

**Minutes of a meeting of the Mid Sussex District Council
Standards Committee held on Tuesday 9th February 2010
From 7.00pm to 8.10pm**

Present:- Sir Roger Sands (Chairman)

| | | |
|-------------------------------|---------------------------|--------------------------|
| Cllr Brenda Binge* | Parish Cllr Jenny Forbes | Trevor Swainson |
| David Brown(Vice Chairman) | – Cllr Gordon Marples | Cllr Mike Watts |
| Ian Church | Cllr Heather Ross | Parish Cllr Pat Webster* |
| Town Cllr Richard Goddard | Cllr Christopher Snowling | |

* Absent

20. SUBSTITUTES

No substitutions were notified.

21. APOLOGIES

Apologies were received from Cllrs. Binge and Webster.

22. MINUTES

The Minutes of the meeting of the Committee held on the 8th December 2009 were approved as a correct record and signed by the Chairman.

23. THE HIGHLY EFFECTIVE STANDARDS COMMITTEE

The Chairman suggested that the Committee work through the checklist in the report and identify areas of concern.

Protocols in Place and Reviewed Annually

In response to the Chairman's request for clarification the Monitoring Officer responded that these were the main protocols for assessment and review panels. The Standards Board for England had recently completed a review and therefore information on the Council's website required an update.

Transparency

In response to a question from the Chairman the Monitoring Officer said that the information on the Council's website required additional clarity.

Proactivity

The Chairman stated he was unclear about the purpose or potential benefits of joint meetings between the Standards Committee and the Audit Committee or other committees of the Council. He also made reference to the lack of involvement in partnerships. A Member asked for further details regarding the remit of the Audit Committee. Another Member commented that generally no District Council members attended meetings of the Standards Committee, and suggested that there was a need to promote the work of the committee to the council as a whole.

The Monitoring Officer replied that in Mid Sussex the Audit Committee's area of concern was finance, though he commented that in other authorities additional responsibilities might be delegated to Audit. In response to a question from a Member he clarified that the reference to partnerships pertained to Council partnerships and not to partnership working with other standards committees.

In response to a request from the Chairman members were provided with a brief overview of the Census partnership. It was confirmed that it was led by a joint committee of Cabinet members and officers.

The Chairman commented that partnership working could give rise to possible confusion regarding the recipient of a complaint if a member from one authority breached the Code of Conduct in their relationship with an officer from another authority. The Committee agreed that any complaint should be directed toward the member's authority. The Chairman suggested that the Monitoring Officers of the authorities should discuss this eventuality and confirm their agreement to the agreed approach.

Leadership

The Chairman commented that there was a need for him to meet with the Chief Executive and political group leaders. The Committee agreed that the concept of mainstreaming the work of the Standards Committee into the operations of the Council gave rise to the risk of the Committee becoming involved in policy making, and was not necessary unless systematic issues with Council operations were identified.

RESOLVED

That:

- i) The Standards area of the Council website be updated as indicated.
- ii) The Monitoring Officer agree with their counterparts in partnership authorities that any complaint arising from partnership working be directed to the parent authority of the member concerned.
- iii) That the Chairman of the Committee meet with the Chief Executive and political group leaders.

24. INFORMATION TO A MEMBER IN RECEIPT OF A COMPLAINT

The Chairman recapped the current process for the benefit of the Committee.

The Committee discussed the amount of information to be provided to a member in receipt of a complaint. Some Members expressed concern that the information currently provided was felt to be inadequate by parish members, as indicated by feedback at the Mid Sussex Association of Local Councils. It was questioned

whether there might be an entitlement to be informed of the nature of the complaint and the name of the person who had lodged it.

The Monitoring Officer responded that there was a question regarding how much substance needed to be provided prior to the assessment phase of the process and that additional information was made available if the assessment sub-committee decided that an investigation was required. He stated that too much information being made available early in the process could lead to unnecessary media interest. A Member noted that there was a need to avoid fuelling a dispute before an investigation could occur.

The Committee agreed with a suggestion from a Member that a summary of the complaint should be provided, indicating the area of the Code of Conduct to which the complaint related and the name of the person making the complaint. The Chairman commented that there would be a requirement to head off any input from the member in receipt of a complaint prior to assessment taking place. The Monitoring Officer confirmed that the name of the person making the complaint could be withheld only if they gave good reasons why this was necessary but otherwise the name would be disclosed. The Committee agreed that this alteration to the process be reviewed in six months.

RESOLVED

That the member in receipt of a complaint be provided with a summary of the complaint prior to assessment, indicating the section of the Code of Conduct that pertains to the alleged breach and the name of person making the complaint.

Chairman

