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Standards Committee

Wednesday, 30th November, 2022 at 10.00 am
Conference Room, Parkside, Chart Way, Horsham

Councillors: Diana van der Klugt (Chairman)
Peter Burgess (Vice-Chairman)
Joan Grech
Kate Rowbottom
David Skipp
Belinda Walters
Tricia Youtan

Co-opted advisory members

John Donaldson	Independent Person
Michael Rumble	Independent Person
Philip Baxter	Parish Council Representative
Stephen Watkins	Parish Council Representative

You are summoned to the meeting to transact the following business

Jane Eaton
Chief Executive

Agenda

	Page No.
1. Apologies for absence	
2. Minutes	3 - 6
<p>To approve as correct the minutes of the meeting held on 15 June 2022. (Note: If any Member wishes to propose an amendment to the minutes they should submit this in writing to committeeservices@horsham.gov.uk at least 24 hours before the meeting. Where applicable, the audio recording of the meeting will be checked to ensure the accuracy of the proposed amendment.)</p>	
3. Declarations of Members' Interests	
<p>To receive any declarations of interest from Members of the Committee</p>	
4. Announcements	
<p>To receive any announcements from the Chairman of the Committee, the Chief Executive or the Monitoring Officer</p>	
5. The Local Government & Social Care Ombudsman Annual Review	7 - 14
<p>To consider the report of the Head of Customer & Digital Services.</p>	
6. Steyning Parish Council - Review Support & Recommendations	15 - 56
<p>To consider the report of the Head of Legal & Democratic Services and Monitoring Officer.</p>	

7. **Standards Update**

To receive a verbal update from the Monitoring Officer, including feedback from the recent training.

8. **Urgent Business**

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
15 JUNE 2022

Present: Councillors: Diana van der Klugt (Chairman), Joan Grech,
Kate Rowbottom, Belinda Walters, Tricia Youtan,
Independent Person: John Donaldson
Parish Representatives: Philip Baxter and Stephen Watkins

Apologies: Councillors: Peter Burgess, David Skipp
Independent Person: Michael Rumble

SC/1 **ELECTION OF CHAIRMAN**

RESOLVED

That Councillor Diana van der Klugt be elected Chairman of the Committee for the ensuing municipal year.

SC/2 **APPOINTMENT OF VICE-CHAIRMAN**

RESOLVED

That Councillor Peter Burgess be appointed Vice-Chairman of the Committee for the ensuing municipal year.

SC/3 **TO APPROVE THE TIME OF MEETINGS OF THE COMMITTEE FOR THE ENSUING YEAR**

That the Standards Committee meet at 10 am for the ensuing municipal year. Meetings are scheduled to take place on 14 September, 30 November, 15 March.

SC/4 **MINUTES**

The minutes of the meeting held on 16 March were approved as a correct record and signed by the Chairman.

Prior to the meeting Councillor Grech advised a correction to SC/26 amending to "15 complaints in 2020" (not 2019). This correction was made to the minutes prior to the meeting.

SC/5 **DECLARATIONS OF MEMBERS' INTERESTS**

There were no declarations of interest.

SC/6 **ANNOUNCEMENTS**

The Chairman welcomed everyone to the committee and thanked Councillor Brian Donnelly for serving on the committee successfully for many years.

Members also sent their sincere condolences to the family of Mary Burroughs, Senior Clerk to Slinfold Parish Council, who had recently passed away.

SC/7 **UPDATE ON REVIEW AND SUPPORT FOR STEYNING PARISH COUNCIL**

The Monitoring Officer reminded the Committee of the five principal aims of the review and support being given to Steyning Parish Council. Consideration would be given to processes and procedures to operate more effectively, identify underlying issues to work more effectively in the future, improve the reputation of the Parish Council and define clear roles and understanding of Councillors and Officers to form an action plan for the future.

The Committee were updated on the progress of the review. Specialists Hoey Ainscough Associates had issued questionnaires; these had been returned and were being analysed, face to face interviews were due to take place shortly with Councillors and Officers, initial feedback also advised that engagement from all parties was positive.

It is hoped that a final report will be received during the summer and reported to the next Standards Committee in September.

SC/8 **DEPARTMENT FOR LEVELLING UP, HOUSING & COMMUNITIES OF GOVERNMENTS RESPONSE TO THE COMMITTEE ON STANDARDS IN PUBLIC LIFE'S REVIEW OF LOCAL GOVERNMENT ETHICAL STANDARDS PUBLISHED IN JANUARY 2019.**

The Monitoring Officer updated the committee on the report produced following the response of the Government to the Committee on Standards in Public Life's ("CSPL") review of Local Government Ethical Standards published in January 2019.

The CPSL conducted a review of Local Government Ethical Standards and highlighted recommendations of best practice to improve ethical standards in local government. These recommendations were made to Government and the Standards Committee were awaiting the Government's response.

The Monitoring Officer advised the Government report was a detailed document and evidence received by the CPSL supported the view that the vast majority of councillors and officers maintain high standards of conduct. There was however some evidence of misconduct by a small minority of councillors primarily relating to bullying, harassment or other disruptive behaviour.

24 recommendations went to Government looking at changes for primary legislation including the introduction of the right to suspend a member for up to 6 months. This matter had been discussed previously at Horsham District Council Standards committees. It was hoped that tougher sanctions would be made available to act as a deterrent and ultimately minimise misconduct complaints.

The Committee considered that the response from Government was highly disappointing. Government believed that a legislative response was not required and could be dealt with more appropriately, effectively and swiftly by local authority best practice.

As detailed in the report it was noted that the government had agreed to very few of the recommendations although various recommendations would remain under review.

The committee discussed recommendations as stated in the report and expressed some disappointment that very few had changed significantly.

SC/9 **STANDARDS UPDATE**

The Legal Services Business Manager reported there were no current outstanding Standards complaint cases.

From April 2021 to March 2022 the highest ever amount of code of conduct complaints had been received totalling 34.

26 related to Steyning Parish Council, 3 related to Horsham District Councillors, 2 to West Chiltington Parish Council and 1 complaint related to Henfield, Nuthurst and Storrington & Washington Parish Councils.

One complaint had been assessed so far this financial year requiring no further action.

It was reported that the new amended Model Code of Conduct and procedures adopted by Horsham District Council and the majority of Parish and Neighbourhood Councils within the district in December 2021 had assisted greatly with Standards complaints.

The committee were extremely positive about the adoption of the new Code of Conduct and agreed that the new guidance was excellent in ensuring a consistent, clear approach across the district. The whole process had been streamlined and had seen a significant improvement for staff and Councillors.

It was reported that new Code of Conduct training would be arranged as soon as possible for Members.

SC/10 **URGENT BUSINESS**

There was no urgent business.

The meeting closed at 10.50 am having commenced at 10.00 am

CHAIRMAN

Report to Standards Committee

30th November 2022

By the Feedback Officer

INFORMATION REPORT

Not exempt



The Local Government & Social Care Ombudsman Annual Review 2021/2022

Executive Summary

The purpose of this report is to update Members on the number, nature and the outcomes of complaints made to the Local Government & Social Care Ombudsman (LGSCO) in 2021/22.

Recommendations

The Committee is recommended to note the contents of the report.

Reasons for Recommendations

- 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. In addition the Council uses its complaints process to improve services delivery.

Background Papers:	None
Consultation:	None
Wards affected:	All
Contact:	Richard Winch Feedback Officer Extension 5470

Background Information

1 Introduction

The purpose of this report

- 1.1 The purpose of this report is to update Members on the number, nature and the findings of complaints made to the LGSCO in 2021/22.

Background

- 1.2 The LGSCO requires complainants to exhaust the Council's internal complaints procedure before it will investigate a complaint. Where the LGSCO receives a complaint that has not first been processed by the Council, it will normally refer the complainant to the Council's internal complaints procedure. In urgent circumstances, however, the LGSCO will inform the Council that it has opted to investigate a complaint without referral to the Council.
- 1.3 The LGSCO continues to investigate complaints following exhaustion of the Council's internal complaints procedure. However, it also issues decisions without investigation, for example, where the details provided by the complainant appear to show that a lengthy timescale has elapsed from the date of the subject matter of the complaint.
- 1.4 Details of all complaints, compliments and suggestions advised to the Feedback Officer are reported quarterly to the Senior Leadership Team and trends included in the corporate plan priorities, finance and performance report considered by the Overview & Scrutiny Committee.

2 Statutory and Policy Background

Statutory background

- 2.1 The statutory background is found in the Local Government Act 1974 (as amended) and the Local Government and Public Involvement in Health Act 2007.
- 2.2 The Local Government Act 1974 (as amended) specifies the two main statutory functions for the LGSCO:
- To investigate complaints against councils and some other authorities; and
 - To provide advice and guidance on good administrative practice.
- 2.3 The Local Government and Public Involvement in Health Act 2007, also sets out the LGSCO's role:
- The LGSCO may look at service failure in addition to maladministration;
 - The LGSCO will have a limited power to investigate where an apparent case of maladministration comes to light even though they have received no complaint about the matter;
 - Complaints about the procurement of goods and services are within its jurisdiction;

- The LGSCO may issue a 'statement of reasons' instead of a report if they are satisfied with the council's proposals to remedy its failures;
- The LGSCO may publish decisions other than reports.

2.4 The LGSCO also has jurisdiction in areas that do not directly relate to the Council's services, and its jurisdiction and operations are set out within the Local Government and Public Involvement in Health Act 2007, the Health Act 2009 and the Apprenticeship, Skills, Children and Learning Act 2009.

Relevant Government policy

2.5 The relevant Government policy is contained within the legislation cited in paragraph 2.1 above.

Relevant Council policy

2.6 The Council's Complaints Procedure for handling comments, representations, criticisms of policy and formal complaints can be found on the Council's website via the following link: <http://www.horsham.gov.uk/contact/comments-and-complaints>. It was decided that it should be removed from Part 5D of the Constitution at the meeting of the full Council on 25 February 2015.

3 Complaints

3.1 There were 18 complaints about Horsham District Council made to the LGSCO in 2021/22 which have been decided. This is a significant increase from the 8 complaints received and decided during 2020/21.

3.2 It should be noted that due to the pandemic the LGSCO paused their investigations and did not accept any new complaints between March and June 2020 which resulted in fewer results being received than normal.

3.3 These LGSCO investigations resulted in:

- 2 complaints upheld
- 2 complaints not upheld
- 11 complaints being closed without investigation after initial enquiries being made by the LGCSO
- 3 complaints being referred back to the Council for local resolution

Closed without investigation

3.4 Details of these complaints are set out in the table below including the reason that the Ombudsman did not investigate them.

3.5

Complaint Reference	Department	Details
21012566	Revenues & Benefits	We will not investigate this complaint about the Council's decision not to award another

		Discretionary Housing Payment. This is because there is insufficient evidence of fault by the Council.
20014397	Planning & Development	Mr X complains about delay by the Council in determining his planning application. We will not investigate this complaint because he had a right of appeal to a Planning Inspector.
21004409	Housing	We will not investigate this complaint about the Council's decision that the complainant refused a suitable offer of accommodation. This is because there is insufficient evidence of fault by the Council.
21004768	Planning & Development	We will not investigate this complaint about the Council's handling of Ms X's planning application. This is because Ms X has appeal rights to the Planning Inspectorate which we would reasonably expect her to use.
21005051	Planning & Development	We will not investigate this complaint about the refusal of his planning application and his planning appeal. We cannot investigate a complaint about matters which have been subject to an appeal to a government minister.
21009459	Environmental Health	We will not investigate this complaint about how the Council responded to reports of noise nuisance. This is because the complaint does not meet the tests in our Assessment Code on how we decide which complaints to investigate. There is not enough evidence of fault by the Council to warrant an investigation.
21009921	Legal	We will not investigate this complaint about councillor conduct, and the Council's complaint response about this, as the injustice caused to Mrs X is not sufficient to warrant our involvement.
21010310	Planning & Development	We cannot investigate this complaint about how the complainant's planning appeals were dealt with. This is because we cannot investigate the actions of the Planning Inspectorate.
21010622	Planning & Development	We will not investigate this complaint about the way the Council has promoted its land as a development site for inclusion in the draft Local Plan. The personal injustice arising from the alleged fault is not involvement, and there is another body better placed to consider concerns about the content of the Local Plan.
21011498	Planning & Development	We will not investigate this complaint about a failure to declare a personal interest and what was said at a planning meeting. This is because the complaint does not meet the tests in our Assessment Code on how we decide which complaints to investigate. The complainant has appealed to the Planning Inspector.
21015845	Planning & Development	Mr X complains about the way the Council is considering the Local Plan. The Ombudsman will not

		investigate this complaint because the Plan has not been completed and so any injustice is speculative.
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Referred back for local resolution

- 3.6 The Local Government Act 1974 requires the LGSCO to give authorities an opportunity to try and resolve a complaint before they get involved. Usually the LGSCO will tell complainants how to complain to an authority. In many instances, authorities are successful in resolving the complaint and the complainant does not re-contact the LGSCO. This accounts for the three complaints being referred back for local resolution.

Not Upheld

- 3.7 Details of the complaints that were not upheld are set out below.

Complaint Reference	Department	Details
20004318	Planning & Development	There is no fault in the way the Council considered a planning application for a community meeting facility next to Mr and Mrs X's home. There is also no fault in the way the Council conducted its planning committee meetings or reached its decision to stop enforcement action.
21009407	Housing	Mr X complained that the Council attempted to provide him with accommodation that was not fit for purpose. He said the Council's approach to re-housing him from unsuitable accommodation has caused him and his wife anxiety. I do not find the Council at fault.

Upheld

- 3.8 Details of the 2 complaints that were upheld are set out below.

Complaint Reference	Department	Details
20006238	Revenues & Benefits	Ms X complains about the Council's refusal to award her business rates relief and a business grant, causing her financial difficulties and distress. She is also unhappy it issued a reminder in error. We find no fault in the Council's decision making on rates relief and a grant. However, we find the Council at fault as it issued a reminder notice in error. We are satisfied with the action it has already taken to remedy this.
20012056	Housing	Mr X complained about the Council's failure to act when it became aware his temporary accommodation was unsuitable due to an inadequate water supply. He said this caused him an injustice as his medical condition meant the lack of water supply caused him severe difficulties. He was also upset at the way the Council interacted with him and considered his treatment might have been motivated by racism. The Council

		was at fault for failing to respond appropriately to the information Mr X provided about how water flow issues in his accommodation were impacting upon his condition. We have made recommendations to acknowledge the distress this caused. We have not found evidence of racist or other improper motivation.
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3.9 In the above Housing case the LGSCO required all housing staff to undergo refresher training on keeping the suitability of accommodation under review when a change of circumstances is reported which was carried out within 3 months of the decision. An offer of compensation for £500 was also offered within 1 month of the decision and paid to the complainant.

3.10 The LGSCO have published their annual report which shows a total of 15,826 complaints were received by them in 2021/22. The report also shows that of the cases that went to a full investigation 66% were upheld.

4 Next Steps

4.1 This report is based on the complaints that the LGSCO has investigated. It is intended that this report will assist with learning lessons and improve the Council's performance. Findings from the LGSCO are reviewed by the Feedback Officer with the relevant service manager to ensure improvements are made where necessary.

5 Outcome of Consultations

5.1 Not applicable.

6 Other Courses of Action Considered but Rejected

6.1 Not applicable.

7 Staffing Consequences

7.1 There are no staffing consequences resulting from this report.

8 Financial Consequences

8.1 Members should note that as the LGSCO can recommend compensation payments where it determines that complaints should be upheld, the Council must pay those compensation payments to the complainant(s). A £500 payment was made as set out above.

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

<p>What are the risks associated with the proposal?</p> <p>Risk Assessment attached Yes/No</p>	<p>The report will assist the Council with learning lessons and improving its performance.</p> <p>No.</p>
<p>How will the proposal help to reduce Crime and Disorder?</p>	<p>This report does not directly affect the Council's duty to reduce crime and disorder.</p>
<p>How will the proposal help to promote Human Rights?</p>	<p>Responding to complaints effectively and learning from the process, together with the adoption of the ethical framework will enhance citizens' human rights in all their aspects.</p>
<p>What is the impact of the proposal on Equality and Diversity?</p> <p>Equalities Impact Assessment attached Yes/No/Not relevant</p>	<p>The Council is committed to the values of Equality and Diversity in relation to the provision of services and when serving residents.</p> <p>It has adopted a Single Equality Scheme as a public commitment of how the Council will meet the duties placed upon it by equality legislation.</p> <p>Having the right climate to accept and respond effectively to complaints against the Council will ensure the duties placed upon the Council by equality legislation are considered.</p> <p>No.</p>
<p>How will the proposal help to promote Sustainability?</p>	<p>This report does not directly help to promote sustainability.</p>

Report to Standards Committee

Wednesday 30th November 2022

By Sharon Evans, Head of Legal & Democratic
Services & Monitoring Officer



**Horsham
District
Council**

INFORMATION REPORT

Not Exempt

Steyping Parish Council

Executive Summary

This is a report to the Standards Committee to update them following the previous resolution to instruct Hoey Ainscough Associates Ltd to undertake a review of Steyping Parish Council.

Hoey Ainscough Associates Ltd, who are specialist and experts at reviewing problem Parish Councils, were instructed to review and support Steyping Parish Council in April 2022. They have now undertaken a thorough review and provided a full report and made numerous recommendations. The report which can be found at Appendix A has been provided to Steyping Parish Council who have made and agreed an implementation plan detailing their actions in relation to those recommendations.

Recommendations

The Committee is recommended to note the contents of the report.

Reasons for recommendations

- i) To ensure that the Committee is kept informed as to the position and developments in relation to Steyping Parish Council Standards matters in order to promote and maintain the high standards of conduct of Councillors across the district.

Background Papers

Localism Act 2011

HDC arrangements in dealing with code of conduct complaints

Previous report to Standards Committee regarding this matter:

<https://horsham.moderngov.co.uk/documents/g1957/Public%20reports%20pack%2016th-Mar-2022%2010.00%20Standards%20Committee.pdf?T=10>

Wards affected:

Steyning Parish Council & ALL

Contact: Sharon Evans, Head of Legal & Democratic Services & Monitoring Officer
Sharon.evans@horsham.gov.uk Telephone 01403 215538

Background Information

1 Introduction and Background

- 1.1 Steyning Parish Council has previously taken up a disproportionate amount of the Monitoring Officer and Standards Team's time in dealing with numerous code of conduct complaints and other interconnected matters over the years.
- 1.2 The resource implication has been substantial and the situation at Steyning Parish Council continued to deteriorate, and the Monitoring Officer and Standards Team received ever more complaints. There had been a breakdown of relations within Steyning Parish Council and there was a desire to help and improve the Council to function more effectively and to be able to concentrate on working and delivering for their residents.
- 1.3 Hoey Ainscough Associates Ltd were instructed and have undertaken a thorough governance review and have produced a report which can be found at Annex A. There are a number of recommendations contained and detailed within the report. It is hoped that if the recommendations are implemented it will considerably improve behaviours and relations and ultimately lead to less complaints and a more effective and efficient Parish Council.

2 Relevant Council policy

- 2.1 The statutory background can be found in the Localism Act 2011.

3 Details

- 3.1 There has been a long history of problems and difficulties at Steyning Parish Council which has resulted in many code of conduct complaints over the years. The information and details regarding the history can be found within the previous report to the Standards Committee on 16th March 2022. The link to this report is detailed in the background papers.
- 3.2 Hoey Ainscough Associates Ltd were commissioned to independently review Steyning Parish Council and assist and support them going forward. Their report details a background summary and their methodology and looks at the following areas:
 - A. Behaviour
 - B. Roles & Responsibilities
 - C. Policies & Procedures
 - D. Meetings
 - E. Ambition & Strategy
 - F. Monitoring of Plan
- 3.3 The Hoey Ainscough Associates Ltd report makes 36 different recommendations. It has been acknowledged that some of the recommendations had already been

completed and some have now recently been completed by Steyning Parish Council.

- 3.4 Upon receipt of the report from Hoey Ainscough Associates Ltd a full member working party was convened on the 7th November 2022 which included the Monitoring Officer and the Deputy Monitoring Officer in attendance to discuss and look at a way forward. It was agreed that an implementation plan should be made in relation to the recommendations.
- 3.5 Steyning Parish Council have since made an implementation plan and this can be found at Appendix B. The implementation plan says what needs to be done, if anything, in relation to the individual recommendations, and it details by whom and by when. It also deals with reporting back on progress to the Monitoring Officer.
- 3.6 Steyning Parish Council had a Full Parish Council meeting on Monday 21st November 2022 and the following resolution was passed:

*Cllr Norcross **proposed, seconded** by Cllr Parsons that SPC duly note the report from Hoey Ainscough Associates Ltd and have prepared a detailed implementation plan in relation to the recommendations contained in the report.*

SPC believes that some of the recommendations have already been completed but the majority require action. The proposed actions and timeframes are detailed within the implementation plan.

*SPC resolves to take the actions and to implement the recommendations as detailed and to report on the progress in 6 months and again in 12 months to Full Council and to the Monitoring Officer at Horsham District Council. **Agreed***

- 3.7 I understand that Steyning Parish Council also agreed at this meeting to take the Civility and Respect pledge which forms part of one of the recommendations.

4 Next Steps

- 4.1 The Committee is asked to note the report.

5 Views of the Policy Development Advisory Group and Outcome of Consultations

- 5.1 Not applicable.

6 Other Courses of Action Considered but Rejected

- 6.1 To continue to try to deal with all existing and ongoing complaints and investigate them, determine them, and issue decision notices. However, it is not believed that this will improve the relations at Steyning Parish Council and indeed it could just make matters worse, resulting in further and continuing complaints.

7 Resource Consequences

- 7.1 There is an estimated spend of £65,000 in dealing with Steyning Parish Council complaints and the cost of instructing Hoey Ainscough Associates Ltd, including further training and other assistance is less than £20,000. It is hoped that future relations improve and ongoing complaints reduce, leading to less resource implications on the Legal Department.

8 Legal Considerations and Implications

- 8.1 The Council has a statutory duty to promote and maintain high standards of conduct and to have arrangements where allegations of code of conduct complaints can be investigated and decisions made under the Localism Act 2011.
- 8.2 The Localism Act 2011 together with our previous and current arrangement for dealing with Standards complaints allows the Monitoring Officer the discretion to revert to an alternative resolution when and where it is considered necessary.

9 Risk Assessment

- 9.1 There may be a risk of challenge in deciding not to deal with, investigate and determine individual complaints, however the alternative resolution is justified and considered more appropriate and more likely to achieve the desired results.

10 Procurement implications

- 10.1 There are no procurement implications stemming from the recommendations.

11. Equalities and Human Rights implications / Public Sector Equality Duty

- 11.1 There is no detrimental impact on any group, a full Equalities Impact Assessment is not needed.

12 Environmental Implications

- 12.1 There are no environmental implications from this report.

13 Other Considerations

- 13.1 There are no GDPR, Data Protection or Crime & Disorder consequences foreseen.

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APPENDIX A

**REVIEW OF GOVERNANCE OF STEYNING PARISH COUNCIL:
April - October 2022**

**NATALIE AINSCOUGH
PAUL HOEY
SARITA PRESLAND
HOEY AINSCOUGH ASSOCIATES LTD**

13 October 2022

Background summary

- 1.1 Steyning Parish Council is a council in the area of Horsham District Council. It has 15 councillors (14 at present with one vacancy). The Parish is not warded. The population of the town according to Wikipedia is around 6,000 people.
- 1.2 In common with many town and parish councils, Steyning Parish Council councillors do not sit in political groupings. The current Council's term of office began in May 2019 and will end in 2023. Eight of the current fourteen councillors were newly-elected or co-opted in 2019.
- 1.3 The Parish Council has a Clerk and Deputy Clerk who both work full time and also has an office administrator. The Chair of the Council was elected to the Council in November 2019, has been Chair since May 2021 and was re-appointed to the Chair at this year's Annual Meeting.
- 1.4 Relationships within the Parish Council have become strained over recent times, with difficult working relationships in particular between certain councillors and between the Clerk and certain councillors. This has led to a large number of Code of Conduct complaints. While these relationship difficulties seem to go back many years they manifest themselves primarily over differences about the way the Council is run and whether proper procedures are followed, Internally, this has led broadly to several councillors being dissatisfied with the governance of the Council and raising those concerns persistently with the Clerk and Chair as well as with the District Council; and at the same time other councillors complaining about the persistence and tone of those expressions of dissatisfaction. During the period of our review we were copied into or had forwarded to us a number of these email exchanges, some of them relating to matters going back several years.
- 1.5 According to the majority of people we spoke to these differences are sometimes made very forcefully in meetings but most of the conflict has been through email correspondence. This has led to meetings being difficult to manage, becoming protracted, for example over disputes about minutes of the meeting and descending into strong disagreements as passions run high. This has made working relationships unmanageable and made many councillors feel disaffected at the pressure they are under and wondering whether they wish to continue in their voluntary role, and also led to the Council officers feeling constantly under pressure and unable to do their job as effectively as they wish.
- 1.6 This has at times resulted in complaints being made to the monitoring officer at Horsham about alleged councillor misconduct in particular and has also meant that the Parish Council has become frustrated in the way business is conducted. Horsham approached us initially in January 2022 to discuss whether we could assist them in supporting the Parish Council and seeking to help them move forward more constructively and effectively and we were formally commissioned to carry out this review in April.
- 1.7 This review has not been about investigating any particular complaints or grievances, including any specific past incidents. The review was about looking in

general at the Council's processes, procedures and behaviours with a view to establishing and resolving the underlying causes. Our focus has always been on working with the Parish Council to address the way they could operate more effectively in the future, not to adjudicate on specific things that may have happened in the past.

- 1.8 The review team consisted of three people – Paul Hoey and Natalie Ainscough, who are co-directors of Hoey Ainscough Associates Ltd, and Sarita Presland, working on behalf of Hoey Ainscough Associates Ltd for this review.
- 1.9 Hoey Ainscough Associates Ltd was set up in April 2012 to support local authorities in managing their arrangements for handling councillor conduct issues and wider governance issues. The company was co-founded by Paul Hoey, who had been director of strategy at Standards for England from 2001 until its closure in 2012, and Natalie Ainscough who had worked as his deputy. They have worked with some 400 councils on standards-related issues and advise a number of national bodies, including the Committee on Standards in Public Life, the National Association of Local Councils (NALC) and the Society of Local Council clerks (SLCC) on local governance issues. They were also commissioned by the Local Government Association to produce a new Model Code of Conduct and supporting guidance in 2020.
- 1.10 Sarita Presland is an experienced local government officer and was until recently the Chief Officer at the Derbyshire Association of Local Councils.
- 1.11 In carrying out this review, we had the full cooperation of everybody that we spoke to at the Parish Council and District Council and we would like to thank them for the open and constructive way in which they approached the review and were willing to answer our questions and provide us with all relevant information we requested. We would also like to thank Trevor Leggo, the Chief Executive of the West Sussex Association of Local Councils who advised us on various issues through the review.

Methodology

- 2.1 Our proposal set out five aims:
 - a) to review the Parish Council's processes and procedures to ensure that the right tools are in place to allow the Parish Council to operate effectively;
 - b) to understand what their underlying issues are and help the Parish Council consider how they can work more effectively;
 - c) to help the Parish Council's reputation through demonstrating that there is a culture of high standards and good governance;
 - d) to ensure there is a good understanding of the different roles of councillors and officers of the Parish Council and that both can do their job effectively; and
 - e) to develop an action plan to help the Parish Council resolve its difficulties and allow the District Council to monitor progress over time.

- 2.2 In order to carry out a review we divided our work into five phases. These five phases were:
- a) to have an informal discussion with the monitoring officer and the county secretary to understand the background to the Council and some of the underlying issues of the Council;
 - b) to carry out a confidential online survey of councillors, officers and other relevant individuals to get a greater in-depth picture of the Council and some personal perspectives on the key issues;
 - c) to spend a day in the Council having individual interviews with councillors to develop understanding of the key issues emerging and to spend time talking to the Clerk and reviewing the policies and procedures and ways of working of the Council;
 - d) to present some interim findings to the Council and invite discussion on those conclusions;
 - e) to prepare a report and action plan for Steyning Parish Council and Horsham District Council setting out ways in which the Parish Council could move forward.

2.3 The questionnaire for phase two was open for responses through May and June. In total, we had 23 responses to the questionnaire.

2.4 We then spent the day speaking to individuals from the Parish Council as phase three of the work on 23 June (with one 'virtual' interview done a few days later), and Sarita Presland carried out a desktop review of the Council's policies and procedures with the assistance of the Clerk. This was followed up by a presentation to the Parish Council for phase four on 6 September.

2.5 Phases two and three provided much of the evidence on which our findings and recommendations are based. It should be noted that the questionnaire and interviews were done on a confidential basis so no individual quotes are attributed in this report. It should also be noted that as sample sizes are inevitably small we have tried to generalise rather than seek to identify individuals or repeat any comments that were made about particular individuals, although inevitably some parts of the report make reference to the role of the Chair or the Clerk given their particular role within the Council.

Findings and recommendations

3.1 Based upon the written and oral comments and responses which we received, we gave feedback to a meeting of councillors and officers of Steyning Parish Council, together with the Monitoring Officer of Horsham District Council and her deputy on the evening of 6 September 2022 as phase four of the methodology set out in the section above.

3.2 We indicated that we would then make detailed recommendations for the consideration of the Parish Council as phase five. These are set out in this report.

3.3 There is a high degree of consistency as to issues affecting the Parish Council as identified in the responses to the questionnaire and the interviews we conducted at phases two and three.

3.4 In our view, the key issues are:

- a) a breakdown in working relations between a number of individual councillors and between some councillors and officers, characterised by mistrust, suspicion, disrespectful behaviour and an inability to have any constructive dialogue at some meetings or in correspondence between meetings;
- b) the need to improve understanding of the roles and responsibilities of Parish councillors and the Clerk;
- c) the need to improve certain aspects of governance in the Council, in particular in the way meetings are conducted and correspondence dealt with; and
- d) the need to review its external communications with its community and become more focussed on strategic outcomes.

3.5 Having considered the information available to us, we therefore set out a series of recommendations and an action plan to address each of these issues in the sections below. A full list of recommendations is attached at Appendix A.

A. Behaviour

3.6 The principal reason that we were asked by Horsham to review and support the Parish Council was because of a series of complaints made about the behaviour of councillors. In particular such complaints alleged, inter alia, instances of disrespectful behaviour, personal attacks on the characters of individuals, complaints about mismanagement of the Council, and the unacceptable behaviour of some councillors towards officers.

3.7 While our review went wider than a focus on behaviour and looked at what underlay some of the issues and wider governance of the Council it is abundantly clear that some councillors need, undoubtedly, to modify substantially their behaviour generally and when conducting Council business (so that it is professional, respectful, appropriate and to the standard you would expect in any workplace and in particular that of individuals who have been elected or chosen to represent their community and to deliver community and social initiatives for the benefit of the local community). Only when this happens can the Council as a whole begin to improve its working processes as outlined in the rest of this report. It goes without saying that the profound lack of appropriate behaviour is the root cause for the vast majority of the issues which exist at this Council.

3.8 Our experience from working with the councillors and observing the Parish Council is that there is an unacceptably high level of animosity between certain councillors which is holding the Parish Council back. While the Clerk is generally well-regarded by the majority of councillors some of that animosity has spilt over into questioning the capabilities of the Clerk which seems to go beyond legitimate questioning and the Clerk has to some extent been caught in crossfire between the mutual distrust between two groups of councillors. The way that these disagreements are articulated on both sides has at times gone way beyond legitimate disagreements about policy or procedures and has descended into disruptive behaviour, allegations being made which question the integrity of individuals and an unwillingness to engage in debate or allow legitimate concerns to be raised. These comments are made in meetings and in widely-circulated

emails. Such comments often lead to a downward spiral and what can start as a legitimate question or concern descends into wholly inappropriate and disrespectful comments and unevidenced allegations of wrongdoing which simply leads to positions becoming entrenched and the Council closing in on itself with defensive positions. The whole culture of the Parish Council thereby becomes deeply unprofessional and brings the Parish Council into disrepute.

- 3.9 It is our experience from working with other councils where they have similar issues that such ways of communicating do nothing to bring about the positive change that may be needed to improve the governance of the organisation or help the Clerk do his job effectively. Instead personal comments or allegations which question people's motives or make unfounded accusations of incompetence and illegality based on assumptions simply make people defensive, stifle legitimate concerns and lead to tit-for-tat accusations which mire the council in animosity.
- 3.10 If councillors are serious about bringing about the change that is needed, they must therefore start to work together collectively as a team and stop personal attacks and feeding the flames of such attacks. Councils, like any organisation, have to work collectively to achieve the best outcomes, and if people feel they cannot work collectively but must resort to disrespectful comments and questioning people's motives with little or no evidence then it is recommended that such councillors resign immediately from the Council as it cannot change while such poison exists within the organisation.
- 3.11 We should say that it is of course vital to any organisation, and in particular to a democratically-elected body, that people can challenge decisions, put forward opposing views and raise concerns that matters are not being implemented properly. However there is a world of difference between discussing those matters in a dignified, professional, measured and respectful way and simply being deliberately obstructive and confrontational and imputing the worst possible motives to matters with which you disagree. It is acceptable to challenge ideas with which you disagree. It is unacceptable to make personal attacks on individuals in a deliberately abhorrent and disrespectful way. In our schools we teach our children about Fundamental British Values. These include tolerance and respect for other people and their values and beliefs. We are afraid that certain individuals on the Council seem to have lost sight of those values. They should ask themselves whether they would act in such a manner in any other workplace and whether such behaviours would indeed be tolerated in other settings.
- 3.12 Councillors therefore need as a priority to stop behaving in this way if they have the interests of the Council and the community as a whole as their priority. The Council does need to change in certain aspects, and some of the concerns raised are legitimate, but change will only happen when councillors start to respect and tolerate each other and behave as mature, intelligent and measured parish councillors.
- 3.13 Of course we recognise that a more rational and trusting atmosphere will work most effectively when all feel they have confidence in the Council's working. It is

perfectly legitimate to have policy differences within the Council and concerns about the way the Council operates but the way in which they have been raised has made addressing them impossible. So there needs to be an agreement on all sides to deal with matters in a calmer and more rational way while the recommendations set out in other sections to improve the Council are adopted and implemented. To do this, each councillor needs to draw a line under what has taken place in the past, look forward, embrace change and the idea of new and fresh positive working relationships and employ coping mechanisms to assist them when dealing with communications or comments which they believe to be inappropriate. Further, all councillors should tailor any communications and ensure they are conveyed in a respectful and professional manner. We do believe the Council can improve the way it operates but we have seen no evidence that the Council is 'dysfunctional' as some councillors constantly claim in emails, and while there have been at times a failure to follow the rules and procedures and advice may not always have been clear or consistent, these more often reflect inherent issues within the local (parish and town) council sector as a whole rather than systemic issues at Steyning. though we do address certain specific issues elsewhere in the report.

3.14 All councillors we spoke to and met appeared to have the best interests of Steyning as a community at heart. However, this view is not consistent with the approach of councillors in failing to behave appropriately, as undoubtedly Council business is adversely affected. It is apparent that while the view of what was best for Steyning differed between individuals, that simply reflects a legitimate democratic plurality. Councillors must learn that disagreeing with a decision does not mean that decision is automatically wrong or the motives behind it wrong – it simply means that collectively the Council has decided to act in a particular way and once a decision has been taken by the Council, the Council is perfectly entitled to implement that decision. Similarly the Council must ensure that where people do have opposing views which are relevant to the matter in hand that those concerns are listened to, provided they remain respectful, and a reasonable amount of debate is allowed. It can be too easy to want to shut down discussion because matters are becoming polarised or personal or being unnecessarily prolonged and this highlights why it is important for behaviour on all sides to become more respectful before some of the issues outlined elsewhere can be resolved.

3.15 The Council has signed up to this review process and this is a positive important step. The problems faced by the Council have been protracted and expensive - not just in terms of reputation and time, but also at a not insignificant cost to Horsham in handling complaints and supporting the Council. But the time, stress to both councillors and officers, and the sheer opportunity cost of the resources that could have been deployed to improve local services rather than dealing with constant sniping has been significant.

3.16 Typical comments made to us were that the disagreements were 'all-consuming', 'exhausting' or 'soul-destroying' and that people felt 'beaten down' and 'battle-weary'. A by-product is that the Council, while it has achieved a number of important things, has lost focus and there have been a lot of councillors who have resigned before their term of office ended. This shows that

behaviours and relationships within the Council must change. Otherwise, one could legitimately question the effectiveness of the Council and its role going forward.

- 3.17 The aim of our report is to better unleash the potential of the Council. That potential is only in councillors' hands and the Council is capable of being a high-performing Council but it will only happen if councillors bring about the behavioural and cultural change that is required to enable people to work collaboratively and with respect.
- 3.18 Whilst we can make recommendations it is only through councillors adopting the report's findings in both letter and spirit that will make the actual difference. If there are instances of poor behaviour they need to be challenged, during debates and discussions as well as when made in correspondence. It is every councillor's responsibility to do this, and the Chair's specifically to ensure proper conduct during Council proceedings. We will pick up those matters later.
- 3.19 There also seemed to be an inordinate amount of time spent discussing procedural issues, reviewing minutes of previous meetings and seeking to challenge advice given or received by the Clerk. While it is right for councillors to raise concerns, too much time can be taken up with dealing with constitutional issues rather than substantive business. Where councillors have concerns about the way a decision has been made or a procedure followed they should discuss this with the Clerk in advance and the Clerk should be allowed to give a ruling with reasons as to whether or not the concern is legitimate. This is within the Clerk's remit and he needs to be afforded the opportunity to do this with confidence and without fear of repercussions, seeking external advice where necessary. Where the concern is legitimate such a ruling should include the steps needed either to rectify the matter or the changes needed to prevent the matter re-occurring. There should also be an agreement that, if advice is needed from Horsham, the West Sussex Association or other external bodies on a matter this should be done through the Clerk rather than individual councillors as this ensures there is a clear route and that advice, where appropriate, is definitive and available to all. If the Council collectively decides not to follow that advice, they are perfectly entitled to do so provided that is documented with their reasons, as the Council collectively is a sovereign body. If the advice is accepted by the Council collectively then that advice should be acted upon accordingly.
- 3.20 The majority of individuals we spoke to felt very strongly that meetings were difficult and the tone of debate, both at meetings and in correspondence, reflected very badly on the Council. It is likely that the constituents of Steyning are of this mind too. For example, the Council was referred to on a number of times as a 'laughing stock' and that the community as a whole had lost faith in it being able to run effectively. This is unacceptable. While we did not attend meetings in person, we did watch some meetings online and we also saw a large number of email exchanges and have seen the Code of Conduct complaints which were made. The weight of evidence presented to us clearly demonstrates that this pattern of behaviour does exist and that it is wholly inappropriate, unprofessional and far from acceptable.

- 3.21 Above all we believe that it is the responsibility of all councillors to challenge disrespectful behaviour in the Council chamber and support the meeting in being run effectively, with the right balance between debate and getting the business done. The Council collectively should therefore agree where the boundaries of respect lie and how that should be enforced in meetings. We therefore recommend as a first step that the Council collectively sign up to and agree to abide by the NALC/SLCC Civility and Respect Pledge which has been recently launched.
- 3.22 If personal attacks are made by councillors in future which breach the Pledge the matter should be referred to Horsham District Council who will deal with the matter in line with set criteria against which complaints will be assessed and will ensure that anything that falls below the Council's agreed standards is appropriately dealt with and breaches of the Code are sanctioned and publicised. Referrals to Horsham District Council should not, however, be pursued lightly, should be done only where there is a genuine belief that there has been a breach of the Code of Conduct (and not as a result, for example, of merely an internal disagreement with a policy or as a means of revenge because of another complaint). It should also be borne in mind that Horsham District Council is not obliged to investigate all complaints but will assess them to see whether they meet the "threshold" for investigation against agreed criteria.
- 3.23 This report is about moving forward so a constant reference back to things that happened in the past, in some cases several years ago, will not help the Council move on. This report should be seen as setting a new benchmark for the Council to move forward with greater respect and tolerance.
- 3.24 We therefore think the Parish Council needs to agree the following actions:

RECOMMENDATIONS

- R1 As a priority the Council should sign up to the NALC/SLCC Civility and Respect Pledge.**
- R2 In doing so the Council should collectively agree what language is and is not appropriate in meetings and correspondence among councillors and with officers, how such language should be challenged in meetings and how meetings can be run more efficiently without getting bogged down in minutiae nor stifling legitimate debate. Behaviour needs to be re-set to improve relationships to allow Council business to be transacted.**
- R3 In agreeing to the Pledge, all councillors should give an undertaking to treat fellow councillors and officers with respect and not to make personal attacks on individuals or their integrity. Until such respect is shown the Council cannot move forward**
- R4 All councillors should undertake that, where they have concerns about the way a decision has been made or a procedure followed they should discuss this respectfully with the Clerk and the Clerk should be allowed**

to give a ruling with reasons such as a reference to existing policy or legislation as to whether or not the concern is legitimate. This ruling should be communicated to all councillors. Where the concern is legitimate such a ruling should include the steps needed either to rectify the matter with an agreed timescale or the changes needed to prevent the matter re-occurring. Where the majority of councillors accept that the concern has been dealt with, the matter cannot be raised again for six months in line with Standing Orders.

- R5 All councillors who are unwilling to take, or abide by, the Pledge and modify their behaviour to improve internal relations should consider resigning with immediate effect for the greater good of the constituents of Steyning and Council business.**

B. Roles and responsibilities

Role of councillors

- 3.25 The role of councillor, at whatever tier of local government, can be a difficult and daunting role, particularly to those who come new to the role. We would therefore expect all councils to provide comprehensive induction and ongoing development (to include training in relation to what constitutes acceptable behaviours) to councillors to support them in their job. This is particularly true for councillors who are new in post and inexperienced.
- 3.26 The Council needs to do more work to help individuals understand what is expected of a councillor. There is a lack of clarity in many parish councils about what individuals do or can or should do. The sector of course relies on volunteers and people helping out where they can but the formal role must also be understood and boundaries not crossed. Of course what each individual can give to the Council varies widely – some councillors will work fulltime so cannot devote as much time and energy to the role as others. That is perfectly understandable and normal but does need to be recognised. However beyond that, parish councillors need to be clear what it is they are expected to do and cannot do as individuals. No parish councillor (including the chair) can be given delegated individual decision-making responsibilities. Decisions can either be made by Full Council, a committee or the Clerk depending on the scheme of delegation. Often in practice of course, individual councillors (particularly the chair) will have been authorised by the Council to have some individual responsibilities, either because of the need to react quickly to developing events or else because of a particular recognised expertise. Even in these rare cases, however, any binding decision must formally be taken by the Clerk in consultation with the individual and in line with a delegation scheme agreed with the Council and subsequently be ratified at a Full Council meeting.
- 3.27 We believe the Council should ensure all councillors understand they cannot act without express authorisation from the Council and should agree proper role descriptions and expectations for councillors.

- 3.28 That should include a clear statement of what an individual's role as a councillor in the community is as opposed to their role on the Full Council; and what a councillor's role is with regard to outside appointments where they represent the Council – including clarity about what views they should express, what they are delegated to say or decide and what they should or should not report back.
- 3.29 In particular the Council should seek to put in place a detailed training programme for the incoming Council on the role of the parish councillor, understanding the role of the Clerk, understanding delegated authority, chairing and meeting skills, the Code of Conduct, financial regulations and other matters. This also needs to become an ongoing package for future new councillors.
- 3.30 We would also expect councillors to undergo regular refresher training throughout their term of office. We believe that it is vital councillors have a full understanding of their roles and responsibilities before they start to discharge their functions, and, while training cannot be made mandatory, the Council should therefore consider what training individual councillors must undergo as soon as possible after they take up office. They should also consider what training they would require of councillors before they are allocated permanent seats on any committees to ensure councillors understand fully their role and responsibilities on a particular committee in future.
- 3.31 Individual councillors also need to be aware that, collectively as a Council, they have a duty of care as employees towards their staff. The actions of an individual can have implications for the finances and employment practices of the Council. The Council therefore needs to ensure that it has comprehensive and up-to-date HR and grievance procedures in place, that these are enforced and that any individual's behaviour which risks breaching these policies should be robustly challenged. The Council should work with Horsham and the West Sussex Association to ensure it is following best practice.

R6 The Council should develop a comprehensive training and development strategy for the new Council which covers all areas of Council business. It should in particular include training on the Code of Conduct and appropriate standards of behaviour.

R7 The Council should develop an agreed understanding of the role and expectations for individual councillors when they are acting as Full Council, as committee members, as individuals and as representatives of the Council externally.

R8 That councillors are reminded that they cannot speak on behalf of the Council unless authorised by the Full Council to do so. Any correspondence from individual councillors needs to make this clear. Where an individual represents themselves as speaking on behalf of the Council, the Clerk should correct the record at the earliest opportunity.

R9 That councillors understand their fiduciary duties and vicarious liability and be reminded that they are all individually and severally liable for the

finances and employment practices of the Council. Individual councillors should therefore be reminded that they should not act alone and unilaterally once Council collectively has made a decision or agreed a course of action

- R10 The Council should consider working with Horsham and the West Sussex Association or any other appropriate organisation approved by Horsham to ensure it has comprehensive and up-to-date HR and grievance policies and that these are effectively enforced**

Role of the Clerk and officers

- 3.32 While councillors set the tone and strategic direction of an authority, the Clerk and other officers are charged with supporting the Council and delivering its strategy on a day-to-day basis. The Clerk must therefore be resourced adequately and have the appropriate skills to do this.
- 3.33 We believe the current Clerk gives the Council sound support within the parameters of his role. However, the Clerk should be given time and space to complete their CiLCA qualification so that they can ensure they are working to an appropriate professionally-qualified level.
- 3.34 The officers, from our observations, actually work beyond their contracted hours. This is sometimes inevitable particularly in the run-up to and immediate aftermath of Council meetings but the Parish Council should ensure that officers are not over-burdened, that the workload is sustainable and that they ensure they fulfil their duty of care to the staff. That is why all councillors must recognise that there needs to be a more effective management of email traffic and correspondence and there are limitations on what the Council can realistically achieve. The Council as a whole is the Clerk's employer and therefore each individual councillor has employment responsibilities to ensure that the Clerk has a reasonable working environment and is able to manage the workload within contracted hours or else consider as a Council what changes to resources or terms and conditions may be necessary to achieve this.
- 3.35 We found that the Council had set little strategic direction for the Clerk, was not addressing workloads, and there was no clear understanding of what contact with the Clerk was appropriate on a day-to-day basis nor a recognition that individual councillors should not set work priorities for the Clerk.
- 3.36 The Clerk seemed to be asked to respond to a lot of emails and correspondence making very detailed comments and broadly seeking to keep going over similar ground. There is of course nothing that can be done to stop emails being sent and councillors and the public do have right to seek information and raise queries. However, the Council does have to recognise that this can place heavy demands on the resources of the Council and takes the Council and the Clerk away from undertaking the work of the Council. The Council already has an agreed policy limiting email correspondence but this is routinely ignored. Given the other calls on the Clerk's time the Council needs to ensure its policy in

handling emails is rigorously enforced and that the Clerk is empowered to draw a line under certain matters.

- 3.37 The Council also needs to be clear that where governance issues are raised there needs to be sufficient notice to allow a response to be prepared for tabling and/or discussion at a meeting if required. There also needs to be an understanding that the time spent on such matters would have to be limited to allow the transaction of other important business. Thus, for example, it might be that ten minutes is set aside at the start or end of the meeting for any governance issues, and that each councillor is limited to raising no more than one concern. Similarly, if the Council collectively is satisfied that the matter has been addressed it should not be raised again within an agreed period unless circumstances have changed. Steyning's Standing Orders make clear that resolutions previously made cannot be reversed within six months except by special motions or a motion from a committee and the Council should ensure this is enforced to help achieve better governance.
- 3.38 We also believe it would help the Council and the Clerk if some form of schedule of work was prepared. This would help the Council to recognise what was a reasonable expectation on the Clerk and be clear with the Clerk what the priorities on their limited time should be. SLCC has a useful calendar available to clerks to remind them of what needs doing when. The Clerk should get this timetable and share it with councillors so that it can inform this work schedule.
- 3.39 The Council also needs to review the issue of councillor access to officer time. While councillor access to officers is important, there was a view that some councillors were spending too much time absorbing officer time with no clear purpose and were stopping higher priority work being done. The Council therefore needs to look at how officer contact with councillors is regulated – for example by putting a system in place where councillors can only see officers during working hours by prior appointment, or for a set time unless by prior appointment, or only at particular times of the week. This would complement enforcement of the email policy. The aim would be to strike a balance between allowing councillors to raise their own local priorities and issues and support officers with advice while allowing officers time to carry out their job and run the office effectively.
- 3.40 There is a balance to be struck in any public administration between what one might call 'maintenance' on the one hand – that is, the day-to-day running of the council through, for example supporting meetings, carrying out statutory duties etc – and what one might call 'progression' – taking forward longer-term goals and projects. The more ambitious a council is in terms of strategy the more it needs to decide where the balance lies between maintenance and progression and if it is adequately resourced to deliver both. Our view is that given current behavioural issues the Clerk and their staff can do little other than focus on maintenance within their existing hours. The Clerk has tried to move to a more 'progressive' role. For example a Neighbourhood Plan has been produced which seems a good example of an attempt at long-term planning. However, if the Council is to progress it needs to ensure that it is satisfied the right balance is struck by the office between maintenance and progression and the office need to

be given time and space to work on helping the Council deliver this Plan. This may include reviewing resources as ambitions grow but in the short term would be helped by ensuring the Clerk is less focussed on dealing with internal correspondence and other matters.

Recommendations

- R11 The Clerk should complete CiLCA as a matter of priority. A timetable should be agreed between the Chair and the Clerk with dedicated 'professional development' time set aside in the working week to allow this to happen**
- R12 The Council should ensure that its email policy is properly enforced and the Clerk empowered to draw a line under correspondence such that if the policy is breached the Clerk will simply reply to say that the email will not be responded to as it falls outside the policy. There may be exceptions for significant urgent matters but the Council as a whole shall agree a definition of what those exceptions should be. All emails should go through the Clerk.**
- R13 The Council should have an agreed and enforced policy for dealing with persistent or vexatious correspondence to ensure that the business of the Council is not unnecessarily diverted.**
- R14 The Council should agree how governance issues should be raised in meetings to allow reasonable discussion but also to allow other business to be transacted.**
- R15 The Council and the Clerk should agree a work schedule to ensure that officers' time is focussed and that there are realistic expectations on their time within agreed working hours.**
- R16 The Council needs to agree a councillor-officer protocol which would include a shared agreement as to the circumstances when councillors should have access to officer time and how the Clerk should respond to queries from individual councillors.**
- R17 The Council should review its current staffing structure to ensure it is in line with its strategy and able to help the Council deliver it and that the Clerk's key performance objectives and time are geared to deliver that strategy**
- R18 The Council should ensure that the Clerk and the Council make best use of external support and advice from its memberships of professional bodies**

C. Policies and procedures

- 3.41 Aside from the behavioural issues (which we believe to be at the heart of the difficulties experienced at and by the Council), we also carried out an in-depth**

look at the governance and administration of the Council. The following sections look at each of the areas we examined in turn and make a series of recommendations, starting with our review of the Council's policies and procedures.

3.42 Overall, we found that the broad suite of policies and procedures at the Parish Council were in place and up to date. However, we believe they should be made more easily available through the Council website. The policies tend to be based on national policies prepared by NALC so conform with good practice.

3.43 We did identify a couple of gaps where we thought significant policies were either missing or not properly enforced. We have already mentioned the email policy above which we think needs to be adhered to, and also the seeming absence of a vexatious and persistent correspondence policy, which we would expect to see in any parish council.

3.44 We also believe there is some confusion around what information held by the Council councillors are entitled to see as a matter of course. Councillors in general are entitled to see most information held by the Council, including exempt information not available to the public, in order to help them do their job. There will always, however, be circumstances where a council is legally entitled to regard certain information as confidential. The law itself sets out grounds for certain business to be considered in private by the Council and it is widely recognised through case law and elsewhere that not all councillors are entitled to see all information at all times, as some personal information for example has to be regarded as confidential unless there is a demonstrable need for an individual councillor to have access to that information to carry out their duties.

3.45 As set out in NALC Legal Topic Note 1, councillors do not have a 'need to know' all aspects of council business and cannot claim an automatic right to see all council documentation and information. In other words, councillors are not permitted a fishing expedition in respect of council documentation and information simply because they are councillors.

3.46 We therefore think the Council needs to agree a 'need to know' policy to establish a common understanding of where the boundaries of confidentiality and access to information might lie. This would also cover any information held by individual councillors and be tied closely to the Council's responsibility to protect information under GDPR.

3.47 In developing a policy, the following extract from NALC LTN 1 may prove helpful in establishing whether a councillor has a 'need to know':

- If a councillor is a member of a committee, he or she has the right to inspect documents or to obtain information relating to the business of that committee;
- If a councillor is not a member of a particular committee, he or she has to demonstrate why sight of the document(s)/or receipt of the information in question is necessary to enable him or her to perform his or her duties as a councillor;

- If the councillor's motive for seeing the documents/obtaining information is indirect, improper or ulterior, then the documentation or information should be withheld.

3.48 Related to this is the Council's approach to freedom of information. The Freedom of Information Act is a mechanism for people to hold organisations accountable. Those people within an organisation, such as in this case councillors, should not need to use a freedom of information request to obtain the information they feel they require and are lawfully entitled to see. All minutes should be freely available to all councillors (and the public). If a committee has a meeting and an item is considered confidential, however, those councillors not on that committee have no right to sit in on a confidential item - based on the principle of "need to know" in essence they have no further rights than a member of the public to see that confidential matter unless they can demonstrate a need to know against agreed criteria. Steyning need to consider their whole freedom of information approach. Whilst the policy they currently have is sound in theory, the way it is implemented and the approach to councillor access to information needs to be re-thought in such a manner that councillors will have access to everything they are entitled to see and need to know in a timely and appropriate manner rather than having to make FOI requests. To this end the office needs to ensure that all information is put onto the Council website or a suitable portal for councillors to see as soon as possible unless it is confidential information which does not meet the 'need to know' test. Just because a councillor did not attend a meeting or is not a member of a committee is no reason to withhold information, subject to rules on exempt and confidential information but see our comment below on meetings.

3.49 We also believe the Council should review its recording of meetings policy. The Council keeps a library of recordings of all meetings. Although laudable as a transparent action however, it is common practice elsewhere that once minutes are approved then all additional records, notes and recordings tend to be deleted so the minutes stand as the official record and thus extracts can't be taken out of context.

3.50 We also believe the Council needs to adopt a Social Media Policy which would cover both appropriate use of social media by individuals and the Council's own approach to social media as an organisation. This is routine best practice elsewhere but seems absent here.

3.51 We also felt the Council needed to review its approach towards planning delegation, although we were told when we met in September that this has already been done but we mention it here in any case, and as an example of where the Council is already moving forward.

Recommendations

R19 The Council needs to review whether it has all appropriate and up-to-date policies in place and ensure that policies are available on the website.

- R20 The Council needs to adopt a clear statement of councillors' right to information and a 'need to know' policy and review its implementation of freedom of information requests in the light of that policy.**
- R21 The Council should adopt a recording of meetings policy and decide how long it needs to keep recordings once minutes have been agreed**
- R22 The Council needs to adopt a social media policy which would cover both appropriate use of social media by individuals and the Council's own approach to social media as an organisation**
- R23 The Council needs to review its approach towards planning delegation if this has not already been done in the last six months.**

D. Meetings

- 3.52 We understand that some meetings have been difficult to run because of conflict in the meetings and the disruptive behaviour arising from this conflict. This section therefore makes some recommendations for making meetings run more effectively and efficiently.
- 3.53 Although we did not attend Council meetings in person, we have watched some online, and it was clear to us from all that we have been told and noted from our observations and also reading of past minutes that Council meetings have become increasingly difficult to manage.
- 3.54 Everybody is dissatisfied with the way the meetings take place. A wholly disproportionate and inordinate amount of time is spent revisiting matters. People have stopped listening to each other and meetings need to become genuine discussions again rather than disagreements. Individuals need to accept that it is perfectly fine to disagree and healthy debate is to be encouraged as it leads to better decision-making but there must be a recognition that once a decision is made, that is the democratic decision of the Council. It must also be recognised that a balance needs to be struck between progressing the business of the meeting effectively and not unnecessarily stopping discussion and stifling the progress of Council business.
- 3.55 It is essential, therefore, that the Parish Council draws up a proper protocol about how councillors treat each other which needs to be observed fully at all times and properly enforced if failings arise. Matters should be properly managed in meetings and the standards framework should not be misused to air disputes about personalities or perceived procedural failings but should be used where there are genuine cases where the Civility and Respect pledge is not adhered to.
- 3.56 We would always look to the chair of a meeting to enforce behaviour standards clearly, firmly and fairly. The role of the chair is to act as an impartial referee, to ensure that people are treated equitably, everyone is encouraged to contribute to the debate and that the meeting is conducted in an orderly and civil way so that business can be conducted. A chair should know when to seek advice from the clerk but should not let the clerk run the meeting. A chair also

needs to be conversant with Standing Orders and ensure that they are applied. However, the chair also needs the support of other councillors to ensure that Standing Orders are consistently and fairly applied to all councillors. We say this as it is apparent that councillors in general felt that meetings were not being effective because of disruptive behaviour and the balance being wrong about how some discussions were held owing to the fact that a uniform approach was not applied to all councillors' conduct.

- 3.57 To ensure that debate can be managed efficiently, we believe the Parish Council needs to enforce the '2 minute' rule at its meetings as set out in its Standing Orders – that is people's interventions in meetings – whether councillors or the public - should be strictly limited to 2 minutes and, when the 2 minutes is up, they should stop speaking. Most councils actually have a 3-minute rule, so if it is to be rigorously enforced, the Council may consider whether 2 or 3 minutes is appropriate.
- 3.58 Everybody is entitled to an equal say at meetings but all should equally respect that others should have an input and interventions should be limited to allow the meeting to proceed. By enforcing this rule it ensures that people are treated fairly – not being allowed to speak for too long, but equally not being cut off before their allocated time.
- 3.59 There may of course be times when an agenda item is of such significance that councillors collectively will wish to speak for more than 2 or 3 minutes. Any waiving of the rule for a particular item should be proposed by the Chair at the start of a meeting and agreed by the meeting.
- 3.60 We also believe it would be helpful to have a timetable alongside the agenda of how long can be spent on each agenda item so that the business of the meeting can be progressed, and not too much time spent, for example, discussing the wording of previous minutes or raising procedural issues. Again the Chair could waive the timetable should the meeting collectively agree that an item was more significant than initially considered.
- 3.61 We also want to cover the taking of minutes. Charles Arnold-Baker (the so-called Parish Bible) says "minutes should be a formal record of official acts and decisions, not reports, still less verbatim reports of the speeches made by councillors. Minutes should, therefore, be as short as is consistent with clarity and accuracy, and the arguments used in the discussion need be recorded only if the decision cannot be clearly expressed in any other way."
- 3.62 We believe too much time has been spent at meetings arguing about minutes of previous meetings. We therefore recommend that Council agree that minutes follow the model of simply being a recording of the decision rather than a verbatim record. As it is important that all councillors are clear what has been agreed we recommend that at the end of each item the Chair asks the Clerk to read out what he believes has been agreed as the decision for that item so that all present are clear and agree that what has been noted is sufficient for the minutes.

- 3.63 Minutes should be agreed at the following meeting and cannot be deferred under any circumstances save in the event of manifest error. The Council also needs to be clear that amendments can only be proposed by those who attended the meeting and should be factual only rather than opinion. Likewise when minutes come to be agreed it is not legal or appropriate for somebody to add in further comments as to the validity of the narrative especially if they did not attend the meeting.
- 3.64 One issue raised with us related to substantive motions being raised at meetings and thus taking the place of items for report only. We do not think this is appropriate. There is no clear national guidance on this as far as we know but an agenda must be sent out three clear working days before the meeting specifically to enable people to have time to consider the items and appropriate responses - noting a report is quite different from coming along prepared to discuss a substantive item and it would be unfair to change the nature of the item at the last minute. The better way to deal with this would be to agree to discuss the item as a substantive item at a future meeting.
- 3.65 Apologies for absence should be properly recorded and only accepted if the Council is satisfied with the reason; otherwise they should simply be noted but not accepted. Where a councillor does not wish to disclose a reason publicly, for example because of health or security issues, they should nevertheless notify the Clerk of the reason in confidence who can then satisfy the meeting that there is a good reason.
- 3.66 It would also be helpful if all councillors had a pack which contains all policies, Financial Regulations and Standing Orders that they bring to each and every meeting to aid understanding and avoid confusion. Further, it is incumbent upon councillors to familiarise themselves with such regulations and orders and we recommend, therefore, that councillors are clear about the rules prior to meetings to aid the conduct of meetings and the progression of Council business.
- 3.67 We note that Steyning's standing orders require that voting is recorded but this is not usual or necessary. The important thing is whether a decision was reached either unanimously or by a majority and the resulting decision stands alone in a court of law. It has been noted that some councillors, if they cannot attend a meeting, will still send their views for consideration at that meeting. That is not allowed and should be stopped
- 3.68 There also needs to be a greater understanding of how motions to move to next business can be used to ensure business is got through effectively where discussions are proving difficult to manage.

Recommendations

- R24 All councillors need to be familiar with Standing Orders and should have a pack which contains all policies, Financial Regulations and Standing Orders that they bring to each and every meeting to aid understanding and avoid confusion.**

- R25 The '2-minute' rule in Standing Orders should be enforced and all councillors should support the Chair in ensuring the meeting is run efficiently and without conflict. The rule may be waived in exceptional circumstances where an agenda item is of particular significance but this must be agreed at the start of the agenda item and a revised time limit (say 5 minutes) agreed**
- R26 Minutes should be agreed at the following meeting. Amendments can only be proposed by those who attended the meeting and should be factual only rather than opinion**
- R27 Minutes should be done in the recommended style as a record of the decisions made at meetings to help anybody understand the process by which a decision is made. So they should make clear the decision taken with some brief summary of matters considered for and against**
- R28 The requirement that voting is recorded should be reconsidered**
- R29 The practice of allowing a councillor who cannot attend a meeting to send their views for consideration at that meeting should be stopped**
- R30 The agendas for meetings should be timetabled to ensure business is effectively transacted. Where there needs to be a variation to the timetable that should be agreed at the start of the meeting**
- R31 Apologies for absence should only be accepted where a valid reason is either given to the meeting or given to the Clerk in confidence**

E. Ambition and strategy

3.69 While Steyning Parish Council has delivered on a number of projects for the community over recent years, and has recently developed a Neighbourhood Plan, we believe it can improve its approach towards a long-term strategy for the town. Its in-fighting and constant and relentless bickering in particular has meant that the Council has not been able to focus adequately on its community or real sense of long-term purpose. Indeed we were impressed by some of the things the Council has managed to achieve despite all this bickering but we believe there is the potential to do more. The Council needs to improve sufficiently that the incoming Council is better equipped to implement a measurable and costed action plan to improve the town. Previous lack of strategic direction has had two effects. It has left the Clerk and officers unclear about their role or what they are meant to be achieving beyond the day-to-day. And it has left councillors free to pursue certain projects without a wider context – almost acting as pseudo-officers in the absence of guidance or strategic direction.

3.70 We therefore believe the incoming Council will need to put in place a strategic vision which looks at what it wants to achieve over the next 5-10 years, with realistic aims, financial planning and milestones. This needs then to be matched up with the resources needed to deliver that vision and measured to ensure progress.

- 3.71 While not everyone will share the same vision, the Council needs to work together to come to a collective understanding and then ensure there is an agreed consensus to deliver that plan for the town.
- 3.72 As part of this we consider that the Council should strengthen its relationship with the community by developing a shared vision and strategy for delivering priorities. It is always a difficult issue for any council at this level and with limited resources to ensure it is sufficiently strategic and engaged with its community but this is not insurmountable and other councils are successful in implementing such strategies. A lot of work was done earlier this year around the Neighbourhood Plan, but we think it particularly important given current circumstances that Steyning is seen to continue to consult widely on its priorities and to have engaged as fully as possible with the community about its work. Some of this will no doubt form part of individual election campaigns but, following the election, the new Council should re-evaluate how to build on its Neighbourhood Plan to communicate and develop its strategic vision with its community - for example through one or a series of open days where the community are invited to help shape future priorities and agree objectives.
- 3.73 Some of this engagement needs to happen soon, however, as part of a drive to promote the profile of the Council to encourage more people to engage with the Council and ultimately to stand for election with a view to moving to contested elections. The Council therefore also need to consider how to encourage more and different members of the public to attend meetings and help promote the visibility of the Council through a more effective communications strategy.

Recommendations

- R32 After the next election the new Council should develop a fully costed and resourced long-term strategic plan for the Town putting personal agendas and differences aside for the greater good of the Steyning community**
- R33 The Council should review its communication strategy in conjunction with the public to evaluate its effectiveness and ensure that the public understands the work of the Council, is engaged in developing a vision for Steyning and is able to participate more fully in local decision-making.**
- 3.74 We believe that all councils should be aspirational and demonstrate to their public that they are working effectively. We think this is particularly important for Steyning in future given the issues it has faced. In our view there is no reason why, once it has developed a deliverable strategy, it should not be capable of becoming an outstanding council for its size and receiving external validation for its work. We therefore recommend that the Council Chair and Clerk actively seek opportunities on behalf of the Council to learn from and share best practice with outstanding councils in their vicinity. A good starting place would be to work with the West Sussex Association to look at local councils in the area who have been recipients of the Local Council Award Scheme.

Recommendation

R34 The Council Chair and Clerk should look to learn from and share best practice with outstanding local councils.

F. Monitoring of this plan

3.75 While these recommendations are a matter for Steyning Parish Council, we feel it is important that they are accountable for ensuring that these actions are considered properly and, where appropriate, instituted. We therefore think Horsham District Council needs to be able to monitor progress. Whilst the District Council does give valuable support to Steyning, this support comes at a price in terms of time and resources and there has been considerable investment of council taxpayer's money in this review. It is important that in due course Steyning's demands on the monitoring officer's time at Horsham are substantially reduced.

3.76 The Parish Council's first steps should therefore be to review and prioritise these recommendations and share its implementation plan. When it has done so it should provide a copy to Horsham. This initial implementation plan should be drawn up within six weeks of the report being presented to the Council. Some of the recommendations need urgent action to get business back on an even keel but should be relatively straightforward – for example, the review and enforcement of policies; others have a longer-term output but are strategically important. It goes without saying that the modification of behaviours, the consideration of the Civility and Respect Pledge and strategies surrounding the improvement of behaviour should be the first item and should be treated with the utmost urgency and as a priority. We have not put deadlines on the recommendations but the Parish Council should meet and agree an over-arching action plan to put these recommendations into place by no later than six weeks from the receipt of this report.

3.77 The Council need also to be aware that if the internal issues in Steyning Parish Council do not improve to Horsham's satisfaction, Horsham is entitled to carry out a Community Governance Review in consultation with the local community (which could have as an outcome a recommendation for the dissolution of Steyning Parish Council)

3.78 In conclusion, the onus must be on Steyning Parish Council to adopt the recommendations noted in this report and bring about modified behaviours and the cultural change that is required to enable the Council to function effectively. However, Horsham District Council will support the Council, monitor progress and the implementation of any strategies recommended within this report and the Parish Council should co-operate with Horsham District Council to facilitate such review. Councillors must strive to work out their differences maturely and professionally. Otherwise the Council needs to be aware that if the internal issues in Steyning Parish Council do not improve, it could find itself the subject of a Community Governance Review including the option to dissolve Steyning Parish Council.

Recommendations

- R35** Where Steyning Parish Council needs to use external support to comply with these recommendations, they should consult with Horsham District Council and the West Sussex Association before agreeing such support to ensure they have considered all the options and are obtaining expert advice at value for money.
- R36** Steyning Parish Council should develop an initial implementation plan within six weeks of the report which should be shared with the monitoring officer of Horsham District Council. They should also report on their progress in implementing this action plan to the monitoring officer in 6 months and again in 12 months after the date of this report

RECOMMENDATIONS

- R1** As a priority the Council should sign up to the NALC/SLCC Civility and Respect Pledge.
- R2** In doing so the Council should collectively agree what language is and is not appropriate in meetings and correspondence among councillors and with officers, how such language should be challenged in meetings and how meetings can be run more efficiently without getting bogged down in minutiae nor stifling legitimate debate. Behaviour needs to be re-set to improve relationships to allow Council business to be transacted.
- R3** In agreeing to the Pledge, all councillors should give an undertaking to treat fellow councillors and officers with respect and not to make personal attacks on individuals or their integrity. Until such respect is shown the Council cannot move forward
- R4** All councillors should undertake that, where they have concerns about the way a decision has been made or a procedure followed they should discuss this respectfully with the Clerk and the Clerk should be allowed to give a ruling with reasons such as a reference to existing policy or legislation as to whether or not the concern is legitimate. This ruling should be communicated to all councillors. Where the concern is legitimate such a ruling should include the steps needed either to rectify the matter with an agreed timescale or the changes needed to prevent the matter re-occurring. Where the majority of councillors accept that the concern has been dealt with, the matter cannot be raised again for six months in line with Standing Orders.
- R5** All councillors who are unwilling to take, or abide by, the Pledge and modify their behaviour to improve internal relations should consider resigning with immediate effect for the greater good of the constituents of Steyning and Council business.
- R6** The Council should develop a comprehensive training and development strategy for the new Council which covers all areas of Council business. It should in particular include training on the Code of Conduct and appropriate standards of behaviour.
- R7** The Council should develop an agreed understanding of the role and expectations for individual councillors when they are acting as Full Council, as committee members, as individuals and as representatives of the Council externally.
- R8** That councillors are reminded that they cannot speak on behalf of the Council unless authorised by the Full Council to do so. Any correspondence from individual councillors needs to make this clear.

Where an individual represents themselves as speaking on behalf of the Council, the Clerk should correct the record at the earliest opportunity.

- R9** That councillors understand their fiduciary duties and vicarious liability and be reminded that they are all individually and severally liable for the finances and employment practices of the Council. Individual councillors should therefore be reminded that they should not act alone and unilaterally once Council collectively has made a decision or agreed a course of action
- R10** The Council should consider working with Horsham and the West Sussex Association or any other appropriate organisation approved by Horsham to ensure it has comprehensive and up-to-date HR and grievance policies and that these are effectively enforced
- R11** The Clerk should complete CiLCA as a matter of priority. A timetable should be agreed between the Chair and the Clerk with dedicated 'professional development' time set aside in the working week to allow this to happen
- R12** The Council should ensure that its email policy is properly enforced and the Clerk empowered to draw a line under correspondence such that if the policy is breached the Clerk will simply reply to say that the email will not be responded to as it falls outside the policy. There may be exceptions for significant urgent matters but the Council as a whole shall agree a definition of what those exceptions should be. All emails should go through the Clerk.
- R13** The Council should have an agreed and enforced policy for dealing with persistent or vexatious correspondence to ensure that the business of the Council is not unnecessarily diverted.
- R14** The Council should agree how governance issues should be raised in meetings to allow reasonable discussion but also to allow other business to be transacted.
- R15** The Council and the Clerk should agree a work schedule to ensure that officers' time is focussed and that there are realistic expectations on their time within agreed working hours.
- R16** The Council needs to agree a councillor-officer protocol which would include a shared agreement as to the circumstances when councillors should have access to officer time and how the Clerk should respond to queries from individual councillors.
- R17** The Council should review its current staffing structure to ensure it is in line with its strategy and able to help the Council deliver it and that the Clerk's key performance objectives and time are geared to deliver that strategy

- R18** The Council should ensure that the Clerk and the Council make best use of external support and advice from its memberships of professional bodies
- R19** The Council needs to review whether it has all appropriate and up-to-date policies in place and ensure that policies are available on the website.
- R20** The Council needs to adopt a clear statement of councillors' right to information and a 'need to know' policy and review its implementation of freedom of information requests in the light of that policy.
- R21** The Council should adopt a recording of meetings policy and decide how long it needs to keep recordings once minutes have been agreed
- R22** The Council needs to adopt a Social Media Policy which would cover both appropriate use of social media by individuals and the Council's own approach to social media as an organisation
- R23** The Council needs to review its approach towards planning delegation if this has not already been done in the last six months.
- R24** All councillors need to be familiar with Standing Orders and should have a pack which contains all policies, Financial Regulations and Standing Orders that they bring to each and every meeting to aid understanding and avoid confusion.
- R25** The '2-minute' rule in Standing Orders should be enforced and all councillors should support the Chair in ensuring the meeting is run efficiently and without conflict. The rule may be waived in exceptional circumstances where an agenda item is of particular significance but this must be agreed at the start of the agenda item and a revised time limit (say 5 minutes) agreed
- R26** Minutes should be agreed at the following meeting. Amendments can only be proposed by those who attended the meeting and should be factual only rather than opinion
- R27** Minutes should be done in the recommended style as a record of the decisions made at meetings to help anybody understand the process by which a decision is made. So they should make clear the decision taken with some brief summary of matters considered for and against
- R28** The requirement that voting is recorded should be reconsidered
- R29** The practice of allowing a councillor who cannot attend a meeting to send their views for consideration at that meeting should be stopped
- R30** The agendas for meetings should be timetabled to ensure business is effectively transacted. Where there needs to be a variation to the timetable that should be agreed at the start of the meeting

- R31** Apologies for absence should only be accepted where a valid reason is either given to the meeting or given to the Clerk in confidence
- R32** After the next election the new Council should develop a fully costed and resourced long-term strategic plan for the Town putting personal agendas and differences aside for the greater good of the Steyning community
- R33** The Council should review its communication strategy in conjunction with the public to evaluate its effectiveness and ensure that the public understands the work of the Council, is engaged in developing a vision for Steyning and is able to participate more fully in local decision-making.
- R34** The Council Chair and Clerk should look to learn from and share best practice with outstanding local councils.
- R35** Where Steyning Parish Council needs to use external support to comply with these recommendations, they should consult with Horsham District Council and the West Sussex Association before agreeing such support to ensure they have considered all the options and are obtaining expert advice at value for money.
- R36** Steyning Parish Council should develop an initial implementation plan within six weeks of the report which should be shared with the monitoring officer of Horsham District Council. They should also report on their progress in implementing this action plan to the monitoring officer in 6 months and again in 12 months after the date of this report

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	APPENDIX B Recommendation Hoey Ainscough Report Review	Action to be taken	By Whom	Timescale for Completion
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R1	As a priority the Council should sign up to the NALC/SLCC Civility and Respect Pledge.	All Cllrs sign up and agree to abide by the pledge at a Full Council Meeting	SPC	HIGH 21st Nov. '22
R2	In doing so the Council should collectively agree what language is and is not appropriate in meetings and correspondence among councillors and with officers, how such language should be challenged in meetings and how meetings can be run more efficiently without getting bogged down in minutiae nor stifling legitimate debate. Behaviour needs to be re-set to improve relationships to allow Council business to be transacted.	Agreement on Language can be made via Working Practices WP The tone of the emails is a more difficult Issue to deal with – as to how – at present this is unresolved – in the first instance this should be self-regulated by Clerk and then by majority rule from the Council if needs be.	Working Practices WP Then agreed at Full Council SPC Clerk to regulate in first instance– emails. Chairs to challenge Cllrs in - meetings. Council to agree or otherwise	HIGH January Working Party HIGH – Immediate action by Clerk and Cllrs
R3	In agreeing to the Pledge, all councillors should give an undertaking to treat fellow councillors and officers with respect and not to make personal attacks on individuals or their integrity. Until such respect is shown the Council cannot move forward	Behaviour needs to be modified by first taking the pledge. If some individuals do not understand that they are causing offence, then hopefully they will respect other Cllrs and the clerks' comments and not continue to argue their position.	Cllrs All Cllrs have to work together to assist with a higher level of understanding	HIGH Initially - 21st Nov '22. Then Ongoing with recourse to Code of Conduct
R4	All councillors should undertake that, where they have concerns about the way a decision has been made or a procedure followed, they should discuss this respectfully with the Clerk and the Clerk should be allowed to give a ruling with reasons such as a reference to existing policy or legislation as to whether or not the concern is legitimate. This ruling should be communicated to all councillors. Where the concern is legitimate such, a	Cllrs to follow the guidance not only of this recommendation and take care in how they raise issues, but then adhering to existing, and any amended, SPC policies, then await a response. The Clerk should respond as soon as reasonably practical or give reasons why not.	Cllrs Clerk Cllrs	HIGH From 21st Nov. '22

APPENDIX B	Recommendation Hoey Ainscough Report Review	Action to be taken	By Whom	Timescale for Completion
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	ruling should include the steps needed either to rectify the matter with an agreed timescale or the changes needed to prevent the matter re-occurring. Where the majority of councillors accept that the concern has been dealt with, the matter cannot be raised again for six months in line with Standing Orders.	<p>Cllrs should abide by the response given.</p> <p>If the requester still has concerns, the matter is taken to all councillors and the majority ruling abided by.</p>	Clerk and Cllrs	<p>HIGH</p> <p>From 21st Nov. '22</p>
R5	All councillors who are unwilling to take, or abide by, the Pledge and modify their behaviour to improve internal relations should consider resigning with immediate effect for the greater good of the constituents of Steyning and Council business.	<p>All Cllrs to take the pledge</p> <p>Some Cllrs to modify their behaviour</p>	<p>All Cllrs</p> <p>Cllrs</p>	<p>HIGH</p> <p>From 21st Nov. '22</p>
R6	The Council should develop a comprehensive training and development strategy for the new Council which covers all areas of Council business. It should in particular include training on the Code of Conduct and appropriate standards of behaviour.	<p>There is already a Training programme in place.</p> <p>There is a SPC Training 'Statement of intent' and both Cllrs and staff are offered opportunities to train from the moment they 'sign up'.</p>	Cllrs and Clerk	COMPLETED
R7	The Council should develop an agreed understanding of the role and expectations for individual Cllrs when they are acting as Full Council, as committee members, as individuals and as representatives of the Council externally.	<p>Cllrs to re-read the information already provided and abide by Policies.</p> <p>Clerk to check Cllrs are aware where the information is and resend if necessary</p>	<p>Cllrs</p> <p>Clerk</p>	<p>HIGH</p> <p>From 21st Nov.</p> <p>Before End of Nov</p>
R8	That councillors are reminded that they cannot speak on behalf of the Council unless authorised by the Full Council to do so. Any correspondence from individual councillors needs to make this clear. Where an individual represents themselves as speaking on behalf of the Council, the Clerk should correct the record at the earliest opportunity.	<p>Cllrs to re-read the information already provided and abide by Policies – with an amendment required to email policy to clarify position</p> <p>Clerk to check Cllrs are aware where the information is and resend if necessary</p>	<p>Cllrs</p> <p>Clerk</p>	<p>HIGH</p> <p>From 21st Nov.</p> <p>Before End of Nov</p>

APPENDIX B	Recommendation	Action to be taken	By Whom	Timescale for Completion
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Hoey Ainscough Report Review – Recommendations & Proposed Actions

R9	That councillors understand their fiduciary duties and vicarious liability and be reminded that they are all individually and severally liable for the finances and employment practices of the Council. Individual councillors should therefore be reminded that they should not act alone and unilaterally once Council collectively has made a decision or agreed a course of action	A Cllrs fiduciary duties and vicarious liability to be written into their guidance pack / information with greater clarity. Then woven into the appropriate SPC policy, then agreed.	Clerk with approval from Council	MEDIUM Before end of Council term
R10	The Council should consider working with Horsham and the West Sussex Association or any other appropriate organisation approved by Horsham to ensure it has comprehensive and up-to-date HR and grievance policies and that these are effectively enforced	There are policies already in place	N/A	COMPLETED
R11	The Clerk should complete CiLCA as a matter of priority. A timetable should be agreed between the Chair and the Clerk with dedicated 'professional development' time set aside in the working week to allow this to happen	Clerk Chair & Vice Chair to continue to monitor progress and complete appraisal review before end of 2022	Clerk Chair and Vice Chair	MEDIUM Cilca completed before end of Council Term
R12	The Council should ensure that its email policy is properly enforced, and the Clerk empowered to draw a line under correspondence such that if the policy is breached the Clerk will simply reply to say that the email will not be responded to as it falls outside the policy. There may be exceptions for significant urgent matters, but the Council as a whole shall agree a definition of what those exceptions should be. All emails should go through the Clerk.	Email Policy to be amended Clerk to respond to breaches as per set out in recommendation Cllrs to abide by response	SPC Clerk	HIGH MEDIUM MEDIUM

APPENDIX B	Recommendation	Action to be taken	By Whom	Timescale for Completion
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Hoey Ainscough Report Review – Recommendations & Proposed Actions

R13	The Council should have an agreed and enforced policy for dealing with persistent or vexatious correspondence to ensure that the business of the Council is not unnecessarily diverted.	A new policy should be put in place which covers vexatious behaviour	Clerk's office to source policy guidance & present to Working Practices for SPC approval	<p>MEDIUM</p> <p>Before end of Jan '23</p>
R14	The Council should agree how governance issues should be raised in meetings to allow reasonable discussion but also to allow other business to be transacted.	This item should be discussed at Working Practices and written into Councillor / Officer protocol then agreed at Full Council	Clerk's office to source policy guidance & present to Working Practices for SPC approval	<p>LOW</p> <p>Before end of Council term</p>
R15	The Council and the Clerk should agree a work schedule to ensure that officers' time is focussed and that there are realistic expectations on their time within agreed working hours.	Produce a working schedule for both Clerk's and Council's agreement	Personnel Committee	<p>MEDIUM</p> <p>Before end of Feb '23</p>
R16	The Council needs to agree a councillor-officer protocol which would include a shared agreement as to the circumstances when councillors should have access to officer time and how the Clerk should respond to queries from individual councillors.	This item should be discussed at Personnel Committee and written into Councillor / Officer protocol then agreed at Full Council	Personnel Committee	<p>MEDIUM</p> <p>Before end of Feb '23</p>
R17	The Council should review its current staffing structure to ensure it is in line with its strategy and able to help the Council deliver it and that the Clerk's key performance objectives and time are geared to deliver that strategy	<p>Review of Staffing Structure</p> <p>K. P. I's are already in place, but need to be reviewed before end of 2022</p>	Clerk , Chair & Vice Chair, then Personnel Com' Clerk/Chair/V. Chair	<p>MEDIUM</p> <p>HIGH</p>
R18	The Council should ensure that the Clerk and the Council make best use of external support and advice from its memberships of professional bodies	<p>Largely this already happens.</p> <p>To be reviewed by Personnel Committee</p>	Personnel Committee	<p>LOW</p> <p>Before end of Council term</p>

APPENDIX B	Recommendation	Action to be taken	By Whom	Timescale for Completion
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Hoey Ainscough Report Review – Recommendations & Proposed Actions

R19	The Council needs to review whether it has all appropriate and up-to-date policies in place and ensure that policies are available on the website.	Some policies to be reviewed and appropriate amendments put in place Policies are available on Web Site	Working Practices	LOW Before end of Council term COMPLETED
R20	The Council needs to adopt a clear statement of councillors' right to information and a 'need to know' policy and review its implementation of freedom of information requests in the light of that policy.	A 'Need to Know' policy to be put in place or its points added to an existing policy	Working Practices	MEDIUM Before end of Feb'23
R21	The Council should adopt a recording of meetings policy and decide how long it needs to keep recordings once minutes have been agreed	SPC to consider amending either its Communications policy or its Retention and Disposal policy and or its Community Engagement policy	Working Practices	LOW Before end of Council term
R22	The Council needs to adopt a social media Policy which would cover both appropriate use of social media by individuals and the Council's own approach to social media as an organisation	There is a policy already in place	N/A	COMPLETED
R23	The Council needs to review its approach towards planning delegation if this has not already been done in the last six months.	There is a policy now in place	N/A	COMPLETED
R24	All councillors need to be familiar with Standing Orders and should have a pack which contains all policies, Financial Regulations and Standing Orders that they bring to each and every meeting to aid understanding and avoid confusion.	There is a pack distributed to Cllrs when they take up the position after election	N/A	COMPLETED

	APPENDIX B Recommendation Hoey Ainscough Report Review	Action to be taken	By Whom	Timescale for Completion
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R25	<p>The '2-minute' rule in Standing Orders should be enforced and all councillors should support the Chair in ensuring the meeting is run efficiently and without conflict. The rule may be waived in exceptional circumstances where an agenda item is of particular significance, but this must be agreed at the start of the agenda item and a revised time limit (say 5 minutes) agreed</p>	<p>This rule has been more robustly enforced recently by all SPC Chairman to ensure meetings are run more efficiently and with less disruption or unnecessary diversion</p> <p>Chairs to continue use this Standing order, but have in mind when it should be waived</p>	Chairman	<p>Ongoing</p> <p>Already being used</p>
R26	<p>Minutes should be agreed at the following meeting. Amendments can only be proposed by those who attended the meeting and should be factual only rather than opinion</p>	<p>Councillors to continue to be aware of the comments noted within the recommendation and abide by them</p> <p>Chairman to enforce this</p>	<p>Cllrs</p> <p>Chairman</p>	<p>Ongoing</p> <p>MEDIUM</p>
R27	<p>Minutes should be done in the recommended style as a record of the decisions made at meetings to help anybody understand the process by which a decision is made. So, they should make clear the decision taken with some brief summary of matters considered for and against</p>	None	Clerk	COMPLETED
R28	<p>The requirement that voting is recorded should be reconsidered</p>	<p>Cllrs should be aware that Standing orders gives them the right to ask for voting to be recorded, however this should be used sparingly and not agreed for the whole or 'rest of the' meeting</p>	Cllrs / Chairman	<p>LOW PRIORITY</p> <p>But enforced at & after 21st Nov. '22</p>
R29	<p>The practice of allowing a councillor who cannot attend a meeting to send their views for consideration at that meeting should be stopped</p>	This practice to stop forthwith	Cllrs	<p>LOW PRIORITY</p> <p>But enforced at & after 21st Nov. '22</p>

APPENDIX B	Recommendation	Action to be taken	By Whom	Timescale for Completion
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Hoey Ainscough Report Review – Recommendations & Proposed Actions

R30	The agendas for meetings should be timetabled to ensure business is effectively transacted. Where there needs to be a variation to the timetable that should be agreed at the start of the meeting	Timetabling 'guidance' to start at the 21st of November Full Council Meeting This is still subject to Chairmans discretion	Clerk / Chairman	LOW PRIORITY But enforced at & after 21st Nov. '22
R31	Apologies for absence should only be accepted where a valid reason is either given to the meeting or given to the Clerk in confidence	This was reviewed at the recent meeting with HDC Monitoring Officer, and it was generally agreed that current practice is acceptable – to avoid conflict	All	COMPLETED
R32	After the next election the new Council should develop a fully costed and resourced long-term strategic plan for the Town putting personal agendas and differences aside for the greater good of the Steyning community	None	Clerk & SPC	COMPLETED
R33	The Council should review its communication strategy in conjunction with the public to evaluate its effectiveness and ensure that the public understands the work of the Council, is engaged in developing a vision for Steyning and is able to participate more fully in local decision-making.	Low priority to be reviewed by new Council if they feel it necessary	New Council	LOW After May 2023
R34	The Council Chair and Clerk should look to learn from and share best practice with outstanding local councils.	Best Practice is already shared and taken up when appropriate. Needs to be discussed more openly when disruption lessens	Chairman & Clerk	LOW Before end of Council term

APPENDIX B	Recommendation	Action to be taken	By Whom	Timescale for Completion
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Hoey Ainscough Report Review – Recommendations & Proposed Actions

R35	Where Steyning Parish Council needs to use external support to comply with these recommendations, they should consult with Horsham District Council and the West Sussex Association before agreeing such support to ensure they have considered all the options and are obtaining expert advice at value for money.	<p>Consultation is already in place.</p> <p>Council to maintain open minded approach to support and expertise</p>	Councillors & Clerk	<p>LOW</p> <p>ONGOING</p>
R36	Steyning Parish Council should develop an initial implementation plan within six weeks of the report which should be shared with the monitoring officer of Horsham District Council. They should also report on their progress in implementing this action plan to the monitoring officer in 6 months and again in 12 months after the date of this report	<p>Draft Implementation Plan completed and agreed at 21st November Full Council meeting</p> <p>Progress review April 17th SPC Full Council Meeting – Then sent to HDC</p> <p>Final Review at October 23 SPC Full Council Meeting – Then sent to HDC</p>	SPC & Clerk	<p>COMPLETED BY 21st Nov '22</p> <p>APRIL 2023</p> <p>OCTOBER 2023</p>