

Report to: **Standards Committee**

Date: **18 April 2023**

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;**
 - 3) appoint three Members of the Standards Committee to a Hearings Sub-Committee; and**
 - 4) 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 2022 and 31 March 2023 two complaints were received against Members of the County Council. A complaint received in the previous year was also determined within the same period. One of the complaints is outstanding with an investigation being undertaken currently. Depending on the outcome of the above-mentioned investigation, a Hearings Sub-Committee may be required. The Standards Committee is therefore recommended to appoint at least three of its members to a Hearings Sub-Committee who would consider the complaint should it be required.

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 previous years:

Year	No. of complaints considered
2022/23	2
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

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 2022/23 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 2022/23 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. Code of Conduct

4.1 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 that the Model Code did not contain significant amendments to the Code that is currently adopted by the County Council. It was also considered significant that, 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 was that the current Code is effective and should be retained.

4.2 It is recommended that the Committee review the Code of Conduct again now (attached at Appendix 2) and consider whether to propose any amendments to the Code.

5 Training

5.1 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. Further training on the Code in relation to 'Confidentiality and the Code of Conduct' was delivered to Members in September 2022. All councillors have signed a declaration undertaking to comply with the County Council's Code of Conduct for Members.

6. Conclusion

6.1 The Committee is recommended to review the Code of Conduct and consider whether to propose any amendments to the Code, to recommend to the County Council the Annual Report of the Standards Committee for consideration and to appoint three members to a Hearings Sub-Committee (in case such a sub-committee is required).

PHILIP BAKER

Assistant Chief Executive

Contact Officer – Stuart McKeown, Democratic Services Manager (01273 481583)

Local Members: All

Background Documents: None