

Subject:	Standards Update		
Date of Meeting:	25th July 2017		
Report of:	Head of Law and Monitoring Officer		
Contact Officer:	Name:	Abraham Ghebre-Ghiorghis	Tel: 29-1500
	Email:	Abraham.ghebre-ghiorghis@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

1.1 This report updates Members on Standards-related matters since the last report.

2. RECOMMENDATIONS

2.1 That this Committee a) notes the information provided in the Report on member complaints, and b) considers the revisions suggested to the Social Media Protocol for Members and approves those.

3. MEMBER-RELATED COMPLAINTS

3.1 Since the last report to the Committee in March 2017, the two outstanding complaints – those referred to in this Report as Complaints 3 and 4 - have been resolved. Meanwhile two additional standards complaints – referred to here as Complaints 1 and 2 respectively - have been received in. Those two new complaints have also been resolved, this in the terms detailed here.

4. STANDARDS COMPLAINTS**4.1 Complaint 1**

4.2 **The allegation:** A complaint was received in toward end of April 2017 alleging that a member had breached the Code of Conduct by making inappropriate use of Council facilities, this by using their Council Blackberry for personal purposes.

4.3 **The outcome:** That complaint was considered by the Monitoring Officer in consultation with the Independent Person and appropriate small scale enquiries were made regarding the context and circumstances of the alleged breach. A decision was made at preliminary assessment stage not to refer the matter for investigation as doing so was not considered to be in the public interest. The complainant was notified of this outcome and of the reasons for it. As a result this complaint has now been determined.

4.4 **Complaint 2**

The allegation: This complaint was made regarding a comment made by a councillor during a broadcast news interview.

The outcome: Small scale enquiries enabled the Monitoring Officer to note the context of the comment which was the subject of the complaint and the circumstances of it. Having consulted with one of the Independent Persons, a decision was made at preliminary assessment stage to take no further action on the basis that the public interest did not merit a referral of the complaint for formal investigation. The parties were informed of the outcome and of the reasons for it and this matter is also at an end.

4.5 **Complaints 3 & 4**

4.6 The complaints made in January 2017 and previously reported to the last meeting of this Committee have now been resolved. **Complaint 3** alleged failures by two elected members to behave in a way which a reasonable person would regard as respectful at meetings of the Council. The complaint was the subject of preliminary assessment by the Monitoring Officer, acting in consultation with the Independent Person. After due consideration, it was considered that an informal resolution was the most appropriate means of determining the matter in the public interest, with the parties involved coming to a mutually acceptable resolution. As a result, this complaint is at an end.

4.7 **Complaint 4** involved an allegation that a comment made on social media by a member amounted to conduct which might reasonably be regarded as bringing their office or authority into disrepute. That complaint was the subject of preliminary assessment by the Monitoring Officer, acting in consultation with the Independent Person. He concluded that if proven the allegation would not amount to a breach of the Code. The parties were notified of the outcome and as a result that complaint is also at an end.

5. **SOCIAL MEDIA PROTOCOL FOR MEMBERS**

5.1 **The Social Media Protocol for Members**

This Protocol aims to facilitate members' use of social media by providing clear guidance on how members may use it to assist them in discharging their public duties and generally, this in such a way that they remain within the rules which govern councillor conduct. The Social Media Protocol is intended to be read alongside the practice note on [Publicity and the Use of Council Facilities](#). It provides guidance on how members may use social media in such a way that they abide by the [Code of Conduct for Members](#).

5.2 The above Protocol was last reviewed in early 2016 by a cross party group and a revised version of it was approved by this Committee on 8th March 2016. Since then, in February of this year while determining a breach which had been referred to it, the Council's Standards Panel made a decision which included the following recommendation:

‘The Panel recommends that the Social Media Protocol for members be reviewed to include the importance of enabling a right to reply, for example through tagging.’

5.2 In light of the decision of the Standards Panel, further amends to the Protocol are proposed. The version appended here as Appendix 1 incorporates those proposals as tracked changes. They have additionally been reviewed both by the Council’s two Independent Persons and by the Head of Communications.

5.3 This Committee is invited to consider the proposed amendments and – if minded to do so – to approve them.

6. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

6.1 The Council is obliged under the Localism Act to make arrangements for maintaining high standards of conduct among members and to make arrangements for the investigation of complaints. The current arrangements and the proposals in this Report reflect this. No alternative proposals are suggested.

7. COMMUNITY ENGAGEMENT & CONSULTATION

7.1 No need to consult with the local community has been identified.

8. CONCLUSION

8.1 Members are asked to note the contents of this Report, which aims to assist the Committee in discharging its responsibilities for overseeing that high standards of conduct which are compliant with local requirements are maintained.

9. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

9.1 There are no additional financial implications arising from the recommendation in this Report. All activity referred to has been, or will be, met from existing budgets.

Finance Officer Consulted: James Hengeveld

Date: 21/06/17.

Legal Implications:

9.2 These are covered in the body of the Report.

Lawyer Consulted: Victoria Simpson

Date: 20.6.17

Equalities Implications:

9.3 There are no equalities implications arising from this Report

Sustainability Implications:

9.4 There are no sustainability implications arising from this Report

Any Other Significant Implications:

9.5 None

SUPPORTING DOCUMENTATION

Appendices:

1. The Council's Social Media Protocol for Members, showing suggested amendments as tracked changes

Documents in Members' Rooms:

None.

Background Documents:

None