



## **Standards Committee – Draft Annual Report**

### **Report by the Legal Services Manager and Deputy Monitoring Officer**

#### **1.0 Summary**

- 1.1 To agree an annual report for the Standards Committee.

#### **2.0 Background**

- 2.1 The Committee is expected to produce an annual report setting out the main work of the Committee for the period 1<sup>st</sup> May to 30<sup>th</sup> April.
- 2.2. Set out in Annex 1 is a draft annual report for consideration by the Committee. This report has been produced by the Chairman of the Committee and the Deputy Monitoring Officer.
- 2.3 Committee is invited to consider the draft annual report of the Standards Committee and make any amendments.

#### **3.0 Proposals**

- 3.1 That the Committee consider the draft annual report of the Standards Committee and agree any amendments.
- 3.2 That the Committee recommend the annual report, as amended, to Council for adoption.

#### **4.0 Legal**

- 4.1 Section 54 of the Local Government Act, 2000 provides that the general functions of a standards committee of a relevant authority are:
- (a) promoting and maintaining high standards of conduct by the members and co-opted members of the authority, and
  - (b) assisting members and co-opted members of the authority to observe the authority's code of conduct

This would include the adopting, reviewing and amending of codes of good practice and other guidance.

## **5.0 Financial implications**

- 5.1 There are no specific financial implications arising out of the recommendations in this report.

## **6.0 Recommendations**

- 6.1 That the Committee consider the draft annual report of the Standards Committee and agree any amendments.
- 6.2 That the Committee recommend the annual report, as amended, to Council for adoption.

## **Local Government Act 1972**

### **Background Papers:**

Agenda, minutes and Reports of the Standards Committee, Assessment, Review and Determination Sub-Committees: 16 July 2009, 27 July 2009, 22 September 2009, 19 October 2009, 14 December 2009, 20 January 2010, 15 March 2010.

### **Contact Officer:**

Susan Sale  
Legal Services Manager  
Worthing Town Hall  
01903 221119  
susan.sale@worthing.gov.uk

## **Schedule of other matters**

### **1.0 Council Priority**

1.1 Matter considered and no issues identified.

### **2.0 Specific Action Plans**

2.1 **(A)** Matter considered and no issues identified.

**(B)** Matter considered and no issues identified.

### **3.0 Sustainability Issues**

3.1 Matter considered and no issues identified.

### **4.0 Equality Issues**

4.1 Matter considered and no issues identified.

### **5.0 Community Safety issues (Section 17)**

5.1 Matter considered and no issues identified.

### **6.0 Human Rights Issues**

6.1 The proposals do not impinge on anybody's Human Rights.

### **7.0 Reputation**

7.1 The conduct of Members does have an impact on the reputation of the Council. It is therefore beneficial for there to be clear rules setting out the expectations relating to Members' conduct.

### **8.0 Consultations**

8.1 There has been no consultation with Unison or other stakeholders. The report proposes consultation with other committees.

### **9.0 Risk assessment**

9.1 Matter considered and no issues identified.

### **10.0 Health & Safety Issues**

10.1 Matter considered and no issues identified.

### **11.0 Procurement Strategy**

11.1 Matter considered and no issues identified.

### **12.0 Partnership working**

12.1 Matter considered and no issues identified.

## Annex 1

### Draft Annual Report of the Adur District Council's Standards Committee 2009/10

#### 1.0 Introduction

- 1.1 This report covers the period from 1st May, 2009 to 30<sup>th</sup> April, 2010.
- 1.2 It has been another busy year for the Standards Committee, with the Committee introducing new protocols, carrying out a questionnaire on the Code of Conduct and completing its second year dealing with the local assessment of complaints.
- 1.3 The Committee has a work programme (details in paragraph 3) and it has managed to complete the majority of actions.
- 1.4 Two new independent Members were appointed to the Committee

#### 2.0 Specific matters

- 2.1 The Monitoring Officer was absent from the Council from the 7 January 2010, returning Part Time on the 9 March. In his absence the Monitoring Officers role was undertaken by the his Deputy, Susan Sale;
- 2.2 In July 2009 the Committee agreed to send out a questionnaire to all Members of Adur District and Lancing and Sompting Parish Council's. At the Standards meeting on the 19 October the Questionnaire results were reported and the Committee resolved to recommend additional training be carried out by all Members in respect of the Code of Conduct and the assessment, review and determination of complaints.
- 2.3 The Committee agreed a protocol on Partnership Working be added to the Code of Conduct to assist Members in maintaining high standards of conduct when working in partnership other authorities and agencies.
- 2.4 The Committee offered advice on the status of Non-Voting Members in relation to the Code of Conduct.
- 2.5 A process for granting of dispensations was agreed.
- 2.6 The Committee undertook a refresher training course on the Code of Conduct and Local Assessment of Complaints. This took the form of investigation of case studies and observation of the Assessment Sub-Committee process.
- 2.7 The Committee, in December, With regard to publicity of the Committee has resolved to contact local organisations and ask for there permission to maintain or display information publicising the Code of Conduct and Local Assessment Process.
- 2.8 Officers on behalf of the Committee are developing online forms for dispensation and complaints. The Committee will be provided with a demonstration and options at its meeting in June 2010.

2.9 At its meeting in December the Committee noted a verbal report from attendees of the 2009 Annual Assembly of Standards Committees.

### **3.0 Forward Work Programme 2010/11**

3.1 The work programme for 2009/10 is set out in Annex 1. It shows the planned and undertaken work in this year.

3.2 The draft work programme for 2010/11 is set out in Annex 2 and sets out the work the Committee proposes to undertake in 2009/10.

3.3 A specific item to note on the Forward Work Programme for 2010/11 is the advice and potential work on a Joint Standards Committee for Adur and Worthing.

### **4.0 Complaints**

4.1 The Committee acknowledges that there is not a major issue in Adur in relation to Members conduct, in the period covered by this Annual Report.

4.2 The Council received three complaints about the conduct of two Councillors under the new Regulations.

4.3 In one case the Assessment Sub-Committee determined that there had been no breach of the Code of Conduct and no further action should be taken. The complainants did not request a further review of the decision be carried out by the Review Sub-committee

4.4 In the case of one complaint the Assessment Sub Committee resolved that if the complaint could be proved it would amount to a breach of the code and asked the monitoring officer to investigate the complaint. The Monitoring Officer's investigation found that the Member had potentially broken the code of conduct and a consideration meeting of the Assessment Sub-Committee sent report to a Hearing of the Determination Committee. The decision notice of the Determination Sub-Committee hearing is pending publication at the time of publication of this draft report.

### **5.0 Monitoring**

5.1 The Committee has Monitored knowledge of the Code of Conduct amongst Members through a questionnaire. The Committee noted that Members demonstrated a reasonable understanding of the Code of Conduct and resolved that further training was needed to assist Members in fully comprehending the Code.

5.2 The Committee received a report on an option of carrying out an Ethical Governance Audit and accepted the recommendation to defer the item on the grounds of competing time priorities for other development work to be done and a need to be seen to be spending money very carefully particularly during an economic downturn.

## **6.0 Dispensations**

6.1 No dispensations were sought during the year.

## **7.0 Contact between the Monitoring Officer and the Chairman of the Committee**

7.1 The Monitoring Officer had contact with the Chairman of the Committee, most notably their attendance together of the 2009 Annual Assembly of Standards Committees.

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