



## Public information

<b>Venue</b>	Virtual meeting only to be facilitated by Microsoft Teamslive
<b>Contact information</b>	Telephone: 01284 757176 Email: <a href="mailto:democratic.services@westsuffolk.gov.uk">democratic.services@westsuffolk.gov.uk</a> Website: <a href="http://www.westsuffolk.gov.uk">www.westsuffolk.gov.uk</a>
<b>Access to agenda and reports before the meeting</b>	<p>The agenda and reports will be available to view at least five clear days before the meeting on our website.</p> <p>On this occasion, a link to the meeting livestream broadcast, and guidance on how members of the public can access the meeting broadcast will be made available on the Council's website when the agenda is published.</p>
<b>Attendance at meetings</b>	<p>The Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public.</p> <p>The meeting will be held virtually. You can view the livestream of the meeting via the link provided on the webpage where the agenda and papers are published. Please note that a virtual meeting is not invalid by virtue of members of the public being unable to attend or participate in meetings that are held virtually.</p>
<b>Public participation</b>	<p>Members of the public who live or work in the district are welcome to speak and may ask one question or make a statement of not more than three minutes duration relating to items to be discussed in Part 1 of the agenda only.</p> <p>If a question is asked and answered within three minutes, the person who asked the question may ask a supplementary question that arises from the reply. As the meeting is taking place virtually, a person who wishes to speak must register by <b>9am</b> the last working day before the day of the meeting. This can be done by sending the request to <a href="mailto:democratic.services@westsuffolk.gov.uk">democratic.services@westsuffolk.gov.uk</a> or telephoning 07776 254986, 07595 428481 or 01638 719237. See Agenda Item 5 for further details on how to participate.</p> <p>If a member of the public cannot attend the meeting remotely, they may submit a written question or statement to Democratic Services by midday at the very latest on the day of the meeting and this will be read out on their behalf during the meeting. There is an overall time limit of 15 minutes for public speaking, which may be extended at the Chair's discretion</p>
<b>Accessibility</b>	<p>If you have any difficulties in accessing the meeting, the agenda and accompanying reports, including for reasons of a disability or a protected characteristic, please contact Democratic Services at the earliest opportunity using the contact details provided above in order that we may assist you.</p>

<b>Recording of meetings</b>	<p>The Council may record this meeting and permits members of the public and media to record or broadcast it as well (when the media and public are not lawfully excluded).</p> <p>Any member of the public who attends a meeting and objects to being filmed should advise the Committee Administrator who will instruct that they are not included in the filming.</p>
<b>Personal Information</b>	<p>Any personal information processed by West Suffolk Council arising from a request to speak at a public meeting under the Localism Act 2011, will be protected in accordance with the Data Protection Act 2018. For more information on how we do this and your rights in regards to your personal information and how to access it, visit our website: <a href="https://www.westsuffolk.gov.uk/Council/Data_and_information/howweuseinformation.cfm">https://www.westsuffolk.gov.uk/Council/Data_and_information/howweuseinformation.cfm</a> or call Customer Services: 01284 763233 and ask to speak to the Information Governance Officer.</p>

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## Agenda

### Procedural matters

#### Part 1 – public

**1. Apologies for absence**

**2. Substitutes**

Any Member who is substituting for another member should so indicate, together with the name of the relevant absent member.

**3. Election of Vice Chair for 2019/2020**

**4. Minutes**

**1 - 4**

To confirm the minutes of the meeting held on 3 August 2020 (copy attached.)

**5. Declarations of interest**

Members are reminded of their responsibility to declare any pecuniary or local non pecuniary interest which they have in any item of business on the agenda, **no later than when that item is reached** and, when appropriate, to leave the meeting prior to discussion and voting on the item.

**6. Public participation**

Members of the public who live or work in the district are welcome to speak and may ask one question or make a statement of not more than three minutes duration relating to items to be discussed in Part 1 of the agenda only. If a question is asked and answered within three minutes, the person who asked the question may ask a supplementary question that arises from the reply.

As the meeting is taking place virtually, a person who wishes to speak must register by 9am the last working day before the day of the meeting. This can be done by sending the request to [democratic.services@westsuffolk.gov.uk](mailto:democratic.services@westsuffolk.gov.uk) or telephoning 01638 719363.

If a member of the public cannot attend the meeting remotely, they may submit a written question or statement to Democratic Services by midday at the very latest on the day of the meeting and this will be read out on their behalf during the meeting.

There is an overall time limit of 15 minutes for public speaking, which may be extended at the Chair's discretion.

**7. Standards Activity Update**

**5 - 18**

Report No: **STC/WS/20/002**

**8. Exclusion of press and public**

To consider whether the press and public should be excluded during the consideration of the following items because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the items, there would be disclosure to them of exempt categories of information as prescribed in Part 1 of Schedule 12A of the Local Government Act 1972, and indicated against each item, and in all circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**Part 2 – exempt**

**9. Exempt: Appendix B - Standards Activity Update (Paragraphs 1 & 2)**

**19 - 20**

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# West Suffolk Standards Committee



**Minutes** of a meeting of the **West Suffolk Standards Committee** held on **Monday 3 August 2020** at **5.00 pm** via Microsoft Teams

Present: **Councillors**

**Chair** Jim Thorndyke

**Vice Chair** Max Clarke

Margaret Marks

Andy Neal

**In attendance:**

Carol Bull (Portfolio Holder for Governance)

## 1. **Apologies for Absence**

Apologies for absence were received from Councillor Roger Dicker.

Councillors John Augustine, Robert Everitt and Jim Meikle were also unable to attend the meeting.

## 2. **Substitutes**

The following substitution was declared:

Councillor Andy Neal substituting for Councillor Roger Dicker.

Following which, the Monitoring Officer verbally outlined all Members of the Committee who were present, together with any attending Councillors and the names of the Officers supporting the meeting.

## 3. **Minutes**

The minutes of the meeting held on 7 October 2019 were confirmed as a correct record and signed by the Chair, subject to it being noted that the paragraph in Minute No 12 should be **amended** to read:

"Following discussion and advice provided by the Monitoring Officer, Councillor Max Clarke nominated himself as **Vice** Chair and this was seconded by Councillor Roger Dicker."

## 4. **Declarations of Interest**

Members' declarations of interest are recorded under the item to which the declaration relates.

5. **Public Participation**

No members of the public had registered to speak.

6. **LGA Consultation on a Model Code of Conduct (Report No: STC/WS/20/001)**

The Monitoring Officer advised the Committee that in January 2019, the Committee for Standards in Public Life (CSPL) concluded a review into ethical standards in Local Government.

As part of its review, the Committee made a wide-ranging set of recommendations. This included a number of proposals in respect of the existing legislative framework, as well as a recommendation that the Local Government Association (LGA) should seek to recommend a model Code of Conduct across authorities, which, if adopted, would help ensure consistency for both Councillors and the public in terms of what was expected from elected representatives.

Accordingly, in June 2020 the LGA commenced consultation on a draft Code of Conduct; the Consultation invited interested parties to answer a series of questions in respect of the draft model Code.

The Chair advised the meeting that each question as posed by the LGA would be taken in turn, with the Committee being asked to agree a response on behalf of the Council.

Once concluded, Members would then be asked to consider the separate written response the Council would also provide; a proposed draft of which was attached to the report as Appendix D.

Considerable discussion took place on this item with Members considering each of the responses in detail.

The Monitoring Officer also informed the Committee that she had attended an LGA webinar on the topic during the previous week and she summarised the discussions that took place.

It was proposed by Councillor Margaret Marks, seconded by Councillor Max Clarke and with the vote being unanimous, it was **RESOLVED** that

Decision

1. The Council's response to the LGA draft Model Code of Conduct Questionnaire, as attached at Appendix C be agreed as follows:

<b>Question</b>	<b>Response</b>
1	To a great extent
2	No
3	Personal (I will)
4 and 5	Great Extent for all except point 5, confidential information, to which a comment should be made that there needs to be an exception for

	councillors seeking professional advice or for disclosures genuinely made in the public interest
6	As a long list then guidance
7 / 7a	To a great extent, but within the additional comments include that West Suffolk Council would like to see respect feature more prominently than just being "respect for a position". The Committee recognised that the topics of respect and civility are very important, but could be problematic for the purposes of inclusion within the Code.
8	Great Extent
9 / 9a	Great Extent but in the commentary note that the guidance on harassment should be expanded to reflect that harassment is not just based on a protected characteristic
10 / 10a / 10b	No; social media should be integrated in the Code; and that in the commentary West Suffolk Council would expect to see greater mention of it
11 / 11a	Not at all. The Committee are concerned that it is a potential invasion of privacy for friends / relatives who may not want their personal affairs to be disclosed simply as they are friends with / related to a Councillor. The committee felt it is also not clear the extent to which such interests should be registered in standing declarations of interest versus being declared at meetings
12	Appendix
13 / 13a	Great Extent, but there needs to be clarity on "membership" of an organisations as whilst some organisations have formal membership procedures, others, such as Extinction Rebellion, are more nebulous; there may need to be a concept of a member "considers they are a member of" an organisations
14	Great Extent
15	Keep at £25
16a	West Suffolk Council of course always welcomes support and guidance for Councillors
17	See written statement

2. The final wording and submission of the accompanying written statement (attached at Appendix) be delegated to the Monitoring Officer, in consultation with the Chair of the Standards Committee and Portfolio Holder for Governance;
3. Any further comments from Members to be emailed directly to the Monitoring Officer as soon as possible; and
4. A copy of the full submission (questionnaire and statement) be sent to all Committee Members by the Monitoring Officer for information.

The meeting concluded at 7.14 pm

**Signed by:**

**Chair**

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# Standards Activity Update

<b>Report number:</b>	<b>STC/WS/20/002</b>	
<b>Report to and date(s):</b>	<b>West Suffolk Standards Committee</b>	7 December 2020
<b>Cabinet member:</b>	Councillor Carol Bull Tel: 01953 681513 Email: <a href="mailto:carol.bull@westsuffolk.gov.uk">carol.bull@westsuffolk.gov.uk</a>	
<b>Lead officer:</b>	Leah Mickleborough Tel: 01284 757162 Email: <a href="mailto:leah.mickleborough@westsuffolk.gov.uk">leah.mickleborough@westsuffolk.gov.uk</a>	

**Decisions Plan:** N/A

**Wards impacted:** None

**Recommendation:** It is recommended that the West Suffolk Standards Committee note the report.

## 1. Context to this report

- 1.1 At each standing meeting of the Standards Committee, the Monitoring Officer provides an update on activity, including complaints received and considered in relation to parish, town and district councillors, as well as local and national developments related to the Committee's remit.
- 1.2 Due to the national coronavirus pandemic, and the need to focus Council resources on the most critical activities, the Standards Committee meeting originally scheduled for July 2020 did not take place (albeit an additional meeting was scheduled in August 2020 to consider the LGA's consultation on a new model Code of Conduct). Members of the Committee have been informally briefed on standards activity.

## 2. Proposals within this report

### Standards Complaints

- 2.1 The number of complaints considered in 2020/21 to date (at 12 November), and prior years, is set out below in **Table 1:**

Year	Complaints About:	Outcome – no breach	Outcome – breach	Open case	Total
<b>2020/21</b>	Parish	8	2	4	14
	District	3	0	0	3
		<b>11</b>	<b>2</b>	<b>3</b>	<b>17</b>
<b>2019/20</b>	Parish	9	2	0	11
	District	5	2	0	7
		<b>14</b>	<b>4</b>	<b>0</b>	<b>18</b>
<b>2018/19</b>	Parish	3	1	3	7
	District	1	1	0	2
	Borough	4	0	0	4
		<b>8</b>	<b>2</b>	<b>3</b>	<b>13</b>
<b>2017/18</b>	Parish	11	3	0	14
	District	1	1	0	2
	Borough	4	1	0	5
<b>Total</b>		<b>16</b>	<b>5</b>	<b>0</b>	<b>21</b>

2.2 It is a matter of public knowledge that in June 2020 the Council received a significant number of complaints in relation to the social media posts of former Councillor Frank Warby. In total, 85 complaints were received. In order to provide proper comparatives this has been included in table 1 as a single complaint, as the issues raised in each complaint were substantively the same. As Councillor Warby resigned before a conclusion could be reached, this is included as “no breach”. The figures for “no breach” also include a second case where a Parish Councillor resigned before a conclusion can be reached. Where this arises, in line with our retention for standards complaints, the details are retained on file for three years.

2.3 The Standards Committee would usually receive an exempt appendix detailing cases considered. Some of the complaints considered during the year are now a matter of public record, and therefore it is not legitimate to uphold the exemption. We have therefore provided two appendices: **Appendix A** provides details of those cases which are in the public domain, and **Exempt Appendix B** provides details of those cases which are not in the public domain.

### Trends in Standards Cases

2.4 Since the Monitoring Officer commenced in post in February 2017, there has been a strong trend that complaints have related to a small number of organisations. This position has changed during the current year, as Table 2 below shows:

	Proportion of complaints February 2017-March 2020	Proportion of complaints April 2020 to 6 November 2020
West Suffolk or its predecessor Councils	32%	18%
4 town councils	61%	29%
Other town councils and all parish councils	7%	53%

In essence, more than half of the complaints received have been in relation to councillors of parish or town councils who have not been subject of complaints before. Whilst it is pleasing the proportion of complaints in relation to the other organisations has reduced, it can also be challenging for those parishes who have not experienced this process before, or for some time. Whilst most of these cases are isolated, we are aware of one parish which has experienced particular challenges, as is set out in **Exempt Appendix B**

- 2.5 Complaints can be submitted by members of the public; councillors, and public officials such as members of staff. During 2018/19, we noted that there was a significant trend for complaints to be raised by Councillors against their fellow Councillors; this accounted for 83% of complaints received during that year. Whilst there was a variety of reasons for this, we were particularly concerned that this may in part be due to Councillors believing that the Standards process was the “correct” way in which to address such concerns rather than seeking to work with their colleagues to resolve their issues.
- 2.6 In practice, the Standards process is the route through which people can raise the most serious concerns about the conduct of Councillors. Where there are disagreements of opinion between Councillors, in most cases it is more effective to resolve these through discussion and conciliation between the parties concerned rather than using the Standards process. In some cases, the standards process was actually contributing to an escalation of issues with a number of counter-complaints being submitted.
- 2.7 With this in mind, in January 2020 we made revisions to our procedures to formalise an initial assessment phase. Now, on receipt of a complaint, the Monitoring Officer reviews to assess the merits of the complaint. Where there are disputes between Councillors, in the first instance they will be encouraged to resolve these, potentially using the support of their groups (for District Councillors) or their Chair and Clerk (Parish and Town Councils). In addition, the Monitoring Officer may also filter complaints at this stage where, for example, there is a lack of evidence to support the Councillor being in capacity at the time of the incident.
- 2.8 Of the 13 complaints resolved during 2019/20, two were closed as the Councillor resigned. Seven were closed following the initial assessment, and four were formally assessed. Of the seven closed at initial assessment, two were referred back to the parish/town council to take action to resolve the issues involved; two were closed as the Councillor was clearly not in capacity at the time the incident occurred and in the other three cases it was unlikely there would be further evidence to substantiate the complaint. Further details are set out in **Exempt Appendix B** for each case.
- 2.9 One complaint (which had been concluded at the initial assessment stage) was referred by the complainant to the Local Government and Social Care Ombudsman as they were dissatisfied with the outcome. The Ombudsman declined to investigate the complaint.

### **National standards developments**

- 2.10 In January 2019, the Committee for Standards in Public Life (CfSPL) issued a report on Ethical Standards in Local Government. At that time, the Standards Committee considered the report’s findings and how the Council’s procedures correlated to the best practice recommendations

made by the CfSPL. It was identified that the most important recommendations of the CfSPL would require changes to the law in order to be brought into effective, such as the suggestion that authorities should have power to suspend Councillors for the most serious breaches of the Code of Conduct.

- 2.11 At this stage, the Government is yet to respond to the CfSPL's report. In July, the Chair of the CfSPL wrote to the Secretary of State, Rt Hon Robert Jenrick MP, to understand when a response may be received. It is not known whether a response was received to that letter.
- 2.12 Meanwhile, the CfSPL wrote to all local authorities to understand their response to the best practice recommendations. The response from West Suffolk Council, which is consistent with the responses previously provided to the Standards Committee, is attached at **Appendix C**.
- 2.13 At its last meeting, the Committee considered the Local Government Association's (LGA) consultation on a proposed draft national model code of conduct. In early November, the LGA wrote to local authorities to confirm that over 1600 responses had been received to their consultation; a revised draft had been produced and considered at the LGA Councillor Forum on 22 October. It is expected a final draft will be submitted to the LGA Board for approval on 3 December and accompanying guidance on the Code will follow.
- 2.14 Once the final document has been received, we will need to consider whether West Suffolk wishes to adopt this code. At present, all local government bodies within Suffolk have adopted the same code as it helps ensure councillors and the public can expect a consistent set of behaviours from elected representatives.
- 2.15 In August, Transparency International published a review into planning practices throughout England. This highlighted a range of concerns regarding practices operating and potential improvements, particularly with regards to codes of practice for members of planning committees. Whilst we are largely compliant with best practice as highlighted in the review there are some potential improvements that could be made to our Code in light of the report, and recent caselaw, which will be considered by the constitution review group on 9 November.

### **Local standards developments**

- 2.16 During August, the Monitoring Officer provided several virtual briefings to Councillors on matters including IT security, Conflicts of Interest and social media. Each briefing had strong links to the code of conduct and were recorded, so those members unable to attend could watch afterwards.

- 2.17 In addition, we have recently launched guidance to support Councillors in understanding their obligations under the Code of Conduct. Whilst some elements of the Code of Conduct can seem self-explanatory, there can be complexities around when a Councillor is acting in capacity, or what is meant by bullying and harassment. This guidance has been produced on Microsoft Sway and is available to Councillors via the intranet.
- 2.18 As highlighted above, we have also considered complaints relating to a broader number of parish councils. The current legal position relating to what role parish and town councils can have within the complaints process is complicated, and we are aware there is a lack of guidance available to parish and town councils nationally as to their role and what they are able to do. With this in mind, we have been seeking to develop guidance for parishes and will be looking to launch this in due course.

### **3. Appendices referenced in this report**

- 7.1 **Appendix A:** details of standards cases considered 1 April to present
- 7.2 **Appendix B:** EXEMPT details of standards considered 1 April to present
- 7.3 **Appendix C:** West Suffolk response to the Committee for Standards in Public Life's best practice recommendations

### **4. Background documents associated with this report**

- 8.1 None

## Appendix A

### Standards cases considered, April 2019 to date

Please note that these cases have already been subject to media publicity and are therefore already in the public domain. We have not sought to exempt them on this basis.

Councillor Frank Warby	West Suffolk Council	The Monitoring Officer received 85 complaints related to posts submitted on Facebook by Councillor Warby. The complaints raised concern that Councillor Warby's posts were both offensive and racist. Councillor Warby resigned prior to the complaint being assessed.
Councillors Rachel Hood, Andy Drummond and Chris O'Neill	Newmarket Town Council	<p>The Monitoring Officer received two complaints in relation to Newmarket Town Council. In the first, it was confirmed that Councillor Andy Drummond had breached the Code of Conduct and he immediately issued an apology as requested. There was a lack of evidence to support a complaint in relation to Councillor Rachel Hood. The Monitoring Officer also reiterated previous comments that the Town Council should take action to resolve internal tensions. This was also reiterated in relation to the complaint against Councillor Chris O'Neill, where it was considered Cllr O'Neill's actions did not breach the Code of Conduct.</p> <p>Since this time, the Council has undertaken a number of changes including the appointment of a new permanent Clerk. No further complaints have been received.</p>

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## **Appendix C**

This appendix provides a copy of the Council's response to the Committee for Standards in Public Life best practice recommendations. It has been completed on the template provided by the CSPL as submitted by the Council

### **CSPL local government ethical standards 15 best practice recommendations**

**1:** Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

**Progress:**

**Our code prohibits bullying and harassment. This is further defined in accompanying guidance which has recently been produced and is in the process of being made available to members.**

**We are monitoring the work of the LGA in producing a national model code of conduct and will assess whether to adopt their model or an alternative in due course.**

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**2:** Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation, and prohibiting trivial or malicious allegations by councillors.

**Progress:**

**This is not included as part of our Code, however is embedded in our procedures for handling standards complaints which are adopted by our Standards Committee.**

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**3:** Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

**Progress:**

**We do not fully support this recommendation. We agree the principle that it is helpful to reflect on the code periodically, it is also necessary to ensure Councillors understand the Code and have confidence in it. Frequent changes to the Code can undermine the trust people place in it and lead to confusion. We focus our review on its practical application and continue to develop our guidance and procedures**

accordingly, in consultation with other authorities in our area, sharing learning and understanding best practice.

Across Suffolk, we have adopted a Code which applies to all County, District and Parish and Town Councillors. This is also considered good practice to do. Although revisions have been considered, we have ultimately concluded these are not necessary and the Code has effectively stood the test of time well since first adopted in 2012.

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4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

**Progress:**

The Code is available on our website, where we have a specific section on Councillor Conduct, and can be obtained by those who visit the Council offices.

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5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

**Progress:**

We have very limited declarations of gifts and hospitality as we have an embedded principle that such gifts and hospitality should, in the first instance, be politely refused. As a result, for nearly all quarters, publication of this document would result in a nil return although any declarations are updated on the individual Councillor declaration of interests which are available online. We are currently reviewing the recent publication by Transparency International on the national planning system and if we deem that further revisions are required to our approach, we will take the necessary action.

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6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

**Progress:**

This is firmly embedded in our Standards Procedures which, as above, have been endorsed by our Standards committee.

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7: Local authorities should have access to at least two Independent Persons.

**Progress:**

**We have access to two Independent Persons.**

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**8:** An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

**Progress:**

**The involvement of the Independent Person is clearly set out in our procedures. They are consulted on whether to undertake a formal investigation on allegations and may also be involved in complaints dismissed at the initial assessment stage especially if there are more marginal judgements to be made.**

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**9:** Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

**Progress:**

**We have considered this recommendation in the past with members of our Standards Committee who are of the view that a judgement would have to be formed on whether the decision notice should be published.**

**This is particularly important in view of the Ledbury case, which came after the Committee's report. Only a small proportion of the complaints we receive result in a formal investigation, and when they do it often pertains to cases where a parish clerk raises a grievance against their employer which substantively constitutes a Code of Conduct allegation. Publication of the decision notice in the public domain in such cases may subsequently compromise the clerk's ability to fairly pursue a legitimate grievance against their employer and so needs to be very carefully considered.**

**As a result, we continue to believe that each case should be judged on its merits and publication should only occur where it is appropriate to do so.**

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**10:** A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

**Progress:**

**We have a specific section on our website for Councillor Conduct, which includes a complaint form and links to the code of conduct and our procedures for handling complaints.**

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**11:** Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council as a whole, rather than the clerk in all but exceptional circumstances.

**Progress:**

**We believe that this recommendation has been, to a degree, superseded by the Ledbury situation. Nonetheless, we would accept a complaint that was made either by the Chair (or another Councillor), on behalf of the Clerk, or by the Clerk themselves – we do not place restriction on who submits complaints**

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**12:** Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

**Progress:**

**This is part of the Monitoring Officer's role. The MO has a strong relationship with Suffolk Association of Local Councils and works with them where necessary in the advisory role to avoid duplication. The Monitoring Officer reports to the Assistant Director for HR, Legal and Democratic Services and is also able to raise matters with the Chief Executive and has no concerns regarding access to training, support or resources.**

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**13:** A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

**Progress:**

**The Monitoring Officer has a very experienced standing deputy, the Service Manager (Legal Shared Services) who may take responsibility for considering complaints where the Monitoring Officer may have a conflict of interest. Investigations have been undertaken by staff within the legal shared service, and by external parties. The**

**Monitoring Officer does not undertake formal investigations themselves to provide a further avenue for independent assessment.**

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**14:** Councils should report on separate bodies they have set up or which they own as part of their annual governance statement, and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness, and publish their board agendas and minutes and annual reports in an accessible place.

**Progress:**

**At present, the Council's own company, Barley Homes, does not meet the requirements for formal assessment as part of the AGS however its activity is included as part of the general commentary on the Council's activities during the year within the AGS. The Council also part-owns a further company, Verse, which again does not meet these thresholds.**

**We disagree that a Council owned company should have to actively publish their board minutes; Directors on the company are dealing with operational matters and it is equivalent to a Council being required to publish all agendas / notes of discussions of senior officers, which is not required. Shareholder meetings, which are at a strategic level and involving Councillors, are available on request although by nature of the companies it may be necessary to withhold commercially sensitive information. Each year Barley Homes produces an annual report and activity, and holds an AGM, which is a public meeting.**

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**15:** Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

**Progress:**

**We have periodic meetings with the Group leaders, Portfolio Holder and Chair of the Standards Committee to review any ongoing challenges or issues raised. If there are individual cases that necessitate group involvement this will be discussed with Group leaders on a 1:1 basis.**

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By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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