

Standards Committee
29 MARCH 2018

Present: **Councillors:** David Coldwell (Chairman), Mike Morgan (Vice-Chairman), Brian Donnelly, Godfrey Newman, Michael Willett, John Donaldson, Mary Jagger, Philip Baxter and Val Court

Apologies: Councillor Roy Cornell

SC/23 **MINUTES**

The minutes of the meeting of the Committee held on 29 November 2017 were approved as a correct record and signed by the Chairman.

SC/24 **DECLARATIONS OF MEMBERS' INTERESTS**

There were no declarations of interest.

SC/25 **ANNOUNCEMENTS**

The Chairman announced that Ann Maria Brown, Interim Monitoring Officer, would be leaving her role when the new Monitoring Officer, Sharon Evans, joins the Council on 9 April. The Chairman thanked Ann Maria for her support, guidance and assistance over the months. The Interim Monitoring Officer said she had enjoyed working with the Chairman and Members of the Committee.

SC/26 **REVIEW OF LOCAL GOVERNMENT ETHICAL STANDARDS**

The Interim Monitoring Officer presented the report on the Local Government Ethical Standards Stakeholder Consultation, which was being carried out by the Committee on Standards in Public Life. The Consultation ran from 29 January to 18 May 2018 and Members were invited to consider if it wished to respond. This review of Local Government Ethical Standards would be an opportunity for the Committee to submit its concerns regarding the current Standards Regime, in particular the lack of sanctions.

The report also updated the Committee on the DCLG Consultation on the Disqualification Criteria for Councillors and Mayors, which had been discussed at the previous meeting (Minute No. SC/21 (29.11.18) refers). Members noted the Consultation response submitted by the LGA (Local Government Association) on behalf of all local authorities.

Members also noted the new Ministerial Code, introduced by the Cabinet Office in January 2018, which set out the standards of conduct expected of Members of Parliament.

The Interim Monitoring Officer reminded Members of the background to the current Standards Regime, which had been established after the introduction of the Localism Act 2011. Significant changes had resulted in the abolition of the Standards Board for England, local authorities developing their own standards of conduct as well setting up their own regimes, together with a reduction in the number of sanctions available.

Members noted the terms of reference of the Local Government Ethical Standards Stakeholder Consultation and the Chairman invited comments and suggestions in response to the Consultation Questions as set out in Appendix 2 of the report as summarised below:

- a) The existing structures, processes and practices were satisfactory.
- c) **Codes of Conduct** – the current Code of Conduct used by HDC was considered satisfactory. The Committee noted that there was some variation in codes of conduct across the District and commented that having one County-wide Code would ensure clarity and consistency.
- e) **Investigations and decisions on allegations** – the Committee concluded that the processes in place were satisfactory and complaints dealt with fairly.

The Committee concluded that Monitoring Officers were protected from risks relating to conflicts of interest, particularly as a Monitoring Officer from a different local authority could be called upon if necessary.

- f) **Sanctions** – the Committee compared existing sanctions to those available prior to the Localism Act 2011 and concluded that the current sanctions were insufficient and recommended that all previous sanctions should be reinstated. It was also recommended that an additional sanction regarding the removal of allowances or remuneration should be considered.
- g) **Declaring interests and conflicts of interest** – the Committee discussed the need for clarity regarding personal, prejudicial and pecuniary interests, particular at Parish level, but concluded this was a training matter and not relevant to the current consultation response.
- h) **Whistleblowing** – the Chairman confirmed that the Council had a satisfactory policy. There was no comment in response to the consultation.
- i) **Improving standards** – the Committee discussed the need for good training at District and Parish level, and noted that opportunities were already available through the Association of Local Councils (HALC and SALC) and at District level.
- j) The Committee asked whether training could be made a statutory requirement, and suggested that training and refresher on-line training should be readily available for all levels of local Government.
- k) **Intimidation of local councillors** – the Committee noted the recent report on intimidation issued by the Government and noted that some Horsham District Councillors had experienced some on-line abuse.

With regards to the conduct of candidates during an election campaign, the Committee recommended that all candidates, whether they have held office before or not, should have access to training and guidance on the Code of Conduct to maintain standards during elections.

Members concluded that the Committee should provide a response to the Consultation paper, to be initially drafted by the Interim Monitoring Office and finalised by the Monitoring Officer, in consultation with the Chairman and Vice-Chairman. It was agreed that a draft response would be circulated to all members of the Committee for comment before submission.

RESOLVED

- (i) That the LGA response to the DCLG Consultation – Disqualification criteria for Councillors and Mayors – be noted.
- (ii) That the introduction of a new Ministerial Code issued in January 2018 be noted.
- (iii) That the Committee’s views on an appropriate response to the Consultation issued by the Committee on Standards in Public Life be noted as outlined above.
- (iv) That the preparation of the final Consultation response to the Committee on Standards in Public Life be delegated to the Head of Legal and Democratic Services (Monitoring Officer) in consultation with the Chairman and Vice-Chairman of the Committee.

SC/27 **URGENT BUSINESS**

There was no urgent business.

The meeting closed at 11.15 am having commenced at 10.00 am

CHAIRMAN