

Standards Committee
26 JULY 2023

Present: Councillors: Tony Bevis (Chairman), Joan Grech, Lynn Lambert,
David Skipp, Belinda Walters (Vice-Chairman), Tricia Youtan,

Independent Persons: John Donaldson and Michael Rumble
Parish Representative: Stephen Watkins

Apologies: Councillors: Mark Baynham

Also Present: Councillors: Martin Boffey and Victoria Finnegan

SC/4 **MINUTES**

The minutes of the meeting held on 15 March and 24 May were approved as a correct record and signed by the Chairman.

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

There were no declarations of interest.

SC/6 **ANNOUNCEMENTS**

The Chairman wished to thank the Committee for electing him as Chair of Standards Committee in his absence at the Annual Council due to Covid.

SC/7 **STANDARDS UPDATE**

The Legal Services Business Manager presented the Standards Update report to give a general update into relation to; Code of Conduct complaints, Standard's Committee's composition and seek approval to the amendments to the Code of Conducts Complaints Procedure.

Code of Conduct Complaints

Data was provided; from 1 April 2022 to 31 March 2023 there was a total of twenty-two code of conduct complaints. These were official written complaints received via the required complaints form detailing alleged breaches of the code of conduct.

During 2022-2023, 14 complaints related to Steyning Parish Council, four related to Horsham District Council and Nuthurst, Pulborough, Storrington & Sullington and Shipley Parish Councils' each received one code of conduct complaint each.

Since 1 April 2023 to 15 July 2023, 19 code of conduct complaints have already been received. Eleven complaints related to Steyning Parish Council, three related to Pulborough Parish Council and Horsham District Council, Nuthurst, Storrington & Sullington, Cowfold and Parham Parish Councils' each received one code of conduct complaint each.

Of these 19 complaints received (in just over a three month period) and following assessment and consultation with the Independent Person, no breach or no further action was required in 10 of the cases.

Three cases relating to Steyning Parish Council had been assessed and dealt with by informal resolution. Of the 19 recent complaints six have recently been received and are currently being assessed.

Standard Committee Composition

The Standards Committee is required to have two Independent Persons and two Parish Council Representatives.

The Committee were advised that there is presently one vacant post for a Parish Council Representative owing to Parish Councillor Philip Baxter retiring in May 2023.

The Monitoring Officer is working with the Horsham Association of Local Council's (HALC) who will nominate candidate(s) to fill this vacancy in the near future.

It is hoped that a new Parish Representative will be in place for the September Standards Committee.

Amendments to the Code of Conduct Complaints Procedure

The Committee were reminded that many of the Standards Members were involved in streamlining the revised December 2021 Code of Conduct Complaints Procedure and new amended model of Code of Conduct for Councillors.

It was generally working well however owing to the volume of work experienced by the Standards Team it was considered appropriate to incorporate some minor amendments to the procedure.

The current procedure presently allows Deputy Monitoring Officers to deal with standards related matters only in the absence of the Monitoring Officer. The suggested revision would allow the Monitoring Officer to delegate any standards related work to nominated deputies at any time and not just during periods of absence. This was considered necessary owing to the current volume of standards work being generated by Parish Councils throughout the District.

It was also suggested to update item 4.4 in the Code of Conduct Complaints procedure to provide the Monitoring Officer complete discretion as to whether to accept a code of conduct complaint or a response that does not strictly comply with these procedures.

A further revision had been incorporated to allow the Monitoring Officer to vary the procedure when considered appropriate and desirable to do so. This was considered necessary to provide the Monitoring Officer and Standards Team with a greater degree of flexibility when dealing with code of conduct complaints.

Further remaining revisions were considered minor adjustments and were published in the report and shown as tracked changes.

The committee were supportive of the proposed amendments to the Code of Conduct Complaints Procedure.

It was suggested that amendment 10.1 on page 30 should include; “reasonable and justified” as well as variations being communicated to relevant parties. The amendment would be changed to:

The Monitoring Officer may vary this procedure in any particular instance where reasonable and justified and he or she is of the opinion that such variation is desirable and does not conflict with statutory requirements. Any such variation will be communicated to relevant parties.

The Chairman requested that a revision page showing amendments be included at the front of the document when the Code of Conduct Complaints Procedure was republished.

It was therefore proposed and seconded to approve the recommendations set out in the report.

RESOLVED

The amendments to the Code of Conduct Complaints Procedure be approved, subject to the approval of Council.

RECOMMENDED TO COUNCIL

That Council approve the amendments to the Code of Conduct Complaints Procedure.

SC/8

STEYNING PARISH COUNCIL - REVIEW SUPPORT & RECOMMENDATIONS

The Head of Legal & Democratic Services & Monitoring Officer provided the Committee with a brief overview and update on Steyning Parish Council.

The Committee were reminded of the difficulties which have existed at Steyning Parish Council for several years; code of conduct complaints contributed to 80% of all complaints in the financial year 2021/22, 64% in 2022/23 and 58% in the first three months of this financial year 2023/24.

In March 2022 it was agreed at Standards Committee that specialist consultants Hoey Ainscough Associates would undertake a review and whilst this was taking place those complaints received would not be investigated formally. Following the review, an Action Implementation Plan was agreed in November 2022 and progress would be reported at 6 and 12 month intervals to Horsham District Council.

A progress report had been recently received from Steyning Parish Council and the Monitoring Officer advised the committee that the reports contents had already been disputed by some Steyning Parish Councillors. The committee learnt that the report was produced largely prior to the May 2023 elections and since then a number of new Councillors had been appointed.

The Committee generally felt that there were still some underlying issues at Steyning Parish Council however it was hoped that newly elected Parish Councillors would bring a more positive approach. The Committee thoroughly supported the recommendations and hoped the next progress report due at the end of the year showed some positive changes.

The Standards Committee were requested to consider the content of the Committee report and approve recommendations.

RESOLVED

The Standards Committee therefore approved the following recommendations set out in the report:

- i) Approve that the Monitoring Officer and Standards Team continue to support Steyning Parish Council in implementing its plan to tackle issues, which was recommended by the Hoey & Ainscough intervention.
- ii) Approve that all outstanding code of conduct complaints are considered dealt with and completed by way of informal resolution under the Hoey & Ainscough intervention.

- iii) Approve that any new code of conduct complaints received after 26 July 2023 are considered by either the Monitoring Officer or a Deputy Monitoring Officer and/or a Standards Sub Committee in consultation with the Independent Person to assess the merits and seriousness of any alleged code breaches. If (i) the facts and evidence demonstrate that a formal investigation is warranted, and (ii) it is in the public interest, the complaints will be referred for formal investigation and determination. If appropriate, sanctions will be recommended, and Decision Notices will be published.

SC/9 **URGENT BUSINESS**

There was no urgent business.

The meeting closed at 6.10 pm having commenced at 5.30 pm

CHAIRMAN