

Committee on Standards in Public Life – Best Practice Recommendations and Council Response

	Best Practice Recommendation	Council Response
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.	Paragraph 3(2)(b) of the Code should be amended, and a new appendix inserted with examples of the behaviour specified. See Appendix 2 of this report for proposed changes.
2	Councils should include provision in their code of conduct requiring councillors to comply with any formal standards investigation, and prohibiting trivial or malicious allegations by councillors.	New paragraphs 1(6) and (7) should be inserted in the Code – see Appendix 2
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.	An annual review will be programmed into the Audit and Standards Committee work plan. The Monitoring Officer (MO) will seek to ensure that the Code continues to be aligned to that of neighbouring authorities, for local consistency.
4	An authority's code should be readily accessible to both councillors and the public, in a prominent position on the council's website and available in council premises.	The Council already meets this recommendation.
5	Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format.	This register is already updated immediately a councillor declares a gift or hospitality. In addition, Democratic Services remind councillors every December about the need to keep the register current. Each councillor's declarations are published in an accessible format on the Council's website.

6	Councils should publish a clear and straightforward public interest test against which allegations are filtered	The Council already publishes a document explaining how it deals with code of conduct complaints, and the key factors used to decide whether the complaint will be investigated. The MO will amplify those factors to ensure they reflect the public interest.
7	Local authorities should have access to at least two Independent Persons	The Council already meets this recommendation.
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 Monitoring Officer is minded to dismiss as being without merit, vexatious or trivial.	The Council's process for dealing with complaints about councillor conduct already includes this provision.
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.	The Council already follows this recommendation, except that the view of the Independent Person has not been reported as a separate item in the decision notice. This will be included in future.
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.	The Council already meets this recommendation
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.	Should the MO receive a complaint of this nature, he/she will refer it back to the town or parish council if it is not submitted by the appropriate person or body.
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	Up until now, the MO has provided this advice and support to parish or town councils when requested. She has also spoken collectively to parish councils via

	should be provided with adequate training, corporate support and resources to undertake this work.	the Surrey & Sussex Associations of Local Councils. The MO will consult SSALC over the most appropriate form of further advice and support she could offer.
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 MO from a different authority to undertake the investigation.	Under the Council's arrangements for dealing with councillor misconduct, the MO already has discretion to appoint a different person (if suitably qualified), from within or outside the Council, to conduct the investigation.
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 principles of openness, and publish their board agendas and minutes and annual reports in an accessible place.	With effect from 2020, the annual governance statement will report on this relationship. The annual reports of the companies set up by the Councils (e.g. EHL, EHICL, LHICL) are accessible via the Councils' website.
15	Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.	The MO does, where appropriate, meet the relevant group leader to discuss a standards matter affecting one or more their members. Given the relatively low number of complaints, this is when required rather than on a regular basis.