

Standards Committee

Minutes of a Meeting of the Standards Committee held in the Council Chamber, Civic Centre, Tannery Lane, Ashford on the **31st January 2023**.

Present:

Cllr. Mrs Bell (Chairman);
Cllr. Shorter (Vice-Chairman);

Cllrs. Chilton, Meaden, Ovenden, Pickering, Turner

Mrs C Vant – Independent Person.

Apologies:

Mr R Brasier – Parish Council Representative.

Also Present:

Solicitor to the Council and Monitoring Officer, Deputy Monitoring Officer, Member Services Manager.

291 Declarations of Interest

Councillor	Interest	Minute No.
Meaden	Made a 'Voluntary Announcement' as a Member of Chilham Parish Council.	293

292 Minutes

Resolved:

That the Minutes of the Meeting of this Committee held on the 24th January 2022 be approved and confirmed as a correct record.

293 Annual Report of the Council's Monitoring Officer 2022

The Monitoring Officer introduced his Annual Report for the calendar year 2022, which would be presented to the Council on the 2nd March 2023. The report assessed activity in probity and related governance matters, in particular in relation to formal complaints about alleged breaches of protocols and codes of conduct by Borough and Parish Councillors. The report also provided an opportunity to review the effectiveness of current procedures. These related to the calendar year 2022.

In addition, the report included data on Ombudsman complaints as these were also handled by, or on behalf of the Monitoring Officer. The relevant period for these related to the most recent data provided by the Ombudsman, namely 1st April 2021 to 31st March 2022.

With regard to Code of Conduct Complaints, following the significant increase at Parish Council level last year, the Monitoring Officer said he was pleased note a much more encouraging picture this year. There had been a considerable decrease in the number of formal complaints received from 23 in 2021 to 5 in 2022. All had resulted in 'no further action'. The registered formal complaints, including one from the previous year which had yet to be concluded due to the personal circumstances of the subject Member, were detailed at Table 1 on Page 9 of the report.

The Monitoring Officer advised that despite the fact that none of the complaints had justified further action, they did still require a considerable amount of work and 'pre-investigation'. The handling of these complaints had been undertaken within the current Legal Services budget, using vacancy savings which had allowed the work to be undertaken within reasonable timescales. In response to requests at the time of his previous report, the Monitoring Officer had included data on indicative costs incurred by the Council in dealing with such complaints in this year's report. In response to the significant growth in number of complaints at Parish Council level last year, he had held discussions with the Kent Association of Local Councils (KALC) to with a view to agreeing measures to minimise the incidence and cost of formal complaints. These discussions had been constructive and he was pleased to report that KALC had agreed to assist by taking a range of measures with their own member Councils including: - strengthening their own training offer to members; updating their website content including promotion of its services; promotion of internal procedures for resolving complaints which should not be taken through Code of Conduct procedures; and direct written communication with its member Councils about which matters should be resolved internally and which were genuine Code of Conduct matters for the District Monitoring Officer.

In terms of governance issues, the Kent Monitoring Officers Group continued to meet to consider the LGA's new Model Code of Conduct and "Guidance". A further report with a package of recommended amendments to the Kent Code and "Arrangements" would be presented to this Committee once that work was complete.

In relation to Ombudsman Complaints, the report advised that there had been 17 received by the Local Government Ombudsman (LGO), a similar number to 18 in the previous year. 3 of these complaints had been upheld (an increase from nil in the previous year), but none had raised direct probity issues which was the principle reason they were overseen by this Committee. In addition one complaint had been upheld by the Housing Ombudsman Service and another partly upheld. Details were provided in the table within the report

The Annual Report was then opened up to the Committee and the following responses were given to questions/comments: -

- Code of Conduct complaints did seem to ‘spike’ during the Covid-19 pandemic and the culture around virtual meetings, and had since returned to more expected levels which was an interesting point to note.
- Training in Code of Conduct issues would again be offered to Parish Councils as one of ABC’s first sessions at the start of the four-year Council term in May 2023. In addition it was also proposed to run refresher training mid-term to help address turnover at Parish level. The role of KALC to support with ongoing training was also noted.
- Proposed changes to the current Kent Code were likely to be minor as the Kent Code had served its purpose reasonably well and was in many ways better than the LGA Model Code. Kent Monitoring Officers had identified a handful of fairly minor changes that were worth including and it had been timely to undertake a review alongside a review of the Arrangements. There would not be wholesale changes.

Resolved:

- That**
- (i) the Annual Report of the Monitoring Officer for 2022 be received, noted and forwarded to Full Council for approval.**
 - (ii) the Monitoring Officer report to a future meeting(s) of the Standards Committee in relation to the new LGA Model Code of Conduct and the review of Arrangements undertaken by Kent Monitoring Officers.**
 - (iii) the Monitoring Officer continue to hold regular meetings with KALC representatives to review the code complaint situation and the effectiveness of measures being taken to minimise the incidences of formal complaints and to agree the scope and content of possible ‘refresher’ code training mid-term following the 2023 elections.**