

6. TRAINING REQUIREMENTS IN THE FUTURE FOR:-

i) Standard Committee Members.

ii) District Members.

iii) Town and Parish Members.

REPORT OF: Tom Clark, Solicitor to the Council and Monitoring Officer
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Wards Affected: None

Key Decision No

Purpose Of Report

1. The Standards Committee is charged with, among other things, considering the training needs of its own Members and those of Members at both District and Parish/Town level and arranging for such training to be in place.

Recommendations

2. To discuss the training needs at Standards Committee Member level, District level and Town/Parish Council level and formulate ideas for future training.

Background

3. Standards Committees have the following functions:-

3.1 Main Functions:

3.1.1 To promote and maintain high standards of conduct for Members.

3.1.2 To help Members to follow the Code of Conduct.

3.2 Specific Functions:

3.2.1. To give the Council advice on adopting a local code.

3.2.2 To monitor the effectiveness of the Code.

3.2.3 To train Members on the Code, or arrange for such training.

3.2.4 To assess and review complaints about Members.

3.2.5 To conduct determinations' hearings.

3.2.6 To grant dispensations to Members with prejudicial interests.

3.2.7 To grant exemptions for politically restricted posts.

- 3.3 This report concentrates in turn on training for Members of the Council's Standards Committee, District Members and finally Town and Parish Members bearing in mind the training already given.

Standards Committee Members

4. In their own conduct, Standards Committee Members should lead by example.
- 4.1 They should work with colleagues informally to improve Member's conduct at all levels.
- 4.2 Standards Committee Members are charged with the assessment of initial complaints, the possible review of such assessments and the determination of new matters that are investigated locally and come to a hearing. These duties are additional to those of other Members and may require specific training.
- 4.3 Prior to the commencement of the new duties, Standards Committee Members considered case studies provided by the Standards Board and this work could continue. At Mid Sussex District Council we have conducted two hearings both at Parish level. Hearings are occurring under the new procedures at some neighbouring District Councils and also at West Sussex County Council. Members might find it useful to attend such hearings which are generally held in public. The Assessment and Review Panels are private matters and therefore not open to outside attendance. I have asked Monitoring Officers at neighbouring authorities of any hearings they have coming up before Christmas 2008 which Members may wish to attend.

District Council Members

5. The new Constitution was adopted in May 2007. The most significant change has been the ability of Members with a prejudicial interest to speak at meetings when members of the public have a similar right. This right has been exercised on a number of occasions at Area Planning Committees.
- 5.1 The new Code added specific provisions about the Equalities Act 2006 and Members may feel that District Members could do with specific training on this. This also relates to the additional provision about bullying. Following a Direction from the Standards Board for England, the Council adopted a new protocol for Member Officer relations and Members may feel training on this Protocol in the Council's Constitution would be useful.
- 5.2 Members have had two lots of training on the new Code of Conduct by way of a lecture. The Standards Committee are asked to advise whether other forms of presentation might work better e.g. a workshop.

Town and Parish Councils

6. Parish Clerks and Parish Chairmen receive training from the Association of Local Councils. The District Council is responsible for assessing and investigating any member code of conduct complaints from Parish Councils and such complaints can be time consuming. It is therefore a good investment to ensure problems arising at Town and Parish Councils are dealt with at an early stage.

- 6.1 Training was provided on the new Code of Conduct with particular emphasis on mutual relationships to Parish Councillors at Bolney and Hassocks following the two hearings we had in 2007/08. It is suggested we ask Parish Clerks what if any further training would be useful for their Members.

Financial Implications

7. The investigation of complaints is an expensive business with a minimum cost of £3,000 for a full hearing and many thousands of pounds for more complex cases. It is important that the procedures are done correctly to avoid even more expensive appeals to the High Courts. The Council has currently set aside an amount of £10,000 for such matters in 2009/10.

Other Material Implications

8. Since the 8th May 2008, two complaints have been received for assessment and both have referred to provisions in the Equalities Act 2006.

Background Papers

- Local Government Act 2000 as amended by the Local Government and Public Involvement in Health Act 2007.

22nd September 2008