

Report to: **Standards Committee**

Date: **19 April 2022**

Title of report: **Annual Report of the Standards Committee**

By: **Assistant Chief Executive**

Purpose of report: **To provide an update on Member Conduct issues, the work of the Standards Committee and the Monitoring Officer.**

---

## **RECOMMENDATIONS**

The Standards Committee is recommended to

- 1) **note the report;**
  - 2) **agree the report for submission to the County Council for consideration; and**
  - 3) **review the Code of Conduct and consider whether to propose any amendments to the Code.**
- 

### **1. Background information**

1.1 The Standards Committee is required to submit an annual report to the County Council on its work during the previous year. The Committee is therefore asked to consider the draft report for submission to the County Council.

1.2 Between 1 April 2021 and 31 March 2022 three complaints were received against Members of the County Council.

1.3 It is considered that the standards of conduct among Members and co-opted members of the Council remain high and maintaining good standards is taken seriously. The table below shows the number of complaints considered by the Assessment Sub-Committee over the past 13 years:

Year	No. of complaints considered
2021/22	3
2020/21	0
2019/20	0
2018/19	3
2017/18	0
2016/17	1
2015/16	1
2014/15	3
2013/14	1
2012/13	1
2011/12	1
2010/11	2
2009/10	4

## **2. Applications for Dispensation**

2.1 In limited circumstances, Members can apply in writing for dispensations to take part in business that they would otherwise have been unable to participate in through having prejudicial interests. During 2021/22 there were no applications for dispensations.

2.2 All dispensations are entered on the register of Members' interests and remain there for the appropriate period.

## **3. Register of Members' Interests**

3.1 The Monitoring Officer is required to establish and maintain a register of interests of Members of the Council. All Members have completed and returned their registers and are reminded every three months of the need to notify the Monitoring Officer of any changes. The registers are available for public inspection and are available on the Council's website.

3.2 During 2021/22 councillors were reminded that there is provision for information considered to be sensitive not to be published on their register of interest form. Sensitive information is that which, if disclosed, could lead to the councillor, or a person connected to the councillor, being subject to violence or intimidation. If a councillor considers that the information relating to any personal interest is sensitive, and the Monitoring Officer agrees, the register available for inspection will not include the details of that interest other than stating that the councillor has an interest and that the details are withheld. Councillors were reminded that if they consider an interest to be sensitive they should still declare the matter and request that it be treated as sensitive information. The fact that a councillor considers the information to be sensitive is not a reason for failing to declare the interest.

3.3 A register of Gifts and Hospitality is also maintained by the Monitoring Officer. Members have to register gifts and hospitality received with an estimated value of £50 or more. Councillors are reminded every three months of the need to declare gifts and hospitality of such a value.

3.4 There is an ongoing requirement to keep the information on the register of interest form up to date. Councillors must, within 28 days of becoming aware of any new registerable personal interest or change to any registered interest, give written notification to the Monitoring Officer.

## **4. Training**

4.1 Following the election on 6 May 2021, training was given to Members on the Code of Conduct including register of interests, personal interests, disclosable pecuniary interests and gifts and hospitality. All councillors have signed a declaration undertaking to comply with the County Council's Code of Conduct for Members.

## **5. Code of Conduct**

5.1 In April 2021, the Committee considered the Model Code of Conduct published by the Local Government Association (LGA) and agreed to maintain the Council's Code of Conduct rather than adopting the updated Model Code. The main reasons for the decision were:

- a) the Model Code did not contain significant amendments to the Code that is currently adopted by the County Council.
- b) Since 2012 the county, borough and district councils in East Sussex have adopted a single code of conduct. This level of consistency has worked well and has been of particular benefit to, and appreciated by, dual hatted councillors. Following consultation with the five district and borough councils in East Sussex, the view was that the current Code works well, is understood by councillors and covers the main

points in the Model Code. The consensus is that the current Code should be retained.

- c) One of the primary issues raised in the response to the LGA's consultation was the limited sanctions currently available to local authorities in response to breaches of their Code of Conduct. Increasing the range of sanctions would require legislative change and is therefore dependent on the Government response to the Committee on Standards in Public Life (CSPL) report, as are a range of other recommendations made by CSPL. Given the potential for further change as a result of the Government's anticipated response, it would be preferable to await a Model Code that contains changes of greater substance, such as any changes in legislation that may come forward following the Government's consideration of the recommendations arising from the CSPL report.

5.2 The Committee therefore agreed to maintain the Code of Conduct currently adopted rather than adopting the updated Model Code. This approach ensures that we retain an effective Code of Conduct as well as maintaining the consistency across the councils in East Sussex. The position will be reviewed when there are more substantive changes, such as those proposed by the CSPL which require legislation.

5.3 The CSPL has recommended that, as best practice, councils should review their Code of Conduct each year. The current Code is attached at Appendix 2. As stated in paragraph 5.1 above, the current Code (adopted by the County, District and Borough Councils) works well and provides a consistent approach across different authorities. It is not proposed that any changes be made to the Code at the current time.

## **6. Conclusion**

6.1 The Committee is recommended to note the report and to recommend to the County Council the Annual Report of the Standards Committee for consideration.

**PHILIP BAKER**  
**Assistant Chief Executive**

Contact Officer – Andy Cottell, Democratic Services Manager (01273 481955)

Local Members: All

Background Documents: None