

Subject:		Standards Update	
Date of Meeting:		14th January 2020	
Report of:		Head of Law and Monitoring Officer	
Contact Officer:	Name:	Victoria Simpson	Tel: 01273 94687
	Email:	Victoria.Simpson@brighton-hove.gov.uk	
Ward(s) affected:		All	

FOR GENERAL RELEASE**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 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 Information was provided in [the last Update to this Committee](#) regarding complaints designated A, D, E, G and H, all of which still remained ongoing at the time of publication of that Report. Since that last Update, Complaint G has been resolved by a determination to take no further action when the complainant did not provide key clarificatory information. Complaint D has also been resolved, this via the process for dealing with complaints made against members by officers.
- 3.2 Complaints A and E had both been referred for formal investigation at the time of the last Update. In the case of E, the formal investigation has since been completed and the written report finalised, having first been circulated to the parties in draft form in accordance with established procedure. Having reviewed the final report and noted the Investigating Officer's finding that substantive breaches have occurred, the Monitoring Officer has decided to refer the complaint to a dedicated Standards Panel for determination at a date to be confirmed in early 2020.
- 3.3 In the case of A, consideration was given by the Monitoring Officer some way into the formal investigation process as to whether an informal settlement of the matter might be an appropriate alternative to continuing with the formal investigation. The subject member offered to clarify matters and to provide a limited apology and the complainant was satisfied with that as a means of resolving matters. As well as seeking representations from the interested parties, the views of the Independent Person were also sought in accordance with the Procedure. They took the view

that resolving the complaint informally was the best option on the facts. As a result, that matter is now at an end.

- 3.4 Complaint H remains at preliminary assessment stage at time of writing despite the efforts which have been made to clarify key aspects of the complainant's complaint. An update will be provided in due course.
- 3.5 Two complaints have been received in subsequent to the publication of the September Report. Complaint I alleged that a social media post made in the member's capacity as a councillor regarding an MP who was standing down in the December General Election amounted to conduct which breached the requirements in the Code to treat others with respect. Complaint J concerned a comment made by a member regarding another member at a Council committee meeting, which amongst other things was alleged to amount to a failure to treat the other councillor with respect. Both I and J have been resolved at preliminary assessment stage in accordance with the Council's procedures. These permit a decision to be taken not to progress a complaint on public interest grounds, the Monitoring Officer having first consulted with the Independent Person, who in both instances favoured such a resolution.
- 3.6 Regard has been had throughout to the Council's Procedure for Dealing with Allegations of Breaches of the Code of Conduct for Members.

STANDARDS TRAINING FOR MEMBERS

- 3.7 Making sure that training opportunities are offered to members 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 was offered to all members of Brighton and Hove City Council on two alternative dates in November 2019.
- 3.8 Dedicated Standards Panel training for members of the Audit and Standards Committee also took place in September and November 2019, members having been made aware that only those members of this Committee who have attended Panel training may be appointed to any future Standards Panel.

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 need 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: James Hengeveld

Date: 09/12/2019

Legal Implications:

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

Lawyer Consulted: Victoria Simpson

Date: 06/12/19

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

SUPPORTING DOCUMENTATION

Appendices:

None

Background Documents:

None

