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Standards Committee

Wednesday, 7th June, 2017 at 10.00 am
Hastings & Knepp, Parkside, Chartway, Horsham

Councillors:

Roger Clarke
David Coldwell
Brian Donnelly
Mike Morgan

Godfrey Newman
Michael Willett
Tricia Youtan

Co-opted advisory members

John Donaldson
Mary Jagger
Philip Baxter
Val Court

Independent Person
Independent Person
Parish Council Representative
Parish Council Representative

You are summoned to the meeting to transact the following business

Tom Crowley
Chief Executive

Agenda

	Page No.
1. Election of Chairman	
2. Apologies for absence	
3. Appointment of Vice-Chairman	
4. To approve the time of the meetings of the Committee for the ensuing year	
5. Minutes	3 - 4
To approve as correct the minutes of the meeting held on 15 th March 2017	
6. Declarations of Members' Interests	
To receive any declarations of interest from Members of the Committee	
7. Announcements	
To receive any announcements from the Chairman of the Committee, the Chief Executive or the Monitoring Officer	

To consider the following report of the Monitoring Officer:

8. **The Ethical Framework Update**

5 - 14

9. **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 MARCH 2017

Present: Councillors: Tricia Youtan (Chairman), David Coldwell (Vice-Chairman), Brian Donnelly, Christian Mitchell, Mike Morgan, Godfrey Newman, Michael Willett, John Donaldson, Mary Jagger and Val Court (Parish Representative)

Apologies: Parish Representative: Kieran Diamond

SC/19 **MINUTES**

The minutes of the meeting of the Committee held on 30th November 2016 were approved as a correct record and signed by the Chairman.

SC/20 **DECLARATIONS OF MEMBERS' INTERESTS**

There were no declarations of interest.

SC/21 **ANNOUNCEMENTS**

The Head of Legal services announced that Kieron Diamond will resign from being a Parish Councillor and thus being a Member of this Committee as of 1 May 2017.

SC/22 **MINUTES OF THE LOCAL ASSESSMENT SUB-COMMITTEE**

The minutes of the meeting of the Local Assessment Sub-Committee held on 30th November 2016 were received.

Members agreed that Parish Councils should be named in future reports when dealing with complaints.

SC/23 **THE ETHICAL FRAMEWORK UPDATE**

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

HDC had subscribed to the Hoey Ainscough Associates' interactive website, the Standards Exchange, which allowed access to the latest news on standards issues, including cases and best practice from other authorities, access to help and support, a dedicated forum and a regular standards bulletin. Learning from this resource will be provided to the Committee.

Since the last Standards Committee the Monitoring Officer had attended and given training sessions at Colgate Parish Council and Ashington Parish

Council. Further training sessions with other parishes had been arranged for March, April and June.

It was noted that a member of the public had commented to Members that it was sometimes hard to hear what was being said at meetings due to some Members talking amongst themselves. It was suggested the Monitoring Officer should bring this to the attention of Members. Further to this, Members requested that refresher courses on Code of Conduct and specific training for Committee Chairmen be organised.

RESOLVED

Members noted the content of the report.

REASONS

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

The meeting closed at 10.38 am having commenced at 10.00 am

CHAIRMAN

Report to Standards Committee

7 June 2017

By the Monitoring Officer

INFORMATION REPORT



**Horsham
District
Council**

Not Exempt

Ethical Framework Update: June 2017

Executive Summary

This report is to:

- (i) Inform and update Members of the Council about recent developments in the ethical framework, which affect the role and activities of Councillors and the Council's business. In particular this report gives details on the following matters:
 - Training and awareness;
 - Local assessment, other action, investigations and determinations;
 - Register of Interests;
 - Work programme update.

Recommendations

The Committee is recommended:

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

Reasons for Recommendations

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

Background Papers

Standards Committee Documents

Relevant Legislation

Wards affected:

All

Contact: Paul Cummins, Monitoring Officer, Ext 5435

Background Information

1 Introduction and Background

- 1.1 The purpose of this report is to inform and update Members of the Council of recent developments in the ethical framework, since the preparation of the last report in March 2017.
- 1.2 Members regularly receive reports on developments in the ethical framework and this report continues that approach. Members of this Committee are also reminded of the following helpful websites:
 - Department for Communities and Local Government:
<http://www.communities.gov.uk/>
 - Local Government Ombudsman:
www.lgo.org.uk

2 Relevant Council and Government policy

- 2.1 The statutory background can be found in the Localism Act 2011, Part 1 Chapters 6 and Chapter 7 and the Regulations made under that Act. The relevant Government policies, with regard to the ethical framework are contained in Department for Communities and Local Government Guidance 'Openness and Transparency on Personal Interests: A Guide for Councillors' and the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.
- 2.2 The Council's policy is set out in its Constitution and through the activities of this Committee and Council.

3 Details

Training and Awareness

- 3.1 The authority has subscribed to the Hoey Ainscough Associates' interactive website, the Standards Exchange, which allows access to the latest news on standards issues, including cases and best practice from other authorities, access to help and support a dedicated forum and a regular standards bulletin. Learning from this resource is provided to this Committee.
- 3.2 The Monitoring Officer has prepared some training slides to undertake Ethical Governance and Code of Conduct. Training sessions have taken place at a number of Parish Councils. The next two training sessions have been arranged at Storrington Parish Council and Nuthurst Parish Council in June 2017.

Local assessment, other action, investigations and determinations

- 3.3 Attached as Appendix 1 is the schedule of all assessment, other action, investigation and determination decisions since March 2017.

Case Reports

- 3.4 There have been no recent reports on Standards matters.

Work Programme update

- 3.5 The Work Programme incorporates the key responsibilities of the Standards Committee. This is a live document and Members are asked to consider the draft Work Programme for 2017-2018. A copy is attached at Appendix 2.

3 Next Steps

- 4.1 The Committee is asked to note the matters contained in this 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 Not applicable.

7 Resource Consequences

- 7.1 The delegation to the Monitoring Officer of the initial assessment of complaints does represent a reduction in cost of this part of the process.

8 Other Considerations

- 8.1 There is a positive obligation on the Council under the Human Rights Act 1998 to have regard for human rights. The Convention rights are scheduled in the Act. The creation of the right climate for decision-making and adequate probity measures will ensure that human rights are regarded and in some cases enhanced.

The current code of conduct includes the expectation of respect for others defined in the General Principles as:

“Members should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability”.

In addition there is a general obligation in the code in which members undertake “Not to do anything which may cause your authority to breach any of the equality enactments.

APPENDICES TO REPORT

Appendix 1 – Local Assessment Schedule

Appendix 2 – Work Programme Update

Appendix 1 Local Assessment schedule (Complaints which have been determined)

File ref	District or Parish Council	Decision Date	Complainant	Date complaint received	Nature of complaint (Personal data removed)	Monitoring Officer or Local Assessment Sub-Committee Decision	Decision
CES140	Parish		Member of Public	12/04/17	An attempt to intimidate a person who was likely to be a complainant; bringing office into disrepute; attempt to use position to improperly secure an advantage.	DMO	
CES141	District /Parish		Member of Public	23/05/17	Breach of 3(1) treat others with respect; 3(2) must not bully any person or intimidate; and mention of Nolan Principles (accountability, openness, leadership)	DMO	
CES142	Parish		Member of Public	23/05/17	Breach of 3(1) treat others with respect; 3(2) must not bully any person or intimidate; and mention of Nolan Principles (accountability, openness, leadership)	DMO	

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APPENDIX 2

STANDARDS COMMITTEE WORK PROGRAMME 2016/17

No	Activity	Who is responsible	Completion	Notes	Legislative Root
1	Undertake Local Assessment of Complaints	MO/Standards Committee	Ongoing	Effective July 2012. See also Local Arrangements adopted by the Council July 2012 and revised May 2014.	Localism Act 2011
2	Undertake investigations and Local determination hearings as necessary	MO/Standards Committee	Ongoing	Effective July 2012. See also Local Arrangements adopted by the Council.	Localism Act 2011
3	Consider dispensation requests	MO/Standards Committee	As received	Scheme of dispensations in Constitution.	Localism Act 2011
4	Prepare annual report for presentation to full Council	Chairman	Annually	At end of municipal year.	Good practice
5	Promotion of the role and work of the Standards Committee	Chairman/Standards Committee and MO	Ongoing	<p>Promote the work of the SC internally through the Members Bulletin and 'Grapevine'. SC to pursue programme of awareness raising within the Community.</p> <p>Promote the work of the SC through the Horsham District Council Magazine and use of the Council website to include biography pages for Independent Persons and Parish Representatives.</p> <p>Liaison with Parish Councils by regular attendance at Parish Clerks' quarterly meetings and the distribution of SC agenda and reports.</p> <p>Investigate other ways of raising profile of role and work of SC.</p>	Localism Act 2011

No	Activity	Who is responsible	Completion	Notes	Legislative Root
6	Liaison Chief Executive, Leader of Council, Leader of Opposition, Chairman of Standards on standards issues	Chairman and Monitoring Officer	Six monthly	From April 2010. To include annual attendance of Chief Executive at Standards Committee meetings and as required.	Localism Act 2011 Good practice
7	Liaison Chief Executive and MO on standards issues	CE/MO	Monthly 121 and as required	From February 2010	Good practice
8	Standards Training	Chairman and MO	New Code July 2012 and as required. Member induction training May 2015.	MO to organise training throughout the year, to include awareness training for Parish Councils. Dedicated training on Local Assessment, Local Determination and Hearings for the Standards Committee, Independent Persons and Parish Representatives. Awareness training of the Code of Conduct for Members and Management Team of HDC to form a part of Member Development Programme. Use of on-line resources, DVDs etc. as training aide. Attendance at external training events as required.	Localism Act 2011 HDC Corporate Learning and Development Plan

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

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