

Report to: Audit and Standards Committee

Date: 18 March 2019

Title: Report on actions taken by Peacehaven Town Council

Report of: Catherine Knight, Monitoring Officer

Ward(s): All Peacehaven Wards

Lead Member: Councillor Mike Chartier

Purpose of report: To report those actions taken by Peacehaven Town Council as a consequence of recommendations made to them by this Committee.

Decision type: Non-key

Officer recommendation(s): To note the report.

Reasons for recommendations: To comply with the resolution of this Committee on 19 November 2018.

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1 Introduction

- 1.1 At its meeting held on 19 November 2018 this Committee considered a report by the Monitoring officer which sought endorsement of a recommended course of action to be put in place by Peacehaven Town Council to address failures to comply with Peacehaven Town Council's Code of Conduct for Members.
- 1.2 The suggested course of action was endorsed by this Committee and was as follows:
- “ 1.2.1 The appointment of an external person / consultancy with the relevant professional skills to review the town Council's processes and procedures. This should include a review of the role of the Employment Sub-Committee and how complaints against senior officers should be dealt with in the future.
- 1.2.2 The implementation of an explicit, pragmatic and rational Scheme of Delegation that also sets out how any breaches of this should be dealt with appropriately and expeditiously. A good Scheme of Delegation will

facilitate more efficient processes for conducting council business, will improve openness and accountability and will streamline decision making and action for the benefit of residents.

1.2.3 The training / mentoring of officers and councillors to identify and rectify any weakness in their understanding of the Town Council's procedures and the Code. The Town Council might want to take the opportunity to review their current Code as in my view a Code that consists solely of the Nolan principles can lack the detail necessary to assist members in understating their responsibilities.

1.2.4 Training and guidance on conflict resolution with a view to improving working relations between elected members and Town Council officers through more effective communication and improved conduct. As part of this process I would recommend that all parties work together on reviewing their Member / Officer protocol to ensure that it is fully understood, and ingrains agreed parameters."

1.3 Following the meeting on 19 November 2018 the Monitoring Officer sent an email to the town manager at Peacehaven and this email incorporated the above action plan and said:

"Could you please confirm that you will make arrangements to put these recommendations before Peacehaven Town Council at the next available opportunity. I appreciate that the implementation of an action plan of the type recommended will involve the Town Council in some expense, but the extent of the breakdown in governance at the Town Council, as illustrated by the Investigation report, would seem to warrant making this level of investment.

The Audit & Standards Committee approved both of the Monitoring Officer's recommendations, the second of which was for the Town Manager to report back to the Monitoring Officer after 3 and 6 months from now, explaining the progress which has been made by the Town Council. I would therefore be grateful to receive report updates from you on behalf of the Town Council by no later than 28 February and 31 May 2019.

If anything is not clear or if you have any queries then please do not hesitate to give me a ring."

1.4 The Monitoring Officer is aware that the Town Manager has been absent from work since the November meeting and that interim staff have been brought in to support the Town Council during this period.

1.5 The acting Town Manager has now responded setting out progress made against the action plan. He states:

"Draft completed:

- Put together a staff handbook personalised for PTC containing all the relevant employment policies, including grievance, disciplinary, sickness and absence, performance management, recruitment, pay etc.

- Include in the handbook relevant templates for holiday requests, TOIL requests, appraisal meetings, etc.

Currently being worked on:

- Review and update Standing Orders to comply with the latest model version provided by NALC.
- Review and update Financial Regulations ensuring, where relevant, they correspond with the Standing Orders.
- Review and update the Committee terms of reference and scheme of delegation.
- Provide a template for any future business plan.
- Review any other existing policies and procedures to ensure they are compliant with current legislation and provide new policies where there are none in place.

- 1.6 Given that we are soon approaching elections and to ensure that any measures put in place will bring effective benefits to PTC we have a provisional date booked for Councillor training on Thursday 23rd May 2019 from 9 – 12 at SSALC's office.

With regard to the recommendations for mediation it is worth noting that the member of staff in question remains on long term absence and this can't take place unless there is a change in current circumstances."

- 1.7 It is reassuring that Peacehaven Town Council is taking active steps to review and revise its processes, although the actions being taken and those recommended by this Committee in the action plan are not in alignment in some significant particulars.
- 1.8 Whilst the action plan anticipated that it would involve Peacehaven Town Council in some expense the Town Council has not appointed any external support to assist it in the review of its processes and procedures as was recommended.
- 1.9 Without support from people with specialist skills in this area, who also have the benefit of being independent from the Council, it is likely to be a difficult and lengthy exercise for the Town Council to effect changes which will help it adopt improved processes and a more constructive culture.
- 1.10 The Monitoring Officer proposes to write to the acting town clerk asking if it has given or will give further consideration to reviewing its current Code of Conduct (action plan bullet No 3).

2 Financial appraisal

None arising from this report.

3 Legal implications

None arising from this report.

4 Risk management implications

None arising from this report.

5 Equality analysis

An equalities impact assessment is not considered necessary because the report is for information only and involves no key decisions.

6 Background papers

The Investigator's report dated 18 October 2018:

<http://democracy.eastbourne.gov.uk/documents/s8668/Appendix%201%20Investigation%20Report%20by%20chi%20associates.pdf>