

# AUDIT & STANDARDS COMMITTEE ADDENDUM

**4.00PM, TUESDAY, 17 SEPTEMBER 2019**

**COUNCIL CHAMBER, HOVE TOWN HALL**

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# ADDENDUM

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30	<b>STANDARDS UPDATE</b>	<b>3 – 6</b>

Report of the Executive Lead Officer for Strategy, Governance & Law.

<b>Subject:</b>	<b>Standards Update</b>		
<b>Date of Meeting:</b>	<b>17<sup>th</sup> September 2019</b>		
<b>Report of:</b>	<b>Monitoring Officer</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Victoria Simpson</b>	<b>Tel:</b> <b>01273 294687</b>
	<b>Email:</b>	<b>Victoria.Simpson@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE**

Note: The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government Act 1972 (as amended), (items not considered unless the agenda is open to inspection at least 5 days in advance of the meeting), were that it was considered necessary to clarify and update the information to be provided regarding ongoing standards complaints before the report could be finalised.

**1. PURPOSE OF REPORT AND POLICY CONTEXT**

1.1 This report seeks to update Members on Standards-related matters.

**2. RECOMMENDATIONS**

2.1 That the Audit & Standards Committee note the information provided in this Report on Member complaints and on standards-related matters.

**3. MEMBER COMPLAINTS and STANDARDS TRAINING****MEMBER COMPLAINTS**

- 3.1 The complaints identified as 'Complaint A' and 'Complaint E' respectively in [the Standards Update Report of 23 July 2019](#) remain at formal investigation stage. Complaint A comprised an allegation that a member had breached the Code of Conduct in relation to a personal planning issue while Complaint E alleged that comments made in an online forum by an elected member regarding the council's administration had potential to bring the elected member's office and/or the authority into disrepute. Although it is not possible to provide details of progress in relation to investigations which are in train, this Committee will be updated in due course.
- 3.2 The complaint referred to as 'Complaint D' in the last Standards Update concerns allegations that three members of the same party group failed to treat the complainant with respect and otherwise breached the Code. That complaint remains at preliminary assessment stage, the complainant having been asked to provide evidence considered necessary to progress it. A new complaint, 'Complaint G', was received in during July alleging that an elected member's communications via social media with a local MP and with the complainant contravened the Code of Conduct. That complaint also remains at preliminary

assessment stage, for the same reason, as does an additional complaint, 'Complaint H': a complex complaint requiring clarification which alleges misconduct by more than one member across different political groups and which at time of publication is missing key information

- 3.3 The complaint referred to in the last Update as 'Complaint F' had been received very recently at the time of publication of the report to July Committee. It concerned communications made via social media by the relevant elected member which the complainant did not consider treated either them or a third individual with appropriate respect. However, on being asked to clarify the complaint at preliminary assessment stage, the complainant declined to do so and furthermore refused to permit disclosure of her identity to the subject member. Because of this, and having discussed the matter with the Independent Person, a decision was made by the Monitoring Officer not to progress that complaint pursuant to para 3.5 of the Procedure for Dealing with Allegations of Breaches of the Code of Conduct for Members. That complaint is therefore at an end.
- 3.4 Regard has been had to the council's procedures when processing complaints, with care being taken to keep the interested parties apprised of progress as far as possible.

#### **STANDARDS TRAINING FOR MEMBERS**

- 3.5 Ensuring the provision of training on the Code of Conduct for Members and related matters is a key means by which this Committee discharges its responsibilities to promote high standards of conduct. With this in mind, training for all elected members on Standards-related matters has been devised and is being scheduled to take place in the near future on two alternative time slots. Dedicated Standards Panel training for members of the Audit & Standards Committee has also been scheduled to take place on a date in mid-September, and members of this Committee have been asked to prioritise attending.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 The council is obliged under the Localism Act to make arrangements for maintaining high standards of conduct among members and to make arrangements for the investigation of complaints. The current arrangements and the proposals in this Report reflect this. No alternative proposals are suggested.

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 No requirement to consult with the local community has been identified.

#### **6. CONCLUSION**

- 6.1 Members are asked to note the contents of this Report, which aims to assist the Committee in discharging its responsibilities for overseeing that high standards of conduct are maintained in a way which is compliant with local requirements.

#### **7. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 7.1 There are no additional financial implications arising from the recommendation in this Report. All activity referred to has been, or will be, met from existing budgets.

*Finance Officer Consulted: Nigel Marvell*

*Date: 29.8.19*

Legal Implications:

7.2 These are covered in the body of the Report.

*Lawyer Consulted: Victoria Simpson*

*Date: 28.8.19*

Equalities Implications:

7.3 There are no equalities implications arising from this Report.

Sustainability Implications:

7.4 There are no sustainability implications arising from this Report.

Any Other Significant Implications:

7.5 None identified.

**SUPPORTING DOCUMENTATION**

**Appendices:**

None

**Background Documents:**

None

