

West Suffolk Joint Standards Committee

Forest Heath & St Edmundsbury councils

West Suffolk
working together

Title of Report:	Update on Standards Activity
Report No:	JST/JT/17/003
Lead officer:	Leah Mickleborough Monitoring Officer Tel: 01284 757162 Email: leah.mickleborough@westsuffolk.gov.uk
Purpose of report:	To inform Members of the Joint Standards Committee on the work undertaken by the Monitoring Officer since the previous Committee in June 2017 and to seek additional views in relation to the consultation on Councillor Disqualification Criteria.
Recommendation:	It is recommended that the Joint Standards Committee: (1) Provides their views in relation to the Disqualification Criteria for Councillors as outlined in Section 1 of the report; and (2) Review the report, and make any recommendations they consider necessary to support the ongoing development of the Council's ethical framework.
Key Decision:	<i>Is this a Key Decision and, if so, under which definition?</i> No, it is not a Key Decision - <input checked="" type="checkbox"/>
<i>Are there any financial implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<i>Are there any staffing implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<i>Are there any ICT implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<i>Are there any legal and/or policy implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

<i>Are there any equality implications? If yes, please give details</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Ward(s) affected:	None specifically
Background papers: <i>(all background papers are to be published on the website and a link included)</i>	Government Consultation on Disqualification Criteria for Councillors: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/645454/Disqualification_criteria_for_councillors_and_mayors.pdf
Documents attached:	Appendix 1: Standards Cases (Exempt) Appendix 2: Challenging Cases (Exempt)

1. Government Consultation on Disqualification Criteria for Councillors

1.1 In October, the Monitoring Officer circulated information to Councillors on a consultation the Government are undertaking on the disqualification criteria for Councillors. Councillors were generally in agreement regarding the proposals and a response is being prepared accordingly.

1.2 On review, Officers were concerned that one aspect, the proposals regarding individuals who are subject to a Sexual Risk Order (SRO), may have been understated in the consultation and, whilst the formal consultation closed on 8 December 2017, we have requested DCLG permission to use the meeting today to resolve our response and provide our views to them.

1.3 Initial views on sexual risk orders were provided by members before the recent controversies regarding sexual offences potentially committed by those in the public eye. Whilst the consultation made clear that someone subject to a SRO had not been convicted of an offence, what it did not indicate was that those subject to a SRO would have been assessed by the Police, who would have had to successfully apply to a magistrates court to be granted the Order.

1.4 There is limited information available as to what exactly an SRO is used for, although it is primarily where there is insufficient grounds to obtain a criminal conviction, or a conviction sought and there was insufficient evidence to secure a conviction, but ultimately the individual is deemed to present a risk. This could include cases of grooming of children and vulnerable adults; in one particularly high profile case, an individual could not be successfully prosecuted of rape on the grounds charged but significant evidence existed regarding the ongoing potential danger the individual presented to the public.

1.5 With this in mind, officers are concerned that some of those who have been given an SRO could present a risk of harm; and, given our safeguarding responsibilities, and the high profile nature of cases such as in Rotherham, there should be restrictions on those who are subject to SRO's from being Councillors.

Training and Support to Councillors

2.

2.1 At the last meeting, the Committee supported the proposal of refresher training for Councillors in standards and ethics. A session was held for all Councillors in October, which unfortunately did not attract a high turnout. Due to the growing number of complaints related to social media activities of Councillors (see below), the session's scope was increased to cover good practice in using social media. Two further drop-in sessions were arranged in November which gave Councillors the opportunity to speak to officers on a 1-2-1 basis on how to use social media most effectively. Sadly, again, few Councillors were able to attend but some have since asked for separate 1:1 sessions.

1.2 The Committee were also supportive to progressing training for Parish Councils on standards. The Monitoring Officer liaised with Suffolk Association of Local Councils, who identified this is part of their training packages offered (which a number of our Parish Councils and Councillors have participated in), however

they did not have any specific “West Suffolk” events which would provide the opportunity to roll-out such training. As a result, it is proposed to look to host two specific sessions for Parishes within West Suffolk in the new year.

- 1.3 Several members of the Standards Committee are also involved in the Joint Constitution Review Group. This group have now been reconvened to work towards a single constitution, and are starting by reviewing the Codes and Protocols of the Constitution. It is not proposed to amend the Code of Conduct for Councillors, which is adopted on a Suffolk-wide basis to encourage consistency, but they will be undertaking work to develop a new Protocol for Councillor / Officer working relations, Codes of Practice for Planning and Licensing, and re-develop non-constitutional guidance in areas such as Councillor use of social media, use of IT and management of records. All such documents provide significant support to Councillors in undertaking their roles effectively, demonstrating the high standards of conduct we expect.

3. Complaints

- 3.1 Exempt Appendix 1 contains records of all standards cases that have been dealt with since the last report in June 2017. The table below collates the cases received during the period July – November in comparison to previous “full year” statistics – overall, we have received more complaints than would have been expected at this stage.

Year	Complaints About:	Outcome – no breach	Outcome – breach	Open case	Total
July – Nov 2017	Parish	3	0	6	9
	District	1	1	0	2
	Borough	3	0	1	4
2016/17	Parish	12	4	0	16
	District	0	0	0	0
	Borough	5	0	0	5
2015/16	Parish	5	1	0	6
	District	2	0	0	2
	Borough	6	2	0	8

4. Independent Persons

- 4.1 In November, the Monitoring Officer arranged for Hoey Ainscough (the leading provider of training for Independent Persons) to provide a training session for local Independent Persons – the session was opened to all Independent Persons in Norfolk, Suffolk and Cambridgeshire to enable networking and sharing of experiences. The Monitoring Officer will verbally update the Joint Committee on the training session at the meeting.