

STANDARDS COMMITTEE ANNUAL REPORT 2020

REPORT OF: Solicitor & Head of Regulatory Services
Contact Officer: Tom Clark, Solicitor & Head of Regulatory Services
Email: Tom.Clark@midsussex.gov.uk - Tel: 01444 477459
Wards Affected: All
Key Decision No
Report to: Council
Wednesday 31st March 2021

Purpose of Report

1. To report the work of the Standards Committee in 2020. It has been a busier year for complaints and the Standards Committee itself has been looking at the LGA draft Code of Conduct which has been produced following the recommendations of the Committee on Standards in Public Life. The LGA Code of Conduct was published in December but the guidance to go with it has been delayed and is now expected to be published in April 2021.

Recommendations

2. **Council is requested to note the report.**
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Introduction

3. There were two Committee meetings in 2020. The first dealt with the approval of the 2019 Annual Report and the second, in August, commented on the draft Members Code of Conduct produced by the LGA. The final version of that new Code of Conduct was published in December 2020 and the Committee looked at it initially at its meeting in January 2021.
4. Virtual meetings are not conducive to the interactive training that is normally done for both District and Parish Members but we expect this to resume when Covid restrictions permit.
5. It has been a busier year for complaints about Members and you are referred to the Appendix sheet setting out the nature of these complaints. There has been little activity on the Neighbourhood Plan front which is where many of the complaints have come from in recent years. However, there have been complaints about Member behaviour generally, the use of Social Media by Members, the breakdown in relationships at one Parish Council, the self-reporting of a District Councillor for his own conduct, advice given to a Councillor who was also a property developer and has since recognised the difficulty in being both and resigned, the performance generally of Councillors during lockdown and the result of much earlier complaints ending up as threatened physical assault by Parish Members on the complainants.
6. Three of the listed complaints involved District members and other five were from Town and Parish Councils.
7. It seems the remoteness of Zoom meetings and isolation has not improved relations between people or understanding of other points of view.

Financial Implications

8. Only one of the complaints resulted in a full independent investigation at a cost to the District Council.

Risk Management Implications

9. When relationships break down, there is a risk of Councils becoming dysfunctional and the interests of the Public being forgotten.

Equality Implications

10. The Public seem content to use the email for making their written complaints. There was one complaint that came in by letter.

Schedule

1. A District Member who was also a property developer found it difficult to carry out both roles and resigned.
2. A Member involved in the funding of a possible new community facility was thought to have an interest which had been undeclared. Concerns were raised publicly and the District Member self-reported. The outcome was that the Member did have an interest to declare, but that interest was not a prejudicial interest and therefore matters that had occurred at the Town Council were in order.
3. There were a few complaints about the behaviour of Councillors in a private capacity. The Code of Conduct does not currently cover private actions, but Members must make it clear that they are acting in a private capacity.
4. The biggest number of complaints all related to Councillors on one Parish Council who reported each other as relationships broke down over the allocation of one or more sites in the village in the District Councils Site Selection Document. A number of meetings were held, but these did not improve the situation and outside help was sought from private solicitors. The matter seemed to be finally resolved once the District Council had been able to approve the Site Selection Document to go forward for further consultation and consideration by an Independent Inspector this Spring. This action had been delayed by the start of the Pandemic which unfortunately resulted in this long argument at one Parish Council to the detriment of other issues the Council might need to address for the public benefit.
5. There was a complaint following quite extreme comments by a Member from East Grinstead Town Council both in the press and on social media. This happened on two occasions. The Sub-Committee found the Member in breach of the Code of Conduct, but, at present, little can be done unless the Member chooses to resign. The Town Council has tried to take up these equality issues, but the Member was not keen to recognise there is an issue.
6. The performance of some Councillors during the Lockdown was questioned. Allegedly, Councillors were difficult to get hold of. How Councillors conduct their business is a matter for them subject to the Public being asked to re-elect them every four years.
7. There was an allegation that a Member from a Parish Council had sought to use his position as a Councillor to get a vehicle parked on the highway moved. The exact factual position was unclear, but it was clear that there were neighbour disagreements over parking.
8. Code of Conduct complaints do not frequently resolve matters and, on two occasions, those that had been reported in the past confronted those that had reported them. In one case, the Councillor resigned and in the other case, the Councillor asked for the past provocation to be taken into account. If these matters had gone to a Sub-Committee, it was unlikely that the situations had arisen while the Councillor was purporting to carry out Council business. This makes it outside the present Code of Conduct.