights of local authority councillors to access information about items to be discussed at a public or private meeting.
- 3.51 A copy of the Guide [**SCD46**] can be located at:
- [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/207528/Your councils cabinet - going to its meetings seeing how it works.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/207528/Your_councils_cabinet_-_going_to_its_meetings_seeing_how_it_works.pdf)
- 3.52 On 22 August 2013 Communities Secretary Eric Pickles claimed that Councils that blocked filming were "abusing state powers" and warned that freedom of speech and independent journalism were under attack in local government, following local residents being threatened with arrest for filming and reporting meetings.
- 3.53 In the announcement, Communities Secretary stated that he is to publish new guidance that will formally open up planning appeal hearings "to be filmed, tweeted and reported" and laid down a challenge to councils to open up their planning committees and other meetings in return. This is to also extend to the new guidance by the Planning Inspectorate that will also make clear the rights for members of the press and public, to report, film and tweet planning appeal hearings.
- 3.54 A copy of the announcement [**SCD47**] can be located at:
- <https://www.gov.uk/government/news/eric-pickles-opens-up-planning-appeals-and-lays-down-challenge>
- 3.55 At the second reading of the Bill in the House of Commons, the Secretary of State, Eric Pickles, announced the Government's intention to add a provision to clarify the law regarding filming and tweeting in local authority meetings.

## **Local Government Ombudsman ('LGO') Case Summaries September 2013-December 2013 [SCD62]**

- 3.56 A copy of LGO case summary for September 2013 to December 2013 is attached as Appendix 4.
- 3.57 In October 2013, the LGO published its report "No place like home: Councils' use of unsuitable bed and breakfast accommodation for homeless families and young people", which sets out case studies of complaints to the LGO about the use of bed and breakfast accommodation to provide accommodation for homeless persons.
- 3.58 A copy of the LGO's report **[SCD63]** can be located at:

<http://www.lgo.org.uk/news/2013/oct/councils-use-bed-breakfast-accommodation-failing-young-people-families-says-ombudsman/>

- 3.59 The Ombudsman continues to publish factsheets for complainants. The Ombudsman has recently issued two fact sheets:

3.59.1 "Complaints about publicity given to a Planning application", which is aimed at people that believe that the Council has failed to advise them of a planning application that may affect them; and

3.59.2 "Complaints about section 106 agreements/planning obligations", which is aimed at people who have concerns about the way a Section 106 Agreement (or planning obligation) has been considered.

- 3.60 A copy of the factsheets can be located at:

<http://www.lgo.org.uk/publications/fact-sheets/complaints-about-publicity-planning-application/> **[SCD64]**

<http://www.lgo.org.uk/publications/fact-sheets/complaints-about-section-106-agreements/> **[SCD65]**

## **Standards case summaries June 2013 – September 2013 [SCD 66]**

- 3.61 Since abolition of Standards for England and the jurisdiction of the Adjudication Panel in relation to appeals, it is no longer possible to learn from case summaries decisions and in particular sanctions concerning code of conduct complaints to assist with a consistent approach. As members are aware all matters, save for criminal matters, are now dealt with locally under varying local codes and often in private hearings. However, a brief summary of some notable cases, which have been published, is attached as Appendix 5 to assist with members learning.

## **Performance Management**

- 3.62 The annual/quarterly report regarding complaints was submitted to the Finance and Performance Working Group on 20 November 2013. For the period 1 July to 30 September 2013 the Complaints & Information Officer was notified of 31 complaints and 9 compliments with a further 51 complaints and 5 compliments being recorded separately by Operational Services.

## **Freedom of Information**

- 3.63 For the period 1 April to 30 September 2013 the Council received 280 requests for information (excluding contaminated land requests and local land charge and personal search requests).
- 3.64 The Freedom of Information Act 2000 requires public authorities to reply to FOI requests within 20 working days, and so our target is to respond to 100% of requests on time.
- 3.65 Of those requests received between April and September 2013, 77% were responded to within the statutory twenty working days.
- 3.66 The Information Commissioner's Office has advised that those public authorities who fail to respond to less than 85% of requests within the statutory 20 working days may be monitored for a 3 month period by the Information Commissioner's enforcement team. Authorities which have failed to improve their response times have been required to sign undertakings to publicly formalise their commitment to openness and compliance with the legislation.
- 3.67 This year the Council has carried out 1 internal review of a decision to withhold information. Although the outcome of the internal review was to uphold the original decision, given the passage of time that has now elapsed since the request was originally made further enquiries are now being made and the local member is now actively involved.

## **Datasets**

- 3.68 Part 6 of the Protection of Freedoms Act 2012 relate to the publication of datasets came into force on 01 September 2013. In summary, Part 6 amends the FOIA to place a new requirement on public authorities to make datasets available for re-use in a re-usable format. These are new rights for individuals, although they are subject to terms of a specified licence. This means that when datasets have been requested under FOIA, the Council should publish the dataset in their publication schemes and update them, as and when appropriate.
- 3.69 As a result, the Information Commissioner's Office has revised the Model Publication Scheme which the Council is required to adopt, and so the Council has added the following text into its Publication Scheme:
- 'In accordance with section 11(1A) the Council intends to publish any dataset that is held by the Council and has been requested and any updated version of those datasets, unless the Council is satisfied that it is not appropriate to do so. Where reasonably practicable requested datasets will be published in an electronic format that is capable of re-use and, if any information in the dataset is a relevant copyright work and the Council is the only owner, the information will be available for re-use under a specified licence'.*
- 3.70 Officers responsible for their Department's details within the Publication Scheme have been notified of these changes and advised of the need to update the relevant sections as and when necessary.

3.71 As the requirements of the new publication scheme overlaps to a degree with the requirements on the Council of the Governments 'open data' agenda, the Complaints & Information Officer will be liaising with the Information Management Officer on the Council's open data project, which was approved by CMT in June 2013.

3.72 The Code of Practice for Datasets [**SCD48**] can be located at:

<http://www.justice.gov.uk/downloads/information-access-rights/foi/code-of-practice-datasets.pdf>

### **Data Protection Act 1998**

3.73 The Information Commissioner has not alerted the Council to any complaints that the Council has breached the Data Protection Act 1998. This position has remained the same since the last Ethical Update Report. Where necessary, the Council shall continue to notify the Information Commissioner of any potential data security breaches by the Council as required to do so.

3.74 In order to reduce the risk of breaches of the Data Protection Act 1998, the Council's Data Protection Officer continues to work on improving data protection compliance across the Council, including updating the "Keep Information Safe and Secure" blog and circulating emails regarding good practice in handling personal and sensitive personal data. Changes to working practices, including remote access when working from home have also been implemented across the Council to reduce the risk of a data security breach.

### **Members' notification with the ICO**

3.75 On 03 July 2013 the government announced that individual councillors' data protection registration fees can be paid by their Council rather than by them as individual Councillors. Currently, many Councillors individually pay a £35 annual fee (or £140 over a 4 year term) to the ICO to register as Data Controllers in order to undertake their constituency casework. Further changes from this announcement included:

3.75.1 A proposal that Councils can make a single registration payment on behalf of all their Councillors to cover their casework and council membership; and

3.75.2 Parish and town Councillors be exempted entirely from the data protection notification requirement and so would not need to pay fees.

3.76 Members should note that, at this stage, no further details have been made about this announcement or whether there will be specific legislation to this effect. However, this is being monitored by the Council's Data Protection Officer who shall update Members of any changes directly.

3.77 Members will recall that Horsham District Council's view on Members' registration with the ICO is that provided Members use their "@horsham.gov.uk" email address for their constituency work that they will be covered by the Council's registration.

3.78 A copy of the announcement [**SCD45**] can be located at:

<https://www.gov.uk/government/news/government-removes-volunteering-tax-on-councillors>

### **Regulation of Investigatory Powers Act 2000**

- 3.79 The Regulation of Investigatory Powers Act 2000 (“RIPA”) regulates the use of covert surveillance and the accessing of communications data.
- 3.80 On 01 November 2012, the legal framework for RIPA changed significantly. Since these changes, the Council’s RIPA Corporate Policy and Procedure document was revised to comply with the legislative changes to RIPA.
- 3.81 The revised RIPA Corporate Policy and Procedure document was considered by the Scrutiny and Overview Committee on 13 May 2013 where it recommended Council to adopt the revised RIPA Corporate Policy and Procedure Document. Council adopted the revised policy and procedure document on 26 June 2013.
- 3.82 Training shall be provided to the RIPA Officers in due course to ensure that the Council complies with the new RIPA legislation.
- 3.83 The Council reports to the Business Working Group on a quarterly basis. The Council’s last use of RIPA was authorised on 11 August 2007, which was then cancelled on 01 September 2007.

### **Work Programme update [SCD 40]**

- 3.84 Members will recall at the meeting in January 2012 that the Committee agreed a programme of forthcoming work to be put before the Committee. The Work Programme incorporates the key responsibilities of the Standards Committee. This is a live document and Members are asked to consider any update or amendment required for 2013-2014. A copy is attached at Appendix 6.

## **4 Next Steps**

- 4.1 The Committee is asked to note the matters contained in this report.

## **5 Outcome of Consultations**

- 5.1 Corporate Management Team were consulted on this report.

## **6 Other Courses of Action Considered but Rejected**

- 6.1 Not applicable.

## **7     Staffing Consequences**

- 7.1     There are no specific staffing consequences flowing from this report.

## **8     Financial Consequences**

- 8.1     There are no specific financial consequences flowing from this report.

## **9     Other Consequences of the Proposed Action**

- 9.1     Other consequences of the proposed action are set out in Appendix 1.



## Appendix 1

### Consequences of the Proposed Action

What are the risks associated with the proposal?	Failure to keep Members up to date with developments in the ethical framework would lead to a diminution of ethical standards amongst Members.
Risk Assessment attached Yes/No	No.
How will the proposal help to reduce Crime and Disorder?	Creating the right climate for decision-making and ensuring adequate probity measures are in place will ensure that the Council's duty to seek to reduce crime and disorder is properly taken into account.
How will the proposal help to promote Human Rights?	There is a positive obligation on the Council under the Human Rights Act 1998 to have regard for human rights. The Convention rights are scheduled in the Act. The creation of the right climate for decision-making and adequate probity measures will ensure that human rights are regarded and in some cases enhanced.
What is the impact of the proposal on Equality and Diversity?	<p>The current code of conduct includes the expectation of respect for others defined in the General Principles as:</p> <p>“Members should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability”.</p> <p>In addition there is a general obligation in the code in which members undertake “Not to do anything which may cause your authority to breach any of the equality enactments.</p>
Equalities Impact Assessment attached Yes/No/Not relevant	No.
How will the proposal help to promote Sustainability?	Where possible electronic means of communication are used.

blank

## Appendix 2

### Local Assessment and Local Review of Complaints from 1 July 2012 [SCD30]

File ref	District or Parish Council	Decision Date	Complainant	Date complaint received	Nature of complaint (Personal data removed)	Working days (receipt of complaint to assessment)	Decision	Review Requested
CES89	Parish	17.10.12	Public	20.09.12	Allegation of bringing the Parish Council into disrepute: (i) Allowing a Parish Councillor with an alleged personal interest to partake in a public meeting; (ii) Failing to make a written allegation about the conduct of the Parish Councillor with the alleged Personal interest, in speaking at a public meeting; and (iii) Allowing the publication of 'misinformation' on the Council's website and being party to a misleading planning application.	19	No further action.	Y
CES90	Parish	13.11.12	Public	19.10.12	Breach of confidentiality: Parish Councillor alleged to have used a shared personal email account with their Partner – allowing Parish business to be sent to the personal email account	17	Local resolution.	N/A

<b>Review Requested</b>	<b>Decision</b>	<b>Working days (receipt of complaint to assessment)</b>	<b>Nature of complaint (Personal data removed)</b>	<b>Date complaint received</b>	<b>Complainant</b>	<b>Decision Date</b>	<b>District or Parish Council</b>	<b>File ref</b>
	Referred to the Information Commissioners Office	N/A	Parish Councillor allegedly used a shared email account for council business, potentially causing a breach of the Data Protection Act 1998.	24.11.12	Public	N/A	Parish	CES91
	No Further Action	26	Allegation of bringing the Parish and District Council into disrepute by breaching a Planning condition and the permitted use of land resulting in trespass and abuse of a private road.	09.07.13	Public	14.08.13	District & Parish	CES92
	No Further Action	26	Allegation of bringing the Parish and District Council into disrepute by using land in breach of a Planning condition and the permitted use resulting in trespass and abuse of a private road.	09.07.13	Public	14.08.13	Parish	CES93

Review Requested	Decision	Working days (rec't of complaint - assessment)	Nature of complaint (Personal data removed)	Date complaint received	Complainant	Decision Date	District or Parish Council	File ref
	To be determined	31	Allegation Councillor breached Code of Conduct when answering questions from members of the public at a full council meeting. By failing to treat others with respect, attempting to bully and intimidate the complainant. Giving untrue statements, bringing office/ authority into disrepute, using position as a member to improperly secure an advantage and failing to act in accordance with authority's reasonable requirements when using resources.	19.09.13	Public		District	CES94
Y	No Further Action	29	Allegation that Parish Councillor failed to treat others with respect, bullying, bringing office/ authority into disrepute. Councillor had potentially committed a criminal offence by taking part in discussions & voting at meeting where he had a DPI. Failing to withdraw from a meeting where he had an interest.	26.09.13	Public	06.11.13	Parish	CES95
	No Further Action	29	Allegation that Parish Councillor failed to treat others with respect, bullying, bringing office/ authority into disrepute.	26.09.13	Public	06.11.13	Parish	CES96

Decision	Working days	Date received	Nature of complaint (Personal data removed)	Complainant	Decision Date	District or Parish Council	Review of	File ref
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<b>CESR9</b>	CES74	Parish	20.09.12	Public	<p>Allegation of bringing the Parish Council into disrepute by:</p> <p>(i) Allowing a Parish Councillor with an alleged personal interest to partake in a public meeting;</p> <p>(ii) Failing to make a written allegation about the conduct of the Parish Councillor with the alleged Personal interest, in speaking at a public meeting; and</p> <p>(iii) Allowing the</p>	08.07.12	53	No Further Action. Initial Review 08.08.12; final Review 20.09.12.
<b>CESR10</b>	CES75	Parish	20.09.12	Public		08.07.12	53	Refer to new Local Assessment Sub-Committee
<b>CESR11</b>	CES76	Parish	20.09.12	Public		08.07.12	53	No Further Action. Initial Review 08.08.12; final Review 20.09.12.
<b>CESR12</b>	CES77	Parish	20.09.12	Public		08.07.12	53	No Further Action. Initial Review 08.08.12; final Review 20.09.12.
<b>CESR13</b>	CES78	Parish	20.09.12	Public		08.07.12	53	No Further Action. Initial Review 08.08.12; final Review 20.09.12.
<b>CESR14</b>	CES79	Parish	20.09.12	Public		08.07.12	53	No Further Action. Initial Review 08.08.12; final Review 20.09.12.
<b>CESR15</b>	CES80	Parish	20.09.12	Public		08.07.12	53	No Further Action. Initial Review 08.08.12; final Review 20.09.12.
<b>CESR16</b>	CES81	Parish	20.09.12	Public		08.07.12	53	No Further Action. Initial Review 08.08.12; final Review 20.09.12.
<b>CESR17</b>	CES82	Parish	20.09.12	Public		08.07.12	53	No Further Action. Initial Review 08.08.12; final Review 20.09.12.

<b>CESR18</b>	CES83	Parish	20.09.12	Public	publication of 'misinformation' on the Council's website and being party to a misleading planning application.	08.07.12	53	No Further Action. Initial Review 08.08.12; final Review 20.09.12.
<b>CESR19</b>	CES84	Parish	20.09.12	Public		08.07.12	53	No Further Action. Initial Review 08.08.12; final Review 20.09.12.
<b>CESR20</b>	CES85	Parish	20.09.12	Public		08.07.12	53	No Further Action. Initial Review 08.08.12; final Review 20.09.12.
<b>CESR21</b>	CES86	Parish	20.09.12	Public		08.07.12	53	No Further Action. Initial Review 08.08.12; final Review 20.09.12.
<b>CESR22</b>	CES87	Parish	20.09.12	Public		08.07.12	53	No Further Action. Initial Review 08.08.12; final Review 20.09.12.
<b>CESR23</b>	CES89	Parish	30.01.13	Public		17.11.12	53	No Further Action
<b>CESR24</b>	CES95	Parish		Public		25.11.13		

\*Decisions CESR9-22 relate to Local Assessment Sub-Committee decisions CES74-87, which do not appear on this chart since they were decided before 01 July 2012, under the old standards regime.

### Appendix 3

#### Schedule of Standards Committee Sub-Committee Membership 2013-2014

SCD 31

	PANEL				RESERVES		
Dates 2013							
19 June	DC	AB	GN		PC	BD	SM
17 July	DC	BD	SM		GN	TY	AB
14 August	GN	TY	AB		DC	BD	SM
25 September	DC	PC	SM		BD	GN	TY
16 October	TY	GN	AB		SM	DC	PC
06 November	BD	PC	SM		GN	AB	DC
04 December	TY	GN	DC		PC	BD	SM
Dates 2014							
8 January	PC	BD	SM		GN	TY	AB
12 February	GN	TY	AB		DC	SM	BD
19 March	DC	SM	BD		PC	GN	TY
16 April	PC	GN	AB		TY	DC	SM
14 May	BD	SM	TY		GN	AB	DC
11 June	GN	AB	DC		PC	BD	SM
09 July	PC	BD	SM		GN	TY	AB



## Appendix 4

### Ombudsman Case Update September 2013 to December 2013 [SCD62]

**Cornwall Council**  
**26 September 2013**

**A businessman who was told by Cornwall Council that he could start building work despite not having all the correct consents has been offered costs of more than £20,000 for delays.**

The man approached the Local Government Ombudsman (LGO) after planners at the council told him he could start building his office block, without warning him that the permission he needed to divert a footpath on the site could cause a long delay.

At the time officers believed the path ran through the development's car park, leaving the businessman free to start work on the office block. But it was not until months later, after workmen had already started major building work, that planners discovered the path ran straight through the new offices, which were being built on the site of an old barn.

A report by the LGO into the complaint has found that Cornwall Council was at fault in its handling of the planning application. The council failed to tell the applicant of the probable delaying effects of the application to divert the footpath. This also led to an inquiry by the Planning Inspectorate, meaning the development was significantly delayed, incurring more than £50,000 extra costs for the businessman.

Dr Jane Martin, Local Government Ombudsman said:

*"The complainant was not told how long it might take for those permissions to be granted, and so he felt rightfully aggrieved when this process took longer than anticipated. This was compounded all the more by the confusion surrounding the actual location of the footpath which took many months for the council to determine.*

*"I am pleased that Cornwall Council have agreed to pay the complainant 50 per cent of the additional costs he has incurred as I believe there have been failures on the part of the council. However, the complainant did have his own professional advisers representing him, and those advisers should have also identified and discussed with him the possibility of redrawing and resubmitting his plans to avoid the footpath and a delay."*

Cornwall Council has agreed to pay the complainant £21,323, which is 50 per cent of the costs he has incurred as a result of the failures identified in the report.

<http://www.lgo.org.uk/news/2013/sep/cornwall-council-agrees-remedy-businessman-following-planning-error/>

**Westminster City Council**  
**26 September 2013**

**Westminster City Council has been housing families in bed and breakfast accommodation for longer than the recommended legal limit of six weeks, the Local Government Ombudsman (LGO) has found.**

The law says that when families apply as homeless, councils should avoid using B&B accommodation. It also states that if there is no alternative, councils should leave families in B&B accommodation for no longer than six weeks.

The LGO was contacted separately by two women who claimed London Borough of Westminster left them in B&Bs for many months.

And, since starting the investigation, the LGO has received a further 38 complaints of a similar nature.

Investigations found that the women – one of whom had suffered previous domestic violence – had to share kitchen, bathroom and toilet facilities with strangers. Both women said that their children had suffered because of their length of stay in bed and breakfasts.

In response, the council recognised their duty but said it is seeing increasing numbers of people coming forward as homeless.

The council says it is working to put measures in place to increase the amount of housing available and stated that – from a peak of 170 families in February 2013 - by July no family had been in B&B accommodation for more than six weeks.

Dr Jane Martin, Local Government Ombudsman, said:

*"I am in no doubt that the council has taken seriously its obligations to the homeless and welcome what it has now done to get a grip on this problem.*

*"However the council had not complied with its statutory duties. Its failure to avoid the use of bed and breakfast for families in excess of six weeks has caused real injustice to those families. The families concerned have been deprived of suitable accommodation."*

The LGO has accepted the council's offer to pay £500 to the two complainants to acknowledge that it was unable to provide self-contained accommodation after the initial six-week period and to pay an extra £500 for each additional six-week period.

The council will also provide a similar remedy to the other 38 people who have suffered a similar injustice.

<http://www.lgo.org.uk/news/2013/sep/westminster-city-council-left-40-homeless-families-bed-breakfast-accommodation-long/>

**Cumbria and Barrow Council**  
**19 September 2013**

**A homeowner has been suffering from loud noise, smells and dust from a nearby business for more than six years after both Barrow and Cumbria councils failed to investigate his complaints properly, finds the Local Government Ombudsman.**

The man approached the LGO after his complaints about a neighbouring business operating a waste processing facility without planning permission remained unresolved. The man, who has made objections about the site to Barrow Borough Council dating back to the 1960s, complained that the problems were exacerbated when the landowner began recycling waste in 2007.

He says workers at the site use angle grinders to cut metal, burn plastic, and lift cars, vans and washing machines with heavy machinery. Despite numerous complaints to the council, no action was taken against the landowner.

In June 2010 the man complained again to Barrow Borough Council about their failure to act, but it was only then that officers said they would refer his complaint to Cumbria County Council – which has responsibility for waste and minerals issues - and that a joint investigation would take place.

He contacted the LGO when things still did not improve.

The county council has since acted to stop waste processing activity on the site. However, the man claims that waste recycling and processing has now resumed on the land.

The LGO has recommended that Cumbria County Council continue to act on and investigate allegations of unlawful activity on the site.

Barrow Borough Council has been told to offer the man £4,500 for its failure to refer the matter to the county council for three years. Cumbria County Council has been asked to pay £3,000 for delay caused by its initial failure to carry out an adequate investigation.

Additionally, both councils have been recommended to pay £250 each to acknowledge the time and trouble in bringing his complaints to the ombudsman's attention.

Dr Jane Martin, Local Government Ombudsman said:  
*"Residents should feel entitled to enjoy their homes in peace and quiet and it is local councils' duty to make sure they enforce restrictions on those who would cause a problem.*

*"Barrow Borough Council's delay in referring the matter to Cumbria County Council for three years caused the complainant significant extra stress from the ongoing work next to his home.*

*"Cumbria County Council compounded the problem by failing to carry out a proper investigation into the man's complaints and I would urge officers to continue monitoring the site and investigate any allegations that are brought to its attention."*

<http://www.lgo.org.uk/news/2013/sep/failings-cumbria-barrow-councils-leave-man-unable-enjoy-home/>

## **Appendix 5   Standards Cases Update September 2013 to December 2013 [SCD66]**

### **Permission granted to challenge new Local Government Standards Regime 05 September 2013**

On 05 September 2013, the Administrative Court granted permission to apply for judicial review to challenge the compatibility of the new local government standards regime with Convention rights.

At an oral permission hearing, Collins J held that it was arguable that a decision by a local standards committee that a councillor had breached the Code of Conduct by disclosing confidential information was (i) irrational; (ii) incompatible with Article 10 rights to freedom of expression; and (iii) incompatible with Article 6, because the standards committee that determined the councillor's civil rights and obligations was not independent and impartial. This is because under the new local government standards regime introduced by the Localism Act 2011, the committee was not politically neutral and had a majority of members from the Council's ruling group.

Joanne Clement

<http://www.11kbw.com/knowledge-events/case/permission-granted-to-challenge-new-local-government-standards-regime>

[http://www.localgovernmentlawyer.co.uk/index.php?option=com\\_content&view=article&id=15415%3Acouncillor-gets-go-ahead-for-legal-action-over-standards-regime-and-echr&catid=59%3Agovernance-a-risk-articles&Itemid=27](http://www.localgovernmentlawyer.co.uk/index.php?option=com_content&view=article&id=15415%3Acouncillor-gets-go-ahead-for-legal-action-over-standards-regime-and-echr&catid=59%3Agovernance-a-risk-articles&Itemid=27)

### **Wyre Council 02 October 2013**

On 15th August, 2013, an online Code of Conduct Complaint was received from Ian Roberts, Chairman, of the Residents Action on Fylde Fracking (RAFF).

The complaint related to comments made by Cllr Gordon McCann at a shale gas conference in June, 2013.

According to the Complainant, Cllr McCann made statements that were untrue, misleading and defamatory. It is alleged that Cllr McCann said that the Blackpool Gazette Newspaper stated that 160,000 people were in favour of fracking or certainly not against it. The Complainant indicated that this statement was untrue and misleading.

Mr Roberts advised that Cllr McCann went on to say "Once again I'll say it, they know what's going on, the general public isn't stupid. They know that the frack off and the RAFF people in Fylde, they know what their agenda is and quite frankly they were there, they were breaking into the Royal Bank of Scotland in London and they were reclaiming the streets. You've seen it all. People understand exactly what's going on and, like I say, they understand that and they also understand that sooner or later they'll hang themselves by what they actually say."

Mr Roberts believes that the above-mentioned statement includes an allegation of criminal behaviour, is totally without foundation, is untrue, slanderous and defamatory. In the opinion of Mr Roberts the conduct of Cllr McCann is in breach of the Council's Code of Conduct.

The Complainant has also supplied a DVD of the conference at which Cllr McCann made his remarks.

Following the investigation, the conclusion was:

1. The comments made by Cllr McCann were not in accordance with a number of the general principles contained in the Code of Conduct, namely, objectivity, integrity and honesty and as such amount to a breach of the Council's Code of Conduct.
2. It is recommended that the appropriate sanction to be applied is to submit a formal report to the full Council meeting on 17th October detailing the nature of the breach (in effect "naming and shaming") Councillor McCann.
3. It is recommended that a further apology be issued by Cllr McCann recognising that Residents Action on Fylde Fracking (RAFF) is a legitimate local pressures group. The apology should also refer to the outcome of these proceedings and be sent to the organisers of the Shale Gas World Conference. Responsibility for the apology rests with the individual Member who is the subject of the complaint as it is the individual Member's responsibility to observe the Code of Conduct. Accordingly the sanctions that can be imposed relate to the individual Member and not the Council.

**A copy of the full decision notice, including the details about the investigation can be located at:**

**[http://www.wyre.gov.uk/meetings/meeting/300/standards\\_committee](http://www.wyre.gov.uk/meetings/meeting/300/standards_committee)**

## **Hampshire County Council 21 October 2013**

Cllr Roy Perry, Leader of Hampshire County Council, has issued the following statement with regard to the resignation of Cllr Anna McNair Scott, Executive Member for Adult Social Care.

Specific concerns were brought to my attention on Wednesday of this week that there might be issues with Cllr McNair Scott's declaration of interests. These I immediately referred to the Chief Executive of the County Council and Cllr McNair Scott in order to clarify. She realised that there were inadvertent omissions in her declaration. At the first opportunity I had to meet with Anna McNair Scott, on her return from the Adult and Children's Social Care Conference in Harrogate, which she had been attending, I discussed these matters with her. Anna at once offered me, as Leader of the County Council, her resignation from the Cabinet. She expressed her deep regret at her oversight in failing to provide a complete disclosure of interests, as required in accordance with the County Council's Members' Code of Conduct.

I have known Cllr McNair Scott since I joined the County Council and hold her in the highest regard, which is why I appointed her to my Cabinet. I fully accept that the incompleteness of her declaration was, in her words, a genuine oversight, and at no time would she taken any decision that could have been influenced by those undeclared interests. Nevertheless, I had no alternative but to accept her resignation from the Cabinet. Anna has made a significant contribution to the work of the County Council over a number of years, particularly in her period as Chairman of the Health Overview and Scrutiny Committee.

I had already determined that any decision associated with the care homes consultation should be undertaken by the Cabinet as a whole, and that will remain the case. We have a substantial and important agenda for improving the quality of care for our older people and I will be advising, in due course, who will be replacing Cllr McNair Scott in this important role.

### **Resignation Letter**

Dear Roy

This letter is to submit, with much regret, my resignation as Executive Member for Adult Social Care. On Wednesday, I became aware that a number of questions had been raised in recent days regarding my declaration of interests, this I recognised was not complete. This was a genuine oversight which I immediately sought to rectify.

I wholeheartedly believe that my personal affairs presented no conflict of interest as Executive Member. I have nevertheless concluded that it would be distracting to the overall work of the County Council for me to continue as Cabinet Member at this time.

I am confident that this is the right decision for both myself and the County Council. I will continue to give my support from the backbenches, and I wish both yourself and the Administration every success with the challenges that lie ahead.

Yours sincerely  
Cllr Anna McNair Scott

### **Resignation acceptance letter**

Dear Anna

Thank you for your letter of resignation from my Cabinet which I have accepted today with regret. I understand that the apparent gaps in your declaration of interests may have been a simple oversight on your part, but I share your conclusion that in the circumstances, it is the correct and honourable thing for you to resign your Cabinet role.

Your prompt decision to stand down does you great credit and will come as no surprise to those who know you well. You have always brought a high degree of insight, commitment and compassion to your Council duties and for that, I want to place on record my gratitude to you.

I wish you well for your future continued role, serving the County Council and the people of Hampshire.

Yours sincerely

Councillor Roy Perry  
Leader

<http://www3.hants.gov.uk/hantswebnewslist.htm?id=607464>

**APPENDIX 6**  
**STANDARDS COMMITTEE WORK PROGRAMME 2013/2014 [SCD 40]**

<b>No</b>	<b>Activity</b>	<b>Who is responsible</b>	<b>Completion</b>	<b>Notes</b>	<b>Legislative Root</b>
1	Undertake Local Assessment of Complaints and reviews (where required)	MO to advise Standards Committee Sub-Committee	Ongoing	Effective July 2012. See also Local Arrangements adopted by the Council.	Localism Act 2011.
2	Undertake investigations and Local determination hearings as necessary	MO to advise Standards Committee Sub-Committee	Ongoing	Effective July 2012. See also Local Arrangements adopted by the Council.	Localism Act 2011.
3	Consider dispensation requests	MO/Standards Committee	As received	Scheme of dispensations in Constitution.	Localism Act 2011.
4	Prepare annual report for presentation to full Council	Chairman	Annually	At end of municipal year.	Good practice.
5	Promotion of the role and work of the Standards Committee	Chairman/Standards Committee and MO	Ongoing	<p>Promote the work of the SC internally through the Members Bulletin and 'Grapevine'.</p> <p>SC to pursue programme of awareness raising within the Community.</p> <p>Promote the work of the SC through the Horsham District Council Magazine and use of the Council website to include biography pages for Independent Persons and Parish Representatives.</p> <p>Liaison with Parish Councils by regular attendance at Parish Clerks' quarterly meetings and the distribution of SC agenda and reports.</p>	Localism Act 2011.

No	Activity	Who is responsible	Completion	Notes	Legislative Root
				Investigate other ways of raising profile of role and work of SC.	
6	Attendance at Council and other meetings	Chairman/Vice Chairman Standards Committee	As timetabled	Chairman to regularly attend Council meetings to present minutes of the Standards Committee and to present Annual Report. Standards Committee members to attend other meetings as required.	Local Government Act 2000.
7	Liaison Chief Executive, Leader of Council, Leader of Opposition, Chairman of Standards on standards issues	Chairman and Monitoring Officer	Six monthly	From April 2010. To include annual attendance of Chief Executive at Standards Committee meetings and as required.	Localism Act 2011. Good practice.
8	Liaison Chief Executive and MO on standards issues	CE/MO	Monthly 121 and as required	From February 2010	Good practice.
9	Standards Training	Chairman and MO	New Code July 2012.	MO to organise training throughout the year, to include awareness training for Parish Councils.  Dedicated training on Local Assessment, Local Determination and Hearings for the Standards Committee.  Awareness training of the Code of Conduct for Members and Management Team of HDC to form a part of Member Development Programme.  Use of on-line resources, DVDs etc. as training aide. Attendance at external training events as required.	Localism Act 2011. HDC Corporate Learning and Development Plan.



No	Activity	Who is responsible	Completion	Notes	Legislative Root
10	Review of Register of Interests	MO	Annual	<p>To ensure that Members of HDC and Parish Councils review the content of their Register of Interests at least once annually.</p> <p>To ensure that updated ROI are available online at HDC website for HDC members and at parish council website for parish members.</p>	Localism Act 2011 and local Code of Conduct.
11	Consider regular Ethical Framework update reports	MO/Standards Committee	Quarterly	<p>To ensure that the Standards Committee Members are kept up to date with issues of ethics and governance.</p> <p>Provide access to reports for all HDC members through Members Bulletin on website.</p> <p>Distribute to Parishes with the Standards Committee agenda.</p>	Localism Act 2011.
12	Consider regular Ombudsman update reports	MO/Standards Committee	Six monthly	<p>To ensure that the Committee has the necessary information to ensure that complaints can be easily made to the Council and properly responded to.</p> <p>To assist with learning lessons and improving performance following complaints made to the Local Government Ombudsman about the Council.</p> <p>To feed this information into the Performance Management Working Group report on Complaints, Compliments and Suggestions.</p>	Local Government Act 2000. Local Government Ombudsman good practice.

No	Activity	Who is responsible	Completion	Notes	Legislative Root
13	Consider regular reports on numbers of Local Assessment, review, Other Action (to include outcome of Other Action directed), investigation and determination cases undertaken	MO	Quarterly		Local Arrangements.
14	Consider regular Independent Person reports	Independent Person, advisory members of Standards Committee			
15	Consider regular Parish Representative reports	Parish Representative advisory members of Standards Committee	Quarterly		Good Practice.
16	Preparation and revision of Work Programme and Forward reports	MO/Standards Committee	Annually		Good Practice.
17	Response to consultations	MO/Standards Committee	As required	To ensure the Committee has ability to comment and influence the evolving standards framework.	
18	Review of new standards regime under Localism Act 2011	Chairman/Standards Committee/MO	Autumn 2013	To enable the Committee to help shape the development of the new regime.	Localism Act 2011