

Subject:	Standards Update		
Date of Meeting:	27th March 2018		
Report of:	Head of Law and Monitoring Officer		
Contact Officer:	Name:	Abraham Ghebre-Ghiorghis	Tel: 29-1500
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Ward(s) affected:	All		

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

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

2. RECOMMENDATIONS

2.1 That the Committee note the information provided in the Report on member complaints and on standards-related matters.

2.2 That this Committee agree in principle to the setting-up of a cross-party working group of members, the composition of which to be determined by group leaders, this with a view to inputting into the consultation on the current Local Government Standards regime referred to below.

3. MEMBER-RELATED COMPLAINTS**3.1 Complaint 1**

3.2 The complaint referred to as complaint 5 in the Standards Update provided to this Committee in January 2018 has now been determined by the Monitoring Officer.

3.3 Following consultation with the Independent Person, a decision was made to resolve this complaint informally on the basis that the relevant subject member was minded to apologise via the social media platform on which the conduct complained of occurred. The complainant's views were sought and taken into account before a decision was made to determine the complaint in that way.

3.4 Complaints 2, 3 and 4

3.5 Three other complaints were received in from members of the public regarding three separate councillors: one regarding an exchange on social media and the other two about alleged conduct in relevant councillors' ward(s).

3.6 The three complaints were individually subjected to scrutiny at preliminary assessment stage, following which the Monitoring Officer decided against

formally investigating any of them (this after having consulted with the Independent Person). The decision to take no further action was made on the basis that two of the complaints were not considered to be capable of amounting to a breach of the Code if proven, while it was not considered to be in the public interest on the relevant facts to investigate the third.

3.7 **Complaint 5**

3.8 A further complaint alleging conduct contrary to the Code has been received in and remains at preliminary assessment stage. An update will be provided to this Committee once further progress in relation to it is made.

4. **MEMBER TRAINING: Training for Audit and Standards Committee members on participating in a Standards Panel**

4.1 In January 2018, two training sessions were offered to members of this Committee with the aim of equipping them to participate effectively and in accordance with the procedures followed by Standards Panels at this Council. In the event that there is a need to convene one or more Panels in the future, then those people who have received this training will be appointed.

5. **ENQUIRY INTO CURRENT ARRANGEMENTS FOR DEALING WITH STANDARDS IN LOCAL GOVERNMENT**

5.1 The Committee on Standards in Public Life has published the terms of reference of its planned review of local government standards. It has indicated that it intends to publish its findings and recommendations during 2018.

5.2 The CSPL has highlighted the need for robust standards arrangements to safeguard local democracy, maintain high standards of conduct and to protect ethical practice in local government. The stated aims of the review are to:

- examine the structures, processes and practices in local government in England for:
 - maintaining codes of conduct for local councillors
 - investigating alleged breaches fairly and with due process
 - enforcing codes and imposing sanctions for misconduct
 - declaring interests and managing conflicts of interest
 - whistleblowing
- assess whether the existing structures, processes and practices are conducive to high standards of conduct in local government
- make any recommendations for how they can be improved
- note any evidence of intimidation of councillors, and make recommendations for any measures that could be put in place to prevent and address such intimidation

5.3 While the CSPL are open to submissions from all interested parties, they are particularly interested in the views of local authorities and Standards Committees. The closing date is 18 May and the papers are available here.
<https://www.gov.uk/government/consultations/local-government-ethical-standards-stakeholder-consultation>

- 5.4 Members of this Committee will be aware that over time, the arrangements which regulate standards at local authorities have changed significantly. The current legislative requirements were introduced by the Coalition government and provide for a largely locally agreed standards regime which is less prescribed than before.
- 5.5 At the refresher Standards training which took place during 2017, members were invited to discuss the efficacy or otherwise of the arrangements which Brighton & Hove City Council has adopted to tackle any Standards issues which arise. Those members who attended indicated support in general terms for the current arrangements at this authority, which are reviewed regularly in order to ensure that they meet the requirements of the Localism Act in an appropriately light touch yet effective way.
- 5.6 The questions posed by the CSPL are important ones and it may well be that a more outward-focused and wide-ranging discussion involving members of this Council would generate relevant insights. It is therefore suggested that this Committee consider setting up a cross party group to review the questions posed by the CSPL in its review with a view to formulating and submitting a detailed response on behalf of this Committee.

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. 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 are maintained in a way which is compliant with local requirements.

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: 08/03/2018

Legal Implications:

- 9.2 These are covered in the body of the Report.

Lawyer Consulted: Victoria Simpson

Date: 26/02/2018

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:

None

Documents in Members' Rooms:

None

Background Documents:

None