

6. STANDARDS COMMITTEE ANNUAL REPORT - 2017

REPORT OF: Tom Clark
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Wards Affected: All
Key Decision N/A

Purpose of Report

1. To present to Council the Standards Committee Annual Report to Council for 2017.

Summary

2. The report sets out the work of the Standards Committee in 2017 and in particular around training and responding to Central Government and the Committee for Standards in Public Life consultations.

Recommendations

Members are asked to note and comment on the report.

Background

4. The Standards Committee membership has been consistent in 2017 with Cllr. Pete Bradbury still in the Chair and Cllr. Chris Ash-Edwards Member of Haywards Heath Town Council as the Vice-Chairman. There was no change in membership in May 2017. Dr. David Horne and Tony Cox remain the Independent persons. This continuity has been of benefit to the Committee.
5. At the beginning of the year a Review Sub-Committee looked at a complaint from Horsted Keynes Parish Council and indicated support for the decision of the previous Assessment Sub-Committee. This was the only formal complaint considered by the Standards Committee. There were complaints raised about the nature of Members' interests in planning applications and in a District Plan allocation but these did not require Sub-Committee consideration because they did not disclose a potential breach of the Code of Conduct or because there was a dispensation for the Councillor to take part of which the complainant was not aware. The Declaration of Interest Form complaints about a Worth parish councillor stopped in 2017 and there has been little Neighbourhood Plan formulation activity which was the other area of complaint in 2016.
6. The Standards Committee presented their report to Council in March 2017 following discussion and amendment of the draft report by the Standards Committee.
7. At the July meeting of the Committee, the Members Code of Conduct was considered in relation to real life complaints. This worked well and prompted discussion within the Committee. A similar format was adopted for training in

September 2017 for District Councillors. This was chaired by Cllr. Pete Bradbury with Tom Clark the Monitoring Officer and Dr. David Horne and Tony Cox in attendance to answer questions and take part in discussion/training.

8. At the October meeting of the Committee the proposals by the Department of Communities and Local Government to introduce new disqualification criteria around persons being on the Sexual Offences Register or subject to a Sexual Offences Order were supported. In relation to proposals to disqualify people subject to an anti-social behaviour Order the Committee supported this if it was made by a civil or criminal court but not otherwise. The LGA also responded to this consultation supporting disqualification in the area of sexual offences but raising concerns about disqualification for anti-social behaviour orders even when given by a court. This consultation is now ended and we expect to see proposals in 2018 which will apply to candidates in the Local Elections in May 2019.
9. The Committee for Standards in Public Life have issued a consultation document on Ethical Standards in Public Life which the Standards Committee considered at their recent March meeting. The consultation document is attached together with the response following debate at the Standards Committee.

Policy Context.

10. Section 26 – 37 inclusive of the Localism Act 2011 requires the District Council to deal with Standard's complaints and to promote good standards in its area. This Act took away sanctions of disqualification and suspension but introduced, in very serious cases only, the possibility of a prosecution for failing to complete the declaration of interest form accurately or failing to declare interest as appropriately both in terms of failing to declare an interest at all or failing to declare an interest accurately. In the past 6 years there has only been one such prosecution in England leading to a conviction.

Other Options Considered.

11. There remains the option of combining the Standards Committee with the Audit Committee. No support has been expressed for this at Mid Sussex District Council where both Committees have a full timetable of business.

Financial Implications

12. The cost of any investigation whether the member is from the District Council or from a Parish Council falls on the District Council. A series of complaints requiring investigation would put a financial burden on the District Council.

Risk Management Implications

13. The Monitoring Officer keeps in close contact with the Parish Clerks and provides advice to try to ensure Code of Conduct matters are dealt with at an early stage before they become a larger and more expensive issue to solve. Parish clerks have been reminded of the need to ensure that when dispensations are granted their existence is clearly shown on the web site.

Equality and customer service implications

14. All complaints have to be in writing but if anyone has a difficulty with that they can seek assistance from Council officers.

Other Material Implications

15. The website has been revised to ensure that the public can see quickly how to make a Members' Code of Conduct complaint.