



AUDIT & GOVERNANCE COMMITTEE

Monday, 11 September 2023

Subject	Standards Matters, Declarations of Gifts and Hospitality and Review of Complaints
Report by	Councillor Caroline Topping, Leader of the Council
Supporting Officer	Chris Bing Head of Legal & Democratic Services & Monitoring Officer chris.bing@eastsoffolk.gov.uk
Strategic Director	Kate Blakemore Strategic Director, Corporate Services Kate.blakemore@eastsoffolk.gov.uk

Is the report Open or Exempt?	OPEN
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Category of Exempt Information and reason why it is NOT in the public interest to disclose the exempt information.	Not applicable
Wards Affected:	All Wards

Purpose and high-level overview

Purpose of Report:

This report updates the Committee on declarations of gifts/hospitality received by Members and Officers, and on the number of complaints received under the Suffolk Code of Conduct (the Code) in the Municipal Year May 2022 to April 2023.

Options:

Not applicable.

Recommendation/s:

That Members are asked to note the report and the contents of Appendix A.

Corporate Impact Assessment

Governance:

The Council has a duty to promote and maintain high standards of behaviour, under the Localism Act 2011. The declaration of interests is an element of this duty. It is key to effective governance and compliance. Therefore, the declaration of these interests, and the openness, and transparency associated with this, helps to maintain the standard of the Council's decision-making. If sound decisions are made, good governance is supported. This leads to public confidence in the Council's decision making, and in the Council, itself. Sound decision making underpins how the Council operates and sits behind all of the decisions made to achieve the themes of the Council's Strategic Plan.

ESC policies and strategies that directly apply to the proposal:

Not applicable

Environmental:

Not applicable

Equalities and Diversity:

The Council is required to maintain the highest ethical standards and the declaration of interests is an element of this duty. It is key to effective governance and compliance. Therefore, the declaration of these interests, and the openness, and transparency associated with this, helps to maintain the standard of the Council's decision-making. If sound decisions are made, good governance is supported. This leads to public confidence in the Council's decision making, and in the Council, itself. Sound decision making underpins how the Council operates and sits behind all of the decisions made to achieve the themes of the Council's Strategic Plan.

Financial:

Not applicable

Human Resources:

Not applicable

ICT:

Not applicable
Legal: Not applicable
Risk: Not applicable

External Consultees:	None
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Strategic Plan Priorities

Select the priorities of the Strategic Plan which are supported by this proposal: <i>(Select only one primary and as many secondary as appropriate)</i>		Primary priority	Secondary priorities
T01	Growing our Economy		
P01	Build the right environment for East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P05	Support and deliver infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
T02	Enabling our Communities		
P06	Community Partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P07	Taking positive action on what matters most	<input type="checkbox"/>	<input type="checkbox"/>
P08	Maximising health, well-being and safety in our District	<input type="checkbox"/>	<input type="checkbox"/>
P09	Community Pride	<input type="checkbox"/>	<input type="checkbox"/>
T03	Maintaining Financial Sustainability		
P10	Organisational design and streamlining services	<input type="checkbox"/>	<input type="checkbox"/>
P11	Making best use of and investing in our assets	<input type="checkbox"/>	<input type="checkbox"/>
P12	Being commercially astute	<input type="checkbox"/>	<input type="checkbox"/>
P13	Optimising our financial investments and grant opportunities	<input type="checkbox"/>	<input type="checkbox"/>
P14	Review service delivery with partners	<input type="checkbox"/>	<input type="checkbox"/>
T04	Delivering Digital Transformation		
P15	Digital by default	<input type="checkbox"/>	<input type="checkbox"/>
P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P18	Skills and training	<input type="checkbox"/>	<input type="checkbox"/>
P19	District-wide digital infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
T05	Caring for our Environment		
P20	Lead by example	<input type="checkbox"/>	<input type="checkbox"/>
P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input type="checkbox"/>
P23	Protection, education and influence	<input type="checkbox"/>	<input type="checkbox"/>
XXX	Governance		

XXX	How ESC governs itself as an authority	<input checked="" type="checkbox"/>	<input type="checkbox"/>
How does this proposal support the priorities selected?			
Click or tap here to enter text.			

Background and Justification for Recommendation

1 Background facts	
1.1	This report updates the Committee on declarations of gifts/hospitality received by Members and Officers, and on the number of complaints received by the Monitoring Officer under the Suffolk Code of Conduct (the Code) in the municipal year 1 May 2022 to 31 April 2023.
2 Current position	
2.1	The process for dealing with the complaints is that each complaint is copied to the subject Member, and they are asked to comment on it. The complaint and the comments are then considered by the MO, in consultation with one of the Council's Independent Persons (IPs). An initial assessment of the complaint is made. At the initial assessment, no further action may be taken in response to the complaint. Or it may be recommended that some form of local resolution is undertaken, such as training, mediation or an apology given. In some cases, it may be decided to refer the complaint for a full investigation. This involves the appointment by the MO of an independent investigator who will look at the facts, interview the subject Member and the complainant, together with any witnesses, and make findings. Relevant documents will be examined as part of the investigation and a report written as a result, setting out those findings. If it is found that the Code has been breached, the investigatory report will be referred to the IP, and if he agrees with the findings, further referred to this Committee for determination.
2.2	Between 1 May 2022 and 30 April 2023, 48 Code of Conduct complaints against district and parish councillors were received by the Monitoring Officer. 21 of the complaints were against district councillors (five were upheld by the Monitoring Officer on initial assessment) and 27 of the complaints were against parish councillors (five were upheld by the Monitoring Officer on initial assessment). Three of the complaints were referred for external investigation to determine if the Code of Conduct had been breached.
2.3	The Code requires that Councillors declare gifts and hospitality which they have received that are estimated to be worth at least £50. The declarations of gifts and hospitality received are set out in each Councillor's online Register of Interests. Members are asked to up-date their Register of Interests on an annual basis, and any changes to it that occur should be made to the form, within 28 days of the change taking place.

2.4	For officers, all offers of gifts and / or hospitality must be recorded on a form which can be found on the Council's intranet. The form requires that the date of any offers of gifts/hospitality must be included, together with the financial value of it, and the name of the donor. Gifts above £10 should be refused by officers. Please see Appendix A for officer declarations since August 2021.
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3 How to address current situation

3.1	Continue to promote and apply the Councillor and Officer codes of conduct.
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4 Reason/s for recommendation

4.1	To update Councillors on standards matters.
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Appendices

Appendices:

Appendix A	List of gifts and hospitality declared by Officers between August 2021 and July 2023
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Background reference papers:

None.
