

Report to: Standards Committee

Date of meeting: 16 June 2020

By: Assistant Chief Executive

Title: Amendment to Local Standards Framework

Purpose: To consider proposed amendments to the local assessment of complaints about Member conduct.

RECOMMENDATION: The Standards Committee is recommended to agree the revised Local Standards Framework (Arrangements for Dealing with Complaints about Councillor Conduct) as set out in Appendix A to this report.

1 Background Information

1.1 As was reported to the Committee in November 2019, a comprehensive review of the Local Standards Framework has been undertaken. The Framework was adopted in 2011 and it was therefore considered timely that a comprehensive review be undertaken.

1.2 The Framework has largely worked well to date, however it was considered that it was not necessarily easy to follow, and that certain other changes should be made. The proposed key changes to the Framework include:

- a) A flow chart has been produced in order to summarise the detailed process outlined in 'Arrangements for Dealing with Complaints about Councillor Conduct'. The summary provides the public and councillors with an overview of the process.
- b) Rather than all complaints being referred to the Assessment Sub-Committee it is proposed that the Monitoring Officer may, in consultation with the Chair of the Standards Committee, agree not to progress a complaint if there appears to be an insufficient basis to refer the matter to the Assessment Sub-Committee of the Council's Standards Committee. For example:
 - It is about someone who is no longer a Member of the Council.
 - The complaint refers to alleged behaviour/action when the councillor was not acting in their capacity as a councillor.
 - There has been a long delay before the complaint was made.
 - The complaint appears to be sufficiently minor, politically motivated or not sufficiently serious to warrant further action.
- c) An Investigations Procedure document has been produced. Where an investigation is necessary it is good practice to have an agreed process and it is proposed that the procedure attached at Appendix 3 is adopted. Detail regarding investigations is still contained in the Arrangements for Dealing with Complaints about Councillor Conduct document but it was considered useful to have a separate guide for anyone interested specifically in this part of the process.
- d) A Hearings Procedure has been produced. Where a hearing is necessary it is good practice to have an agreed process and it is recommended that the procedure attached at Appendix 4 is adopted. At its meeting in November 2019 the Committee agreed a Hearings Procedure in relation to the Hearing Sub-Committee meeting later that month. It is now proposed that the Procedure be adopted as part of the Local Standards Framework.

2. Conclusion

2.1 The proposed changes set out in the Appendix will help ensure a fair, transparent and comprehensive process for those involved as well as administrative efficient in terms of best use of the Council's resources.

PHILIP BAKER
Assistant Chief Executive

Contact Officer: Andy Cottell
Tel. No. 01273 481955
Email: andy.cottell@eastsussex.gov.uk

Local Members: All

Background documents: None