

Subject:	Standards Update		
Date of Meeting:	10th January 2017		
Report of:	Head of Law and Monitoring Officer		
Contact Officer:	Name:	Abraham Ghebre-Ghiorghis	Tel: 29-1500
	Email:	Abraham.ghebre-ghiorghis@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

1.1 This report updates Members on Standards-related matters since the last report.

2. RECOMMENDATIONS

2.1 That Members note the report.

3. MEMBER-RELATED COMPLAINTS

3.1 Since the last report to the Committee in November 2016, the matter referred to as outstanding 'Complaint 3' in both this and the last report has been resolved. So too has the new complaint referred to as Complaint 1. The complaint referred to in both this and the last report as 'Complaint 2' is yet to be determined.

4. STANDARDS COMPLAINTS**4.1 Complaint 1**

4.2 **The allegation:** A complaint was received in alleging that a member had acted contrary to the Code of Conduct while participating as a member of one of the Council's decision-making Committees.

4.3 That complaint was made the subject of preliminary assessment and it was noted that there was no evidence of conduct capable of amounting to a potential breach of the Code of Conduct as the decision which was the subject of the complaint was not in fact made by Committee. As a result, a decision was taken by the Monitoring Officer, in consultation with the Independent Person, to take no further action, following which both parties were notified that the matter was at an end.

4.4 Complaint 2

4.5 **The allegation:** A complaint was made regarding a comment by a councillor on social media which was considered to potentially amount to a failure to behave in a way which a reasonable person would regard as respectful and/or to amount to

conduct which might reasonably be regarded as bringing their office or authority into disrepute.

4.6 Following consultation with one of the Independent Persons, that complaint was referred for formal investigation. That process is still underway and will be the subject of a further report to this Committee.

4.7 **Complaint 3**

4.8 **The allegation:** This related to a complaint from a member of the public that three ward members had failed to respond to an email communication. The complaint was considered to have potential to amount to a failure to behave in a way which a reasonable person would regard as respectful and/or to amount to conduct which might reasonably be regarded as bringing the member's office or authority into disrepute.

4.9 Preliminary assessment conducted at the request of the Monitoring Officer, acting in consultation with the Independent Person, revealed that the complaint concerned a single communication, acknowledgement of which had in fact been sent on the day the complaint was received although a technical issue had seemingly resulted in that email not being received. While no substantive response was subsequently provided, this was due to a miscommunication and steps were taken to remedy the situation.

4.10 On all of the facts, it was considered that if proven the complaint would not amount to a breach of the code of conduct for members. As a result, following consultation with the Independent Person, the complainant was notified that no further action would be taken in relation to their complaint and that the process was therefore at an end.

5. **OTHER MATTERS**

5.1 **Review of the Code of Conduct & Member Training**

5.2 The above topics were the subject of a report to this committee in November 2016. At time of writing, this committee's recommendations are awaiting full Council's consideration in mid-December.

6. **ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

6.1 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 and no alternative proposals are suggested.

7. **COMMUNITY ENGAGEMENT & CONSULTATION**

7.1 No need to consult with the local community has been identified.

8. **CONCLUSION**

- 8.1 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 which are compliant with local requirements are maintained.

9. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 9.1 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: James Hengeveld Date: 20th December 2016

Legal Implications:

- 9.2 These are covered in the body of the report

Lawyer Consulted: Victoria Simpson Date: 21st December 2016

Equalities Implications:

- 9.3 There are no equalities implications arising from this report

Sustainability Implications:

- 9.4 There are no sustainability implications arising from this report

Any Other Significant Implications:

- 9.5 None

SUPPORTING DOCUMENTATION

Appendices:

1. None

Documents in Members' Rooms:

1. None.

Background Documents:

1. None

