

18 July 2020

<b>Committee</b>	Standards Committee
<b>Date</b>	Thursday, 26 November 2020
<b>Time of Meeting</b>	2:00 pm
<p>This is a remote meeting in accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.</p> <p>Members of the public will be able to view this meeting whilst it is in session by clicking on the link that will be available on the <a href="#">Agenda publication</a> page immediately prior to the commencement of the meeting.</p>	

## Agenda

**1. ANNOUNCEMENTS**

**2. APOLOGIES FOR ABSENCE**

To receive apologies for absence.

**3. DECLARATIONS OF INTEREST**

Pursuant to the adoption by the Council on 26 June 2012 of the Tewkesbury Borough Council Code of Conduct, effective from 1 July 2012, as set out in Minute No. CL.34, Members are invited to declare any interest they may have in the business set out on the Agenda to which the approved Code applies.

**4. MINUTES**

To approve the Minutes of the meeting held on 11 August 2020.

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**5. COMMITTEE ON STANDARDS IN PUBLIC LIFE - PROGRESS ON BEST PRACTICE RECOMMENDATIONS**

5 - 14

To consider the progress against the Committee on Standards in Public Life best practice recommendations and determine the response to be made.

<b>DATE OF NEXT MEETING</b>	
<b>MONDAY, 15 MARCH 2021</b>	
<b>MEMBERSHIP OF COMMITTEE</b>	
Tewkesbury Borough Council Members	Councillor C M Cody Councillor M Dean (Vice-Chair) Councillor L A Gerrard Councillor J W Murphy Councillor C Reid Councillor P E Smith and Councillor P D Surman (Chair)
Non-Voting Independent Persons	Mr M Jauch and Mr P J Kimber
Non-Voting Parish Representative	Mr D J Horsfall

**Recording of Meetings**

In accordance with the Openness of Local Government Bodies Regulations 2014, please be aware that the proceedings of this meeting may be recorded.

## TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Standards Committee held remotely on  
Tuesday, 11 August 2020 commencing at 2:00 pm**

### **Present:**

Tewkesbury Borough Council Members:	Councillor C M Cody Councillor M Dean (Vice-Chair) Councillor J W Murphy Councillor C Reid Councillor P E Smith Councillor P D Surman (Chair)
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Non-Voting Independent Person(s):	P J Kimber
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Non-Voting Parish Representative: D J Horsfall

### **ST.1 ANNOUNCEMENTS**

- 1.1 The Chair advised that the meeting was being held under the emergency provisions of the Coronavirus Act 2020 and, specifically, The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020. The meeting was being broadcast live via the internet, it was not being recorded by the Council but, under the usual transparency rules, it may be being recorded by others.

### **ST.2 APOLOGIES FOR ABSENCE**

- 2.1 Apologies for absence had been received from Councillor L A Gerrard and Independent Person, M Jauch.

### **ST.3 DECLARATIONS OF INTEREST**

- 3.1 The Committee's attention was drawn to the Tewkesbury Borough Council Code of Conduct which was adopted by the Council on 26 June 2012 and took effect from 1 July 2012.
- 3.2 There were no declarations of interest on this occasion.

### **ST.4 MINUTES**

- 4.1 The Minutes of the meeting held on 16 September 2019, copies of which had been circulated, were approved as a correct record.

**ST.5 LOCAL GOVERNMENT ASSOCIATION - DRAFT MODEL CODE OF CONDUCT**

- 5.1 The report of the Monitoring Officer, circulated at Pages No. 7-58, informed the Committee of the consultation by the Local Government Association on its draft Model Member Code of Conduct. The Committee was asked to note the report; consider whether it wished to make a response to the draft consultation; and, if so, determine its response which the Monitoring Officer would submit to the Local Government Association on its behalf.
- 5.2 The Monitoring Officer explained that the report had been brought to the Committee to enable it to respond and influence the form and content of the Model Code which had been produced by the Local Government Association. The Model had arisen as one of the recommendations from the review of local government ethical standards which had been undertaken by the Committee on Standards in Public Life. That review had found there was no consistency of Codes of Conduct either nationally or locally with considerable variations in terms of length, breadth, clarity and detail – many even failed to address important areas of behaviour such as bullying and harassment - which it was felt caused confusion among members of the public as well as Councillors; particularly those that represented more than one tier of local government. Consequently, it was considered that the availability of a Model Code would enhance the consistency and quality of local authority Codes. The Local Government Association was seeking views on the draft Model Code of Conduct via an online form by 17 August 2020.
- 5.3 The Committee was advised that, reassuringly, there were no huge differences between the Council's current adopted Code of Conduct and the draft Model Code with the majority of provisions already in place. Of particular note was that the Code was now intended to apply to Members when acting or claiming, or giving the impression that they were acting, in public or in their capacity as a Member or representative of the Council; and to all forms of Member communication and interaction including written, verbal, non-verbal, electronic and via social media where the Member could be deemed to be representing the Council, or if there were potential implications for the Council's reputation. It was also noted that parts of this would require legislation to amend the provisions of the Localism Act 2011.
- 5.4 The way the Model Code was presented was to set minimum requirements for Members' standards and would be individual commitments by a Councillor. Particular attention was drawn to obligation 1 of the Model Code which was 'to treat all persons with civility' which was defined as meaning politeness and courtesy in behaviour, speech and in the written word – Tewkesbury Borough Council's Code did not refer to civility but did require Members to treat each other with respect and to promote and support high standards of conduct when serving in their public post by leadership and example, rather than obligation 7 in the Model Code which required Members not to bring their role into disrepute. The Monitoring Officer expressed the view that civility and respect were different, as such, she suggested that obligation 1 be reworded to read 'Treating other Councillors and the public with civility and respect'; this would carry through to obligation 2 as well. The Council's current Code of Conduct did refer to bullying, but not harassment as set out in the Model Code; it also did not include the definitions which were in the Model Code and the Monitoring Officer felt those were helpful additions. In terms of hospitality and gifts, the Council's Code required Members to register the name of any person, organisation or other body from whom they received, by virtue of their office, gifts or hospitality worth £50 or more. In the Model Code there were specific requirements about the treatment of gifts and hospitality; however, these were not contained in the Council's Code of Conduct as it had a separate Protocol which was complimentary to the Code – that had been reviewed by the Standards Committee in 2018 and subsequently adopted by the Council. The Model Code referred to the

declaration of gifts and hospitality to the value of £25 or more and it was for the Committee to decide whether the value should be £25 or £50. Lastly, the Monitoring Officer was of the view that table two as appended to the Model Code was not very clear and that it needed to be tidied up and clarified.

- 5.5 In due course a Model Code would be recommended – it would not be imposed - and the Council could add/amend it as it wished; however, it was hoped that taking part in the consultation, and therefore influencing the shape and content of the new Code, would mean it would not have to amend it very much. The suggested responses to the online consultation were set out in full at Appendix 4; the Monitoring Officer indicated that she had not felt it necessary to comment on all of the questions due to the similarities between the draft Model Code and the Council's current Code but the Committee now needed to decide if it wished to accept the Monitoring Officer's suggestions or make further comments.
- 5.6 In response to a question about the term 'sensitive interests', the Monitoring Officer explained that it was a matter of law that, if a Councillor had an interest that could lead to the victimisation/intimidation of the Member themselves or a family member, they had the right to ask the Monitoring Officer for the interest not to be disclosed to the public even though it was on their Register of Interest form. In addition, she confirmed that, as currently drafted, the forms required disclosure of the membership of all bodies; however, that would not necessarily preclude a Member from speaking and voting as, for example, being an ordinary member of the National Trust would not have any additional benefit to the Member than any other member of the public. Vice versa, a Member with a position of control or management in a body would be more likely to have a significant interest.
- 5.7 Referring to Appendix 4 to the report, the following comments were made:
- Q2 – *is it sufficiently clear which parts of the Model Code are legal requirements, which are obligations, and which are guidance* – the suggested comment was 'no' and the Committee was asked its view. It was felt that the legal requirements should be included in the Code within the appropriate sections.
  - Q3 – *do you prefer the use of the personal tense, as used in the Code, or would you prefer the passive tense*. The Committee was asked for its preference and agreed the passive tense would be better.
  - Q5 – *If you would like to propose additional; or alternative obligations, or would like to provide more comment on a specific obligation, please do so*. Members agreed with the Monitoring Officer's suggested comments about the addition of the word 'respect' and the increase in limit for registration of gifts/hospitality to £50. In response to a query about the Council's register of gifts and hospitality, the Monitoring Officer confirmed that it was unusual for gifts/hospitality to be accepted by Tewkesbury Borough Councillors as the Council's protocol discouraged acceptance of such gifts; however, where they were accepted they would usually be passed to the Mayor for their charity raffle. There had not been many such occurrences when the Council's limit was £25 or since it had been £50.
  - Q10 – *Is there sufficient reference to the use of social media* – the Committee's view was that there was.
  - Q14 – *To what extent do you support the proposed requirement that Councillors do not accept significant gifts as set out in Obligation 11*. It was felt helpful to include a definition of 'significant' as the interpretation would most likely not be the same from one person to another.

5.8 Accordingly, it was

**RESOLVED**

That the Monitoring Officer submit the Committee's response to the Local Government Association consultation as set out at Appendix 4 to the report with the following amendments:

- Q2 – legislation to be included in the Code within the appropriate sections.
- Q3 – passive tense should be used.
- Q10 – add the Committee's view that there was sufficient reference.
- Q14 – To a moderate extent – a definition of 'significant' should be included.

The meeting closed at 2:40 pm

## TEWKESBURY BOROUGH COUNCIL

<b>Report to:</b>	Standards Committee
<b>Date of Meeting:</b>	26 November 2020
<b>Subject:</b>	Committee on Standards in Public Life – Progress on Best Practice Recommendations
<b>Report of:</b>	Borough Solicitor
<b>Corporate Lead:</b>	Borough Solicitor
<b>Lead Member:</b>	Lead Member for Corporate Governance
<b>Number of Appendices:</b>	One

**Executive Summary:**

This report provides an update on the Council’s progress in relation to the best practice recommendations of the Committee on Standards in Public Life (CSPL) in its report of 30 January 2019. The CSPL has asked all local authorities to provide an update, by the 30 November 2020 on their progress against those recommendations. This report attaches, at Appendix 1, a suggested response to the CSPL for the Committee’s consideration and determination.

**Recommendation:**

**The Committee is asked to consider the progress against the CSPL best practice recommendations as set out in this report and to determine the response to be made, a suggested form of which is set out at Appendix 1.**

**1.0 INTRODUCTION/BACKGROUND**

**1.1** On 30 January 2019, the Committee on Standards in Public Life (CSPL) published a report <https://www.gov.uk/government/publications/local-government-ethical-standards-report> following its review, during 2018, of Local Government Ethical Standards. This report made a number of recommendations to the Government for changes to legislation, for example to include additional sanctions for breaches of the Code and also to revise the rules on declarations of interests, gifts and hospitality. The CSPL also asked the Local Government Association (LGA) to produce a Model Code of Conduct. In addition, the report identified 15 recommended areas of best practice which the CSPL considered did not require any changes to legislation and could be implemented voluntarily by all local authorities. The CSPL confirmed that it would, in due course, be following up progress against the best practice recommendations.

**1.2** At its meeting on 16 September 2019, the Standards Committee considered the CSPL report including the Council’s current position with regard to the best practice recommendations.

**1.3** On 8 June 2020, the LGA released a draft Model Code of Conduct for consultation and, at its meeting on 11 August 2020, the Committee considered the draft Model Code and resolved its consultation response to the LGA on behalf of the Council. It has recently been confirmed by the LGA that the consultation responses have been considered and a final version of the Model Code is being prepared to be submitted to the LGA board for approval at its meeting on 3 December 2020. The Model Code will then be published.

**1.4** At the end September / early October 2020, the Chair of the CSPL wrote to all Local Authority Chief Executives, referring to the best practice recommendations in the January 2019 report which had been identified to improve ethical standards in local government. The expectation that Local Authorities should implement those recommendations was confirmed. The Chair requested an update from each Authority with regard to progress made against these best practice recommendations and included a template for response. The responses, which are requested by the 30 November 2020, will be published on the Cabinet Office and the CSPL websites in the new year.

**2.0 BEST PRACTICE RECOMMENDATIONS**

**2.1** The 15 best practice recommendations made by the CSPL are set out in paragraph 2.2 below and also in Appendix 1 which is the template form supplied to the Council for its response. The views of the Committee when it considered the CSPL report have been used to draft the responses suggested in the document at Appendix 1.

**2.2** The Council’s current position

<b>No.</b>	<b>Best Practice Recommendation</b>	<b>Tewkesbury Borough Council Position</b>
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.	<p>The TBC Code of Members’ Conduct includes a prohibition on bullying and although the Code does not include a definition of bullying, the definition used in determining any complaints is that codified by the Advisory Conciliation and Advice Service (ACAS) as “offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient”</p> <p>The TBC Code does not currently include a specific prohibition on harassment but does include a requirement to “treat others with respect” against which any complaint of harassment would be assessed.</p> <p>The Model Code of Conduct is due to be approved and published by the LGA at the beginning of December 2020 and it is anticipated, from the draft of the document, that these provisions will be included in the Model Code.</p>



		<p>The Council will, following the publication of the Model Code, be reviewing both its own Code of Conduct and that which it recommends to the Parish Councils within the area. At that point, it would be appropriate to make the best practice amendments recommended.</p>
<b>2:</b>	<p>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</p>	<p>This recommendation is met as regards the requirement to comply with a formal standards investigation which is included within the Council's Code of Members' Conduct.</p> <p>There is no reference in the Code to trivial / malicious complaints and the need to include it is questioned as it would, more appropriately, be a matter for consideration in the determination of any complaint. The criteria within the Council's adopted arrangements for determination of complaints allows trivial and / or malicious allegations to be rejected by the Monitoring Officer.</p>
<b>3:</b>	<p>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.</p>	<p>The current Code of Conduct has been in place since July 2012 and there has been no formal review by the Council. The Standards Committee has periodically considered informally whether a review was necessary and concluded that, in view of the low numbers of complaints and even fewer instances of breaches of the Code by Councillors, it remains effective. Complaints are continually monitored with the objective of identifying any amendments of the Code which may be desirable. As stated earlier, the LGA Model Code is due to be published in December and it would be suggested that the frequency and mechanism for reviewing the Code be considered when the Council reviews its Code.</p>
<b>4:</b>	<p>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.</p>	<p>The Council's Code is readily accessible on the website which is accessed via the Council Information area. It is also available at the Council Offices via Democratic Services.</p>

<b>5:</b>	Local Authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.	The Council maintains a gifts and hospitality register and Members are regularly reminded by email of the requirement to make any declarations. The register is therefore continually updated, but is not in a CSV format or published on the Council's website. The register is currently available upon request. The format and publication arrangements should be considered when reviewing the Code of Conduct.
<b>6:</b>	Councils should publish a clear and straightforward public interest test against which allegations are filtered.	A public interest assessment takes place by the Monitoring Officer, in consultation with the Independent Persons, in respect of all complaints considered and determined. However, there is no published test to reflect this consideration. It is recommended that the Monitoring Officer reviews the complaints procedure to include appropriate wording to reflect the public interest test that is currently carried out.
<b>7:</b>	Local Authorities should have access to at least two Independent Persons.	The Council has appointed two Independent Persons and it therefore already meets this recommendation.
<b>8:</b>	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.	The Council's current process delegates the consideration and determination of complaints to the Monitoring Officer in consultation with the Independent Persons. This includes the decision whether or not to undertake a formal investigation. Every formal complaint, together with the proposed response, is referred to the Independent Persons for review and comment. The Council therefore complies with this recommendation.
<b>9:</b>	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.	As referred to in 8. above, the Council has delegated authority to the Monitoring Officer, in consultation with the Independent Persons, to determine complaints, including informal resolution wherever that is possible. Since the current regime was introduced in 2012, there have been very few complaints referred for formal investigation and all have been in respect of Parish / Town Councillors. The Council's procedure confirms that it will prepare a decision notice which will be made available for

		<p>public inspection.</p> <p>As part of the review of the arrangements for dealing with complaints, the Monitoring Officer will add the requirement, in these circumstances, to publish a decision notice.</p>
<b>10:</b>	<p>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.</p>	<p>The Council meets this recommendation, except that this does not include the estimated timescales for investigation and outcomes. This will be addressed as part of the review referred to in 9 above.</p>
<b>11:</b>	<p>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.</p>	<p>Advice is provided in these terms to Parish Councils, however, there are practical difficulties in implementing this recommendation. For example, it is conceivable, that the Clerk may wish to complain about the behaviour of a Chair of a Parish Council in circumstances where the Parish Council itself does not wish to make the formal complaint. Consequently, although this is encouraged and supported, it is ultimately dependent upon each Parish Council agreeing to do so.</p>
<b>12:</b>	<p>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.</p>	<p>The Council complies fully with this recommendation.</p>
<b>13:</b>	<p>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.</p>	<p>The Monitoring Officer has appointed a Deputy who would be able to act in the event of any conflict of interest on the part of the Monitoring Officer.</p> <p>Investigations are not carried out by the Monitoring Officer personally, but independently by a suitably qualified person from the shared legal service. The Council's procedure also provides that this investigation could be carried out by an officer from another Local Authority.</p>

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.	The Council includes, within its Annual Governance Statement, details of the company in which it holds a joint ownership interest (Ubico) . There is still work to be done on the element regarding the company publishing its board agenda, minutes and annual reports in an accessible place. The CSPL report recognises that some of that information will be confidential and therefore would not be published. It is suggested that officers work with the separate bodies to secure compliance with this recommendation. This can be done alongside the overall review of the Code and local arrangements.
15:	Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.	As the Committee is aware, there have been a very low incidence of standards issues, but Group Leaders have always been willing to meet with the Monitoring Officer and any other senior officers to discuss any that have occurred.  In the current circumstances, it would be appropriate for these ad-hoc meetings to continue to take place rather than to schedule regular meetings.

### 3.0 CONCLUSIONS AND RECOMMENDATIONS

3.1 The Committee is asked to consider the Council's progress against the best practice recommendations as set out at paragraph 2.2 above and Appendix 1 and determine the Council's response to the CSPL.

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**Background Papers:** Report of Committee on Standards in Public Life dated 30 January 2019. <https://www.gov.uk/government/publications/local-government-ethical-standards-report>

Report and minutes of Standards Committee on 16 September 2019.

**Contact Officer:** Monitoring Officer  
01684 272011 sara.freckleton@teWKesbury.gov.uk

**Appendices:** 1 – CSPL Template for the 15 Best Practice Recommendations with Suggested Responses.

## CSPL local government ethical standards 15 best practice recommendations

### Name of local authority:

**Tewkesbury Borough Council**

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**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:**

Tewkesbury Borough Council's Code of Members' Conduct includes a prohibition on bullying and also requires Members to treat others with respect. Any allegation of harassment would be assessed against the latter requirement. The ACAS definition of bullying will be used in the determination of any complaints where bullying is alleged.

The Council intends to review its Code following publication of the LGA Model Code of Conduct which is expected in December 2020. This will provide the opportunity to include a prohibition against harassment and a definition of bullying.

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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:**

The Council's Code includes the requirement to comply with a formal standards investigation.

The Council's arrangements for the determination of complaints about Member misconduct enable the Monitoring Officer to reject complaints considered to be malicious and / or trivial.

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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:**

The Council will be reviewing its Code when the LGA Model Code has been approved and published. At that time, the Council will also consider the frequency and mechanism for reviewing its Code.

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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 Council's Code of Conduct is readily accessible on the website via the Council Information area. It is also available at the Council Offices via Democratic Services.

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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:**

The Council maintains a gifts and hospitality register (although not as CSV) which is continually updated. Currently, the register is available for inspection but is not published on the website. This will be reviewed, in the light of this best practice recommendation, when the Council reviews its Code.

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

**Progress:**

A public interest assessment takes place by the Monitoring Officer and Independent Persons in respect of all complaints which are considered and determined. However, there is no published test to reflect this assessment. The Monitoring Officer is reviewing the complaints procedure and will include appropriate wording to reflect the public interest test.

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

**Progress:**

The Council has appointed two Independent Persons and meets this recommendation.

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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 Council's current process delegates complaints to the Monitoring Officer for assessment and determination, in consultation with the Independent Persons. Every formal complaint together with the proposed response is referred to the Independent Persons for review and comment. The Council therefore complies with this recommendation.

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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:**

The Council's procedure confirms that it will prepare a decision notice which will be made available for public inspection. The Monitoring Officer will, when reviewing the arrangements, add the requirement, in these circumstances, to publish a decision notice.

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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:**

An information document on how to make a complaint under the Code of Conduct is readily available on the Council's website. However, this does not, include estimated timescales for investigations and outcomes. This will be reviewed by the Monitoring Officer.

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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:**

Advice is provided in these terms to Parish Councils. Although this is supported and encouraged, it is ultimately dependent upon each Parish Council agreeing to do so.

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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:**

The Council complies fully with this recommendation.

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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 Council has arrangements in place to ensure that any conflicts of interest are addressed. The Monitoring Officer has appointed a Deputy. All investigations are carried out independently of the Monitoring Officer by a suitably qualified person, which, in accordance with the Council's procedure, may be an officer from another Local Authority.

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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:**

The Council includes, within its Annual Governance Statement, details of the company in which it holds a joint ownership interest. Further work is required to be undertaken as part of the overall review of the Code and local arrangements, to secure full compliance with this recommendation.

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

**Progress:**

Senior officers meet with political group leaders as necessary to discuss any standards issues that may arise.

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