

STANDARDS COMMITTEE ANNUAL REPORT 2021

REPORT OF: TOM CLARK

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Wards Affected: All

Key Decision: No

Report to: Council

Date of meeting Wednesday 30th March 2022 at 7 pm

Purpose of Report

1. To report the work of the Standards Committee in 2021.

Summary

2. The Standards Committee has had a quieter year than in 2020 with 5 matters that went before Standards Committee Panels and 3 matters that were dealt with otherwise. At its meeting in November, the Standards Committee recommended to Council the adoption of the revised LGA Code of Conduct in the light of the comprehensive guidance also published to assist in Members complying with the Code and dealing with any complaints under the Code. The Council adopted the LGA Code of Conduct, which took effect from 1st March 2022, at their January 2022 meeting. Training is being planned on this revised Code of Conduct.

Recommendations

3. To note the Report.

Introduction

4. There were 4 Committee meetings in 2021. At the first meeting in January, the Committee considered the possible adoption of the LGA Model Code of Conduct following the Report of the Committee on Standards in Public Life. The Committee were concerned about the approach to Social Media and the lack of any guidance at that stage for the new Code of Conduct. The matter was therefore deferred. At the March meeting, the Annual Report for 2020 was considered. It was noted that in future Annual Reports, matters that did not go to a Standards Panel should be explained. At the July meeting, a new Chairman was elected. Councillor Liz Bennett was agreed as the new Chairman with Town Councillor Chris Ash-Edwards remaining as Vice Chairman. The Committee also looked at the criteria for assessing Code of Conduct complaints and found them satisfactory. At the final meeting of the year, the Committee looked again at the slightly revised LGA Model Code of Conduct alongside the guidance that was now provided and considered whether to recommend this or the revised Code of Conduct adopted at West Sussex County Council. Given the very comprehensive LGA guidance, the Committee felt that the LGA Code of Conduct would serve the Council and indeed Town and Parish Councils in Mid Sussex better at this stage. West Sussex County Council are now also minded to adopt the LGA Code of Conduct.

5. In the early part of 2021, there were 2 complaints involving Social Media. There were then complaints from a Parish Council about the conduct of a Member incurring expenditure before it had been authorised by the Council. There was then a complaint by a member of the Public about the aggressive way a local Councillor had behaved towards her in respect of a matter regarding land ownership and planning enforcement. Finally, there was a complaint about the conduct of Members at a Parish Council meeting in which one member sang a song which was allegedly racist in nature in a modern sense. Further details of these complaints are set out in Appendix 1.
 6. There were 3 complaints that were dealt with without reference to the Panel. A member of the Public complained that a Member at a virtual Planning Committee was not on camera during the meeting. This is not a legal requirement, but the Member was advised to ensure they would be on camera at future meetings. There were allegations from one Member about the conduct of other Members at a Council Meeting. The posting from the Member was thought to be inappropriate and a face-to-face meeting was arranged to discuss the use of Social Media. Those Members who had made the complaint were satisfied when this work was reported back to them. At a Parish Council meeting, one Member said that the other Members who opposed his view had behaved aggressively to him. The Minutes of the meeting indicated that the Members had expressed their position firmly, but in a polite and orderly way. There was no possibility of a breach of the Code of Conduct and therefore no reference to a Standards Panel in respect of this complaint.
 7. The Pandemic does mean that the Monitoring Officer has not been to Parish Council meetings which have generally been in-person since May 2021. The Standards Committee had their first in-person meeting in November 2021 and have continued to meet always at 6 pm.
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Financial Implications

8. None of the complaints required an independent investigation which is quite costly to the District Council.

Risk Management Implications

9. At the Parish Council where allegations of expenditure being wrongly incurred, there was a breakdown in personal relations involving both Members and, at one stage, the Clerk. This generated a lot of work for both the Council itself and for the staff at Mid Sussex. Efforts need to be made to ensure that Councils remember that they are there to serve the Public and not to pursue personal disagreements.

Equality and Customer Service Implications

10. Most of the complaints now come in by email which fulfils the requirement for them to be written. If people need assistance in filing their complaint, this can be given. There is an online form if this assists.

Sustainability Implications

11. None.