

6. STANDARDS COMMITTEE ANNUAL REPORT 2014

REPORT OF: Solicitor to the Council and monitoring Officer
Contact Officer: Tom Clark
Email: tomc@midsussex.gov.uk Tel: 01444 477459
Wards Affected: All
Key Decision: N/A
Report to: Standards Committee
17th February 2015

Purpose of Report

1. To present to the Committee the Annual Report for 2014 for onward transmission to Council on 15th April 2015

Summary

2. The report shows a decline in complaints in 2014 with issues around Neighbourhood Plans being resolved by Parish Councils without the need for formal complaints

Recommendations

Members are recommended to refer the 2014 Annual Report of the Standards Committee to Council for information.

Background

3. The Standards Committee reviewed the Members Code of Conduct adopted in June 2012 following the changes made by the Localism Act 2011.
4. The Standards Committee recommended a revised Members Code of Conduct akin to that used at West Sussex County Council but with some additional declaration provisions and some further explanation of the consequences of having a disclosable pecuniary interest and how dispensations work.
5. This revised Members Code of Conduct was adopted by Mid Sussex District Council in November 2014. The revised Code has been shared with all Town and Parish Councils in Mid Sussex with the suggestion they also adopt this revised Code of Conduct ahead of the May 2015 elections so that the Code of Conduct in Mid Sussex will be similar at all levels of Local Government.

Complaints Received

6. Only three formal complaints were received in 2014 and these are set out in the Schedule to this report.

Policy Context

7. Sections 26 to 37 inclusive of the Localism Act 2011 sets out the requirements for the District Council to promote high standards of elected Member conduct within its own membership and within the membership of the towns and parishes in its area. The legislation gives the Standards Committee no real sanctions to impose on the finding of a breach of the Code of Conduct. There are criminal sanctions for the failure to properly declare and act on disclosable pecuniary interests but any such action can only be brought by the director of public prosecutions and there have been no such actions taken in England since the legislation came into force in July 2012.

Other Options Considered

8. The Council must have a Committee that deals with Standards matters. That Committee could also carry out other functions.

Financial Implications

9. The consideration and possible investigation of complaints at both District and Town/Parish is a cost to the District Council. Training is undertaken to try to reduce the number of complaints.

Risk Management Implications

10. If there were a lot of complaints in this area there would be a pressure on the District Council budget. This risk can be reduced by dealing with issues before they become formal complaints. This has worked well so far when issues have arisen over possible interests in Neighbourhood Plan sites.

Equality and Customer Service Implications

11. We request complaints to be put in writing so that it is clear what the complaint is. If a complainant has difficulty explaining their complaint in writing officer assistance can be given

Other Material Implications

12. The District Council follows published procedures when considering and dealing with a Member Code of Conduct complaint

Background Papers

None