

**Agenda Item No:**

**Report to:** Standards Committee

**Date of Meeting:** 10 June 2010

**Report Title:** TRAINING FOR MEMBERS 2010/2011

**Report By:** Jayne Butters  
Borough Solicitor

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### **Purpose of Report**

To recommend to the Committee a programme of training for members on Code of Conduct and related issues.

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### **Recommendation(s)**

- 1. That Standards Committee agrees the suggested programme of training.**

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### **Reasons for Recommendations**

Regular training is essential to assist members in their understanding of and compliance with the Code of Conduct.

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## Introduction

1. One of the functions of Standards Committee is to provide for training of members on the Code of Conduct and related issues.
2. Complaints and investigations often highlight areas of the Code where members' knowledge or understanding would benefit from training on particular areas of the Code.
3. Following the Borough Elections in May, induction training for new members included an introductory session on the Code of Conduct. Time constraints meant this was broad in approach and further more detailed training is required for new members, which will serve as a refresher for existing members.

## Proposed areas for training

4. Declarations of Interest - a training session on this was provided to members in March 2009 and approximately half of the Council attended. It was proposed to run a second session and with 6 new elected members plus a new independent member, it is suggested that this would be worthwhile training. The session encourages members to make the analysis for themselves as to whether the interest is truly a personal interest under the Code, before going on to consider whether it is prejudicial. Approximately half the session time is given over to practical exercises.
5. Protocol for Relationships between Members and Officers - this is part of the Council's Constitution under Part 5 Code and Protocols. It has many overlaps with the Code of Conduct and on an investigation of a complaint alleging breach of the Code of Conduct, reference may also be made to paragraphs of the Protocol. The Protocol provides useful guidance to members, particularly new members, on the respective roles of members and officers.
6. Dual-Hatted Members - the Code of Conduct makes special provision for members who are also members of another public body. Much of the time a personal interest is declared, recorded and no further reference is made to it. However, there are occasions where the interest is prejudicial and the member is in the same position as any other member with a prejudicial interest. Sometimes a member will exclude themselves from consideration of an item on the ground of an interest when the correct analysis is that the member wishes to protect a decision on the other body from challenge on the grounds of predetermination. Sometimes the two overlap but not always and it is important that members understand the distinction.
7. Predisposition, predetermination and bias and interests - this has some overlaps with the previous area of training. It is an important area for members to understand the distinctions. Specific training is given to members of Licensing, Planning and Environment and Safety Committees because predetermination and bias can form the grounds for legal challenge to a Council decision.

8. Chairing of Meetings - this is an area where members may have previous experience but it may be that a member's first experience is chairing a Council committee meeting. Even an experienced chair, needs to be aware of his/her powers under the Council's Constitution and the rules governing debate. How the meeting is chaired is also important in terms of avoiding unnecessary complaints under the Code and the Chair can use his/her position to impress upon members the need for mutual respect at all times notwithstanding political differences.

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**Wards Affected**

Ashdown, Baird, Braybrooke, Castle, Central St. Leonards, Conquest, Gensing, Hollington, Maze Hill, Old Hastings, Ore, Silverhill, St. Helens, Tressell, West St. Leonards, Wishing Tree

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**Area(s) Affected**

Central Hastings, East Hastings, North St. Leonards, South St. Leonards

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**Policy Implications**

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness	No
Crime and Fear of Crime (Section 17)	No
Risk Management	No
Environmental Issues	No
Economic/Financial Implications	No
Human Rights Act	No
Organisational Consequences	No

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**Background Information**

None

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**Officer to Contact**

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