

Council January 2025

Item 4.2 Matters Completed & Outstanding from Previous Minutes

Actions outstanding from previous minutes

Minute no.	Who	Item	Deadline by which to complete	Update
2792	Assistant Clerk	Develop a resilience area of the website	Early 2025	
3062	Cllr Gordon-James	Work with the May Fair organisers on the 2025 Traffic Management Plan	May-25	
3064	Clerks/CEC	Coordinate consultation on urban grass cuts to inform 2026/27 decision	May-25	
3067	Cllrs Anderson/Gordon-James	Use thermal imaging camera at Phoenix House	December	Camera booked

Actions from these Minutes

Minute no.	Who	Item	Deadline by which to complete	Update
Pg.3086	Clerk	Staff and Finance Committees' minutes to next meeting	January	On agenda
Pg.3087	Clerks	Notify residents once footbridge claim confirmed	February	
Pg.3088	Clerks	Put a Speedwatch recruitment post on Facebook for Cllr Bowers to share to Blackham village page	February	
Pg.3088	Clerk	Respond to GMS' container enquiry	January	Done
002825	Clerk	Notify WPCIC of subsidy for 2025/26	January	Done
002826	Clerk	Make 2025/26 Precept request of £235,675	January	Done

Pg.3089	Clerks	Publicise 2025/26 Precept information	January	Drafted for magazines
Pg.3089	Council	Consider Earmarked Reserves March/April 2025	April 2025	
002827	Clerk	Submit response on remote attendance at meetings/proxy voting	December	Done
002828	Clerk	Send response to consultation on Household Recycling Sites	December	Done
Pg.3090	Councillors	Return GDPR signed page	January	
002829	Clerk	Adopt the Assessment & Management Policy	January	Done
002830	Clerk	Adopt the Petty Cash Policy	January	Done
002833	Clerk	Put in place results of Assistant Clerk's Role Evaluation	December	Done
Pg.3091	Clerks	Circulate Christmas closure dates on social media	December	Done
Pg.3091	Clerks	Telephone Switchover information to go in parish notes and at the APA	March	
Pg.3091	Clerk	Circulate website address for defibrillator locations to Councillors	December	Done
Pg.3092	Clerks	Review the guidance on our website about accidents involving deer/Folly Wildlife	January	Believe this was a Facebook post rather than our website?
Pg.3092	Clerk	Follow up request to the Conservators for play equipment at the Reading Room	January	Further email sent 18 th December, response awaited

**Withyham Parish Council
Report for consideration**

(9)

Report By	For Committee	Date	Agenda Item
D Siddle	Council	13.1.25	18.9

Confidential	Not Confidential	Exempt	Not Exempt
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Consider IRP report – Members Allowances 2025/26

Background

Each year Council is asked to consider the Independent Remuneration Panel (IRP) report and set councillor allowances for the year.

Please find attached the final report (Appendix 1) from the Independent Remuneration Panel, who met on 12 December 2024 to consider the Town and Parish Councillor Allowances for 2025/26. The Panel was established by Wealden District Council under Regulation 27 of the Local Authorities (Members' Allowances) (England) Regulations 2003, for the Town and Parish Councils in its area.

You will see from the report that the Panel recommended a 3% increase to all Basic and Chairman's Allowances rounded to the nearest pound.

In October 2024 Council considered whether it had any comments to feed into the IRP panel meeting and confirmed it did not. At the Panel's meeting, the feedback from four Parish/Town Councils was considered. As per Appendix 1 below:

- The Panel emphasised that it is keen to see all Parish and Town Councils adopt a scheme of some sort, even if it is normal practice not to claim. This is to ensure that no potential candidate should be put off standing due to the costs of working as a local councillor, and to ensure that Parish and Town Councillors could choose to claim an allowance should they need to do so.
- The Panel notes with regret that it is still not possible under the current legislation to recommend a Carers' Allowance for Parish/ Town Councillors, but would wish for all Parish and Town Councils to consider adopting a basic allowance to enable Parish/Town Councillors to use this to cover care costs where need be to attend meetings

Please see appendix 2 - the relevant extract of The Local Authorities (Members' Allowances) (England) Regulations 2003 which sets out the next steps for the Parish/Town Councils.

The Clerk can confirm that each year since 2021, Withyham Parish Council has agreed to freeze allowances at 2020/21 levels (£167 Basic and £288 Chairman's Allowance).

Please note that allowances are only payable to elected councillors, not those who have been co-opted.

Recommendations

Council to consider whether it wishes to:

- Continue to freeze allowances at 2020/21 levels (£167 Basic and £288 Chairman's Allowance) or raise them up to the amounts recommended in the 2024/25 IRP report £194/£336, or somewhere in between
- Make subsistence and mileage allowances available to all councillors where incurred necessarily on Council business
- Adopt a basic allowance to enable Parish/Town Councillors to use this to cover care costs where necessary to attend meetings

Please see 'budgetary implications' below in considering this.

Reasons for recommendations

In setting the levels of allowances, Town and Parish Councils must show they have regard to the IRP's recommendations, but it is entirely up to each Town and Parish Council what scheme of allowances is adopted

Staffing Implications

None

Councillor Involvement

Basic and Chair Allowances are only payable to elected councillors, not those who have been co-opted:

Budgetary Implications

- The 2025/26 budget line 4011 councillors allowances has £1,000 in budget for 2025/26.
- Allowances are paid twice yearly to elected councillors (half of the amount agreed each time)
- WPC has 9 elected councillors of which 3 have chosen not to take their allowance. At frozen levels this is a total of £1,123.
- This is slightly over budget but does not account for any tax deductions which would be shown in budget line 4001 oncosts, rather than 4011. For example, in 2024/25 the expenditure against this code is expected to be closer to £900 after income tax.
- The budget set does not allow for subsistence, mileage or allowances to cover care costs.

Carbon/Environmental impact/mitigations

n/a

How does the proposed action reduce crime and disorder?

n/a

How does the proposed action seek to eliminate discrimination and advance equalities

The panel raised concerns that, should councils not agree to giving an allowance, this could deter individuals from continuing/becoming a councillor. Costs of child or dependency care whilst at meetings may also deter people.

Health & Safety Implications
n/a
Persons consulted
Recommendations received from the IRP panel.

Responsibilities for Fire Safety

Advisory note for all Staff, Volunteers and Councillors.

Daily tasks are the shared responsibility of all staff, Councillor and volunteers who use the Parish Office as a workplace/attend Council Meetings.

Any issues should be addressed as soon as they are identified. If immediate resolution is not possible, they must be reported via email to the authorised personnel listed below.

In case of an emergency, notify the authorised personnel immediately.

Daily

- Open lower lock of back door to ensure emergency exit is accessible
- Ensure fire extinguishers are clearly visible and not obstructed.
- Inspect escape routes to confirm they are clear of blockages.
- Check that electrical equipment is switched off or in safe operating condition when not in use.
- Verify that no flammable materials (e.g., paper, cardboard, or chemicals) are stored near heat sources.
- Inspect smoke detectors for visible damage or obstruction.

Weekly, monthly, and yearly tasks are to be carried out exclusively by the authorised personnel listed below.

Weekly

- Test the fire alarm system.

Monthly

- Conduct a flick test of emergency lighting.

Yearly

- Fire Drill during Full Council
- Fire Drill during working day

Authorised staff for Withyham Parish Council

Debbie Siddle – The Clerk

Natalie Brett – The Assistant Clerk

Email: clerk@withyhamparishcouncil.org.uk





Ministry of Housing,
Communities &
Local Government

Open consultation

Strengthening the standards and conduct framework for local authorities in England

Published 18 December 2024

Applies to England

Contents

1. Scope of this consultation
2. Ministerial foreword
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7. Public Sector Equality Duty

Annex A: Personal data

1. Scope of this consultation

Topic of this consultation

This consultation seeks views on introducing a mandatory minimum code of conduct for local authorities in England, and measures to strengthen the standards and conduct regime in England to ensure consistency of approach amongst councils investigating serious breaches of their member codes of conduct, including the introduction of the power of suspension.

Scope of this consultation

The Ministry of Housing, Communities and Local Government (MHCLG) is consulting on introducing strengthened sanctions for local authority code of conduct breaches in England.

This includes all 'relevant authorities' as defined by Section 27(6) of the Localism Act 2011, which includes:

- a county council
- a unitary authority
- London borough councils
- a district council
- the Greater London Authority
- the London Fire and Emergency Planning Authority
- the Common Council of the City of London in its capacity as a local authority or police authority
- the Council of the Isles of Scilly
- parish councils
- a fire and rescue authority in England constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies,
- a joint authority established by Part 4 of the Local Government Act 1985, an economic prosperity board established under section 88 of the Local Democracy, Economic Development and Construction Act 2009
- a combined authority established under section 103 of that Act,
- a combined county authority established under section 9(1) of the Levelling Up and Regeneration Act 2023
- the Broads Authority

- a National Park authority in England established under section 63 of the Environment Act 1995

It does not cover:

- police and crime commissioners
- internal drainage boards
- any other local authority not otherwise defined as a 'relevant authority' above

All references to 'members' refer to elected members, mayors, co-opted and appointed members of each of the 'relevant authorities' defined above.

Geographical scope

The questions in this consultation paper apply to all relevant local authorities in England as defined above.

They generally do not apply to authorities in Wales, Scotland or Northern Ireland, except in relation to Police and Crime Panels in Wales.

Impact assessment

We will produce a full Public Sector Equality Duty (PSED) assessment, and all necessary impact assessments, as the policy proposals develop further following this consultation.

Basic information

This is an open consultation. We particularly seek the views of individual members of the public; prospective and current elected members/representatives; all relevant local authorities defined above; and those bodies that represent the interests of local authority members/representatives at all levels.

Body responsible for the consultation

The Local Government Capacity and Improvement Division of the Ministry of Housing, Communities and Local Government is responsible for

conducting this consultation.

Duration

This consultation will last for 10 weeks from 18 December 2024.

Enquiries

For any enquiries about the consultation please contact:

LGstandardsreform@communities.gov.uk

How to respond

You can only respond to this call for evidence through our online consultation platform, Citizen Space (<https://consult.communities.gov.uk/local-government-standards-and-conduct/strengthening-the-standards-and-conduct-framework>).

2. Ministerial foreword

The government is determined to fix the foundations of local government so councils can sustainably provide decent public services and shape local places, and so elected representatives can be fully accountable to the public they serve. Doing so is critical to national renewal, our missions, and our plans to push power out of Westminster and into the hands of local people with skin in the game.

At the core of this agenda is a plan to make local government across England fit, legal, and decent – so that councils have the backing from central government to deliver the high standards and strong financial management that they strive for, without needless micromanagement of day-to-day local decision-making. This plan includes:

- fixing our broken audit system
- improving oversight and accountability
- giving councils genuine freedoms to work for, and deliver in the best interests of, their communities
- improving the standards and conduct regime

This consultation is focused on the proposed reforms to the standards and conduct regime that will contribute to making sure England is covered by effective local and strategic authorities that are well-governed, with high standards met and maintained.

It is an honour and a privilege to be elected as a member and with it comes an individual and collective responsibility to consistently demonstrate and promote the highest standards of conduct and public service.

Members take decisions affecting critical local services such as social care, education, housing, planning, licensing, and waste collection. With greater devolution, local authorities will increasingly be taking decisions to shape local transport, skills, employment support, and growth. Decisions that are the responsibility of members impact virtually every citizen's life at some level, and the electorate has a right to expect that it can trust its local elected members to uphold the highest ethical standards and act in the best interests of the communities they serve.

I strongly believe that the vast majority of local elected members maintain high standards of conduct and that they are driven by duty and service. I believe that people stand for elected office in their local communities with the best intentions to act in the interests of those communities, bringing an energy and commitment to working collaboratively, creatively, and respectfully.

Members, officers, reporters and members of public are entitled to support and participate in the local democratic process in the confidence that high standards are maintained. This government wants to celebrate the positive power of public service and, in doing so, we want to give individual authorities appropriate and proportionate means to deal with misconduct effectively and decisively when it does occur. We also want to ensure that anyone can rightly feel confident about raising an issue under the code of conduct whether it impacts them personally and/or is a code conduct breach that brings the reputation of the council into disrepute.

With approximately 120,000 councillors in England across all types and tiers of local government, we know there are rare instances of misconduct.

Robust political debate is part of our democratic system, but we know from local councils that there are examples of bullying, harassment or other misconduct, when from even a very small minority of members can have a seriously destabilising effect, potentially bringing a council into disrepute and distracting from the critical business of delivering for residents.

This government is committed to working with local and regional government to establish partnerships built on mutual respect, genuine collaboration and meaningful engagement. Our ambition is to create a rigorous standards and conduct framework that will actively contribute to ensuring that local government throughout the country is fit, legal, and decent. With this in mind, this consultation seeks your views on a range of proposals to give local leaders the tools they need to establish and maintain a strong and ethical public service and democratic culture, and the people they serve the confidence that local democracy works for them.

3. Background: Standards and Conduct framework and sanctions arrangements

The Localism Act 2011

(<http://www.legislation.gov.uk/ukpga/2011/20/part/1/chapter/7/enacted>)^[footnote 1] established the current standards and conduct framework for local authorities.

The current regime requires every local authority to adopt a code of conduct, the contents of which must as a minimum be consistent with the 7 'Nolan' principles of standards in public life.

(<https://www.gov.uk/government/publications/the-7-principles-of-public-life>) (selflessness, integrity, objectivity, accountability, openness, honesty and leadership), and set out rules on requiring members to register and disclose pecuniary and non-pecuniary interests. Beyond these requirements, it is for individual councils to set their own local code. The Local Government Association (LGA) published an updated model code of conduct and guidance (<https://www.local.gov.uk/publications/local-government-association-model-councillor-code-conduct-2020>) in 2021, which councils can choose whether to adopt or not.

Every authority must also have in place arrangements under which it can investigate allegations of breaches of its code of conduct and must consult at least one independent person before coming to decisions. These decisions are normally taken in one of two ways depending on an authority's specific arrangements. The decision can be made by full council following advice from their standards committee (or equivalent).

Alternatively, the decision can be made by the standards committee if they have been given the power to do so. Although a standards committee may contain unelected independent members and co-opted members, only principal councils' elected members may vote in a decision-making standards committee.

There is no provision in current legislation for a sanction to suspend a councillor found to have breached the code of conduct. Sanctions for member code of conduct breaches are currently limited to less robust measures than suspension, such as barring members from Cabinet, Committee, or representative roles, a requirement to issue an apology or undergo code of conduct training, or public criticism. Local authorities are also unable to withhold allowances from members who commit serious breaches of their code of conduct, and there is no explicit provision in

legislation for councils to impose premises bans or facilities withdrawals where they consider that it might be beneficial to do so.

The government considers that the current local authority standards and conduct regime is in certain key aspects ineffectual, inconsistently applied, and lacking in adequate powers to effectively sanction members found in serious breach of their codes of conduct.

4. Who we would like to hear from

Responses are invited from local authority elected members and officers from all types and tiers of authorities, and local authority sector representative organisations. We are also particularly keen to hear from those members of the public who have point of view based on their interest in accessing local democracy in their area or standing as a candidate for local government at any tier to represent their local community at some future point.

Please be assured that all responses to this consultation are anonymous, and no information will be disclosed in any future published response to the consultation, or reporting of the consultation results, that will compromise that anonymity.

Question 1

Please tick all that apply - are you responding to this consultation as:

a) an elected member – if so please indicate which local authority type(s) you serve on

- Town or Parish Council
- District or Borough Council
- Unitary Authority
- County Council
- Combined Authority / Combined County Authority
- Fire and Rescue Authority
- Police and Crime Panel
- Other local authority type - please state

b) a council officer – if so please indicate which local authority type

- Town or Parish Council
- District or Borough Council

- Unitary Authority
- County Council
- Combined Authority / Combined County Authority
- Fire and Rescue Authority
- Police and Crime Panel
- Other local authority type - please state

c) a council body – if so please indicate which local authority type

- Town or Parish Council
- District or Borough Council
- Unitary Authority
- County Council
- Combined Authority / Combined County Authority
- Fire and Rescue Authority
- Police and Crime Panel
- Other local authority type - please state

d) a member of the public

e) a local government sector body – please state

5. Strengthening the Standards and Conduct framework

a) Mandatory minimum prescribed code of conduct

The government proposes to legislate for the introduction of a mandatory minimum code of conduct which would seek to ensure a higher minimum standard of consistency in setting out the behaviours expected of elected members. The government will likely set out the mandatory code in regulations to allow flexibility to review and amend in future, this will also provide the opportunity for further consultation on the detail.

Codes of conduct play an important role in prescribing and maintaining high standards of public service, integrity, transparency, and accountability. At their best, they establish clear guidelines for behaviour and expectations that members always act ethically in the public's best interest. Currently,

there is significant variation between adopted codes, ranging from those who choose to adopt the LGA's full model code to those who simply conform with the minimum requirement of restating the Nolan principles.

A prescribed model code which covers important issues such as discrimination, bullying, and harassment, social media use, public conduct when claiming to represent the council, and use of authority resources could help to uphold consistently high standards of public service in councils across the country and convey the privileged position of public office. It could also provide clarity for the public on the consistent baseline of ethical behaviour they have a right to expect.

We would be interested in understanding whether councils consider there should be flexibility to add to the prescribed code to reflect individual authorities' circumstances. They would not be able to amend the mandatory provisions.

Question 2

Do you think the government should prescribe a mandatory minimum code of conduct for local authorities in England?

- Yes
- No
- If no, why not? [Free text box]

Question 3

If yes, do you agree there should be scope for local authorities to add to a mandatory minimum code of conduct to reflect specific local challenges?

- Yes – it is important that local authorities have flexibility to add to a prescribed code
- No – a prescribed code should be uniform across the country
- Unsure

Question 4

Do you think the government should set out a code of conduct requirement for members to cooperate with investigations into code breaches?

- Yes
- No
- Unsure

b) Standards Committees

Currently, there is no requirement for local authorities to constitute a formal standards committee. The only legal requirement is for local authorities to have in place 'arrangements' to investigate and make decisions on allegations of misconduct.

The government believes that all principal authorities should be required to convene a standards committee. Formal standards committees would support consistency in the handling of misconduct allegations, applying the same standards and procedures to all cases and providing a formal route to swiftly identify and address vexatious complainants. Furthermore, having a formal standards committee in place could support the development of expertise in handling allegations of misconduct, leading to more informed decision-making. Removing the scope for less formal and more ad hoc arrangements would also enhance transparency and demonstrate to the public that standards and conduct issues will always be dealt with in a structured and consistent way.

This section of the consultation seeks views on two specific proposals to enhance the fairness and objectivity of the standards committee process. Firstly, it considers whether standards committee membership would be required to include at least one Independent Person, as well as (where applicable^[footnote 2]) at least one co-opted member from a parish or town council. Secondly, it seeks views on whether standards committees should be chaired by the Independent Person.

Question 5

Does your local authority currently maintain a standards committee?

- Yes
- No
- Any further comments [free text box]

Question 6

Should all principal authorities be required to form a standards committee?

- Yes
- No
- Any further comments [free text box]

Question 7

In most principal authorities, code of conduct complaints are typically submitted in the first instance to the local authority Monitoring Officer to

triage, before referring a case for full investigation. Should all alleged code of conduct breaches which are referred for investigation be heard by the relevant principal authority's standards committee?

- Yes, decisions should only be heard by standards committees
- No, local authorities should have discretion to allow decisions to be taken by full council
- Unsure

Question 8

Do you agree that the Independent Person and co-opted members should be given voting rights?

- Yes – this is important for ensuring objectivity
- No – only elected members of the council in question should have voting rights
- Unsure

Question 9

Should standards committees be chaired by the Independent Person?

- Yes
- No
- Unsure

Question 10

If you have further views on ensuring fairness and objectivity and reducing incidences of vexatious complaints, please use the free text box below.

[Free text box]

c) Publishing investigation outcomes

To enhance transparency, local authorities should, subject to data protection obligations, be required to publish a summary of code of conduct allegations, and any investigations and decisions. This will be accompanied with strong mechanisms to protect victims' identity to ensure complainants are not dissuaded from coming forward for fear of being identified,

There may be a range of views on this, as publishing the outcome of an investigation that proves there is no case to answer could still be considered damaging to the reputation of the individuals concerned, or it could be considered as helpful in exposing instances of petty and vexatious complaints.

Question 11

Should local authorities be required to publish annually a list of allegations of code of conduct breaches, and any investigation outcomes?

- Yes - the public should have full access to all allegations and investigation outcomes
- No - only cases in which a member is found guilty of wrongdoing should be published
- Other views – text box

d) Requiring the completion of investigations if a member stands down

In circumstances where a member stands down during a live code of conduct investigation, councils should be required to conclude that investigation and publish the findings. The government is proposing this measure to ensure that, whilst the member in question will no longer be in office and therefore subject to any council sanction, for the purposes of accountability and transparency there will still be full record of any code of conduct breaches during their term of office.

Question 12

Should investigations into the conduct of members who stand down before a decision continue to their conclusion, and the findings be published?

- Yes
- No
- Unsure

e) Empowering individuals affected by councillor misconduct to come forward

The government appreciates that it can often be difficult for those who experience misconduct on the part of elected members, such as bullying and harassment, to feel that it is safe and worthwhile to come forward and raise their concerns. If individuals believe there is a likelihood that their complaint will not be addressed or handled appropriately, the risk is that victims will not feel empowered to come forward, meaning misconduct continues without action. We recognise that standing up to instances of misconduct takes an emotional toll, particularly in unacceptable situations where the complaints processes are protracted and do not result in meaningful action. We are committed to ensuring that those affected by misconduct are supported in the right way and feel empowered to come forward. This section seeks feedback from local authorities with experience of overseeing council complaints procedures, or sector bodies and individuals with views on how this might be carried out most effectively. We are also keen to hear from those who work, or have worked, in local government, and who have either witnessed, or been the victim of, member misconduct.

Question 13

If responding as a local authority, what is the average number of complaints against elected members that you receive over a 12-month period?

[Number box]

Question 13a

For the above, where possible, please provide a breakdown for complaints made by officers, other elected members, the public, or any other source:

- Complaints made by officers [Number box]
- Complaints made by other elected members [Number box]
- Complaints made by the public [Number box]
- Complaints made by any other source [Number box]

Question 14

If you currently work, or have worked, within a local authority, have you ever been the victim of (or witnessed) an instance of misconduct by an elected member and felt that you could not come forward? Please give reasons if you feel comfortable doing so.

- Yes

- No
- [Free text box]

Question 15

If you are an elected member, have you ever been subject to a code of conduct complaint? If so, did you feel you received appropriate support to engage with the investigation?

- Yes
- No
- [Free text box]

Question 16

If you did come forward as a victim or witness, what support did you receive, and from whom? Is there additional support you would have liked to receive?

[Free text box]

Question 17

In your view, what measures would help to ensure that people who are victims of, or witness, serious councillor misconduct feel comfortable coming forward and raising a complaint?

[Free text box]

6. Introducing the power of suspension with related safeguards

The government believes that local authorities should have the power to suspend councillors for serious code of conduct breaches for a maximum of 6 months, with the option to withhold allowances and institute premises and facilities bans where deemed appropriate. This section of the consultation explores these proposed provisions in greater detail.

While the law disqualifies certain people from being, or standing for election as, a councillor (e.g. on the grounds of bankruptcy, or receipt of a custodial sentence of 3 months or more, or it subject to the notification requirements of the Sexual Offences Act 2003 - meaning on the sex offenders register) councillors cannot currently be suspended or disqualified for breaching their code of conduct.

Feedback from the local government sector in the years since the removal of the power to suspend councillors has indicated that the current lack of meaningful sanctions means local authorities have no effective way of dealing with more serious examples of member misconduct.

The most severe sanctions currently used, such as formally censuring members, removing them from committees or representative roles, and requiring them to undergo training, may prove ineffective in the cases of more serious and disruptive misconduct. This may particularly be the case when it comes to tackling repeat offenders.

The government recognises that it is only a small minority of members who behave badly, but the misconduct of this small minority can have a disproportionately negative impact on the smooth running of councils. We also appreciate the frustration members of the public and councillors can feel both in the inability to deal decisively with cases of misconduct, and the fact that offending members can continue to draw allowances.

Question 18

Do you think local authorities should be given the power to suspend elected members for serious code of conduct breaches?

- Yes – authorities should be given the power to suspend members
- No – authorities should not be given the power to suspend members
- Unsure

Question 19

Do you think that it is appropriate for a standards committee to have the power to suspend members, or should this be the role of an independent body?

- Yes - the decision to suspend for serious code of conduct breaches should be for the standards committee
- No - a decision to suspend should be referred to an independent body
- Unsure
- [Free text box]

Question 20

Where it is deemed that suspension is an appropriate response to a code of conduct breach, should local authorities be required to nominate an alternative point of contact for constituents during their absence?

- Yes – councils should be required to ensure that constituents have an alternative point of contact during a councillor's suspension

- No – it should be for individual councils to determine their own arrangements for managing constituents' representation during a period of councillor suspension
- Unsure

a) The length of suspension

The Committee on Standards in Public Life recommended in their 2019 Local Government Ethical Standards^[footnote 3] (CSPL) report that the maximum length of suspension, without allowances, should be 6 months and the government agrees with this approach. The intent of this proposal would be that non-attendance at council meetings during a period of suspension would be disregarded for the purposes of section 85 of the Local Government Act 1972, which states that a councillor ceases to be a member of the local authority if they fail to attend council meetings for 6 consecutive months.

The government believes that suspension for the full 6 months should be reserved for only the most serious breaches of the code of conduct, and considers that there should be no minimum length of suspension to facilitate the proportionate application of this strengthened sanction.

Question 21

If the government reintroduced the power of suspension do you think there should be a maximum length of suspension?

- Yes – the government should set a maximum length of suspension of 6 months
- Yes – however the government should set a different maximum length (in months) [Number box]
- No – I do not think the government should set a maximum length of suspension
- Unsure

Question 22

If yes, how frequently do you consider councils would be likely to make use of the maximum length of suspension?

- Infrequently – likely to be applied only to the most egregious code of conduct breaches
- Frequently – likely to be applied in most cases, with some exceptions for less serious breaches

- Almost always – likely to be the default length of suspension for code of conduct breaches
- Unsure

b) Withholding allowances and premises and facilities bans

Giving councils the discretion to withhold allowances from members who have been suspended for serious code of conduct breaches in cases where they feel it is appropriate to do so could act as a further deterrent against unethical behaviour. Holding councillors financially accountable during suspensions also reflects a commitment to ethical governance, the highest standards of public service, and value for money for local residents.

Granting local authorities the power in legislation to ban suspended councillors from local authority premises and from using council equipment and facilities could be beneficial in cases of behavioural or financial misconduct, ensuring that suspended councillors do not misuse resources or continue egregious behaviour. Additionally, it would demonstrate that allegations of serious misconduct are handled appropriately, preserving trust in public service and responsible stewardship of public assets.

These measures may not always be appropriate and should not be tied to the sanction of suspension by default. The government also recognises that there may be instances in which one or both of these sanctions is appropriate but suspension is not. It is therefore proposed that both the power to withhold allowances and premises and facilities bans represent standalone sanctions in their own right.

Question 23

Should local authorities have the power to withhold allowances from suspended councillors in cases where they deem it appropriate?

- Yes – councils should have the option to withhold allowances from suspended councillors
- No – suspended councillors should continue to receive allowances
- Unsure

Question 24

Do you think it should be put beyond doubt that local authorities have the power to ban suspended councillors from council premises and to

withdraw the use of council facilities in cases where they deem it appropriate?

- Yes – premises and facilities bans are an important tool in tackling serious conduct issues
- No – suspended councillors should still be able to use council premises and facilities
- Unsure

Question 25

Do you agree that the power to withhold members' allowances and to implement premises and facilities bans should also be standalone sanctions in their own right?

- Yes
- No
- Unsure

c) Interim suspension

Some investigations into serious code of conduct breaches may be complex and take time to conclude, and there may be circumstances when the misconduct that has led to the allegation is subsequently referred to the police to investigate. In such cases, the government proposes that there should be an additional power to impose interim suspensions whilst and until a serious or complex case under investigation is resolved.

A member subject to an interim suspension would not be permitted to participate in any council business or meetings, with an option to include a premises and facilities ban.

We consider that members should continue to receive allowances whilst on interim suspension and until an investigation proves beyond doubt that a serious code of conduct breach has occurred or a criminal investigation concludes. The decision to impose an interim suspension would not represent a pre-judgement of the validity of an allegation.

We suggest that:

- Interim suspensions should initially be for up to a maximum of 3 months. After the expiry of an initial interim suspension period, the relevant council's standards committee should review the case to decide whether it is in the public interest to extend.

- As appropriate, the period of time spent on interim suspension may be deducted from the period of suspension a standards committee imposes.

Question 26

Do you think the power to suspend councillors on an interim basis pending the outcome of an investigation would be an appropriate measure?

- Yes, powers to suspend on an interim basis would be necessary
- No, interim suspension would not be necessary
- Any further comments [free text box]

Question 27

Do you agree that local authorities should have the power to impose premises and facilities bans on councillors who are suspended on an interim basis?

- Yes - the option to institute premises and facilities bans whilst serious misconduct cases are investigated is important
- No - members whose investigations are ongoing should retain access to council premises and facilities
- Unsure

Question 28

Do you think councils should be able to impose an interim suspension for any period of time they deem fit?

- Yes
- No
- Any further comments [free text box]

Question 29

Do you agree that an interim suspension should initially be for up to a maximum of 3 months, and then subject to review?

- Yes
- No
- Any further comments [free text box]

Question 30

If following a 3-month review of an interim suspension, a standards committee decided to extend, do you think there should be safeguards

to ensure a period of interim extension is not allowed to run on unchecked?

- Yes – there should be safeguards
- No – councils will know the details of individual cases and should be trusted to act responsibly

Question 30a

If you answered yes to above question, what safeguards do you think might be needed to ensure that unlimited suspension is not misused?

[Free text box]

d) Disqualification for multiple breaches and gross misconduct

When councillors repeatedly breach codes of conduct, it undermines the integrity of the council and erodes public confidence. To curb the risk of repeat offending and continued misconduct once councillors return from a suspension, the government considers that it may be beneficial to introduce disqualification for a period of 5 years for those members for whom the sanction of suspension is invoked on more than one occasion within a 5-year period.

This measure underlines the government's view that the sanction of suspension should only be used in the most serious code of conduct breaches, because in effect a decision to suspend more than once in a 5-year period would be a decision to disqualify an elected member. However, we consider this measure would enable councils to signal in the strongest terms that repeated instances of misconduct will not be tolerated and would act as a strong deterrent against the worst kind of behaviours becoming embedded.

Currently a person is disqualified if they have been convicted of any offence and have received a sentence of imprisonment (suspended or not) for a period of 3 months or more (without the option of a fine) in the 5-year period before the relevant election. Disqualification also covers sexual offences, even if they do not result in a custodial or suspended sentence.

Question 31

Do you think councillors should be disqualified if subject to suspension more than once?

- Yes – twice within a 5-year period should result in disqualification for 5 years
- Yes – but for a different length of time and/or within a different timeframe (in years) [Number boxes]
- No - the power to suspend members whenever they breach codes of conduct is sufficient
- Any other comments [free text box]

Question 32

Is there a case for immediate disqualification for gross misconduct, for example in instances of theft or physical violence impacting the safety of other members and/or officers, provided there has been an investigation of the incident and the member has had a chance to respond before a decision is made?

- Yes
- No
- Unsure
- [Free text box]

e) Appeals

The government proposes that:

- A right of appeal be introduced for any member subject to a decision to suspend them.
- Members should only be able to appeal any given decision to suspend them once.
- An appeal should be invoked within 5 working days of the notification of suspension; and
- Following receipt of a request for appeal, arrangements should be made to conduct the appeal hearing within 28 working days.

The government believes that were the sanction of suspension to be introduced (and potentially disqualification if a decision to suspend occurs a second time within a 5-year period) it would be essential for such a punitive measure to be underpinned by a fair appeals process.

A right of appeal would allow members to challenge decisions that they believe are unjust or disproportionate and provides a safeguard to ensure that the sanction of suspension is applied fairly and consistently.

We consider that it would be appropriate to either create a national body, or to vest the appeals function in an existing appropriate national body, and views on the merits of that are sought at questions 38 and 39 below. Firstly, the following questions test opinion on the principle of providing a mechanism for appeal.

Question 33

Should members have the right to appeal a decision to suspend them?

- Yes - it is right that any member issued with a sanction of suspension can appeal the decision
- No – a council's decision following consideration of an investigation should be final
- Unsure

Question 34

Should suspended members have to make their appeal within a set timeframe?

- Yes – within 5 days of the decision is appropriate to ensure an efficient process
- Yes – but within a different length of time (in days) [Number box]
- No – there should be no time limit for appealing a decision

The government is also keen to explore if a right of appeal should be provided, either in relation to whether a complaint proceeds to full investigation and consideration by the standards committee, or where a claimant is dissatisfied with the determination of the standards committee.

Question 35

Do you consider that a complainant should have a right of appeal when a decision is taken not to investigate their complaint?

- Yes
- No
- Unsure

Question 36

Do you consider that a complainant should have a right of appeal when an allegation of misconduct is not upheld?

- Yes
- No

- Unsure

Question 37

If you answered yes to either of the previous two questions, please use the free text box below to share views on what you think is the most suitable route of appeal for either or both situations.

[Free text box]

f) Potential for a national appeals body

There is a need to consider whether appeals panels should be in-house within local authorities, or whether it is right that this responsibility sits with an independent national body. Whereas an in-house appeals process would potentially enable quicker resolutions by virtue of a smaller caseload, empowering a national body to oversee appeals from suspended members and complainants could reinforce transparency and impartiality and help to ensure consistency of decision-making throughout England, setting precedents for the types of cases that are heard.

Question 38

Do you think there is a need for an external national body to hear appeals?

- Yes – an external appeals body would help to uphold impartiality
- No – appeals cases should be heard by an internal panel
- Any further comments [free text box]

Question 39

If you think there is a need for an external national appeals body, do you think it should:

- Be limited to hearing elected member appeals
- Be limited to hearing claimant appeals
- Both of the above should be in scope
- Please explain your answer [free text box]

7. Public Sector Equality Duty

Question 40

In your view, would the proposed reforms to the local government standards and conduct framework particularly benefit or disadvantage individuals with protected characteristics, for example those with disabilities or caring responsibilities?

Please tick an option below:

- it would benefit individuals with protected characteristics
- it would disadvantage individuals with protected characteristics
- neither

Please use the text box below to make any further comment on this question.

[Free text box]

Annex A: Personal data

The following is to explain your rights and give you the information you are entitled to under the Data Protection Act 2018. Note that this section only refers to your personal data (your name address and anything that could be used to identify you personally) not the content of your response to the consultation.

1. The identity of the data controller and contact details of our Data Protection Officer

The Ministry of Housing, Communities and Local Government (MHCLG) is the data controller. The Data Protection Officer can be contacted at dataprotection@communities.gov.uk.

2. Why we are collecting your personal data

06/01/2025

Withyham Parlish Council

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Detailed Income & Expenditure by Budget Heading 06/01/2025

Cost Centre Report

	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds. Available	% Spent	Transfer to/from EMR
100 Receipts							
1000 Misc Receipts	2,871	3,500	629			82.0%	
1010 Wealden Rail/SVR rent	3,200	4,800	1,600			66.7%	
1011 WRC/SVR rebate utilities	684	1,500	816			45.6%	
1020 Meeting room income	418	400	(18)			104.4%	
1030 CIL Receipts	4,894	0	(4,894)			0.0%	4,894
1040 Community Cafe receipts	135	605	470			22.3%	
1062 Gbridge PO Rent	6,001	16,800	10,799			35.7%	
1063 Post office/Phoenix Hse Rebate	2,176	3,000	824			72.5%	
1070 Tanyard grass cutting contribu	0	314	314			0.0%	
1076 Precept	225,641	225,641	0			100.0%	
1090 Bank Interest	0	100	100			0.0%	
101 Administration							
4000 Staff Salary	(40,650)	(51,300)	10,650		10,650	79.2%	
4001 Staff on-costs	(9,549)	(15,000)	5,451		5,451	63.7%	
4003 Parish Maintenance Contract	(3,468)	(4,164)	696		696	83.3%	
4005 Clerical Support & overtime	(320)	(2,000)	1,680		1,680	16.0%	
4006 Neighbourhood Plan expenditure	0	(500)	500		500	0.0%	
4007 Training	(1,481)	(2,000)	519		519	74.0%	
4008 Annual Subs inc SALC/NALC	(1,098)	(1,600)	502		502	68.6%	
4009 Conferences& Networking	(257)	(500)	243		243	51.4%	
4010 Chairman's Allowance	(1,300)	(1,300)	0		0	100.0%	
4011 Councillors' Allowances	(454)	(1,000)	546		546	45.4%	
4012 Parish Office rent	(12,000)	(16,000)	4,000		4,000	75.0%	
4013 Telephone/Broadband	(1,118)	(1,300)	182		182	86.0%	
4015 Stationery & non-electric equi	(887)	(1,500)	613		613	59.1%	
4016 Computer Software/Hardware	(923)	(1,500)	577		577	61.5%	
4017 Photocopier Lease/Maintenance	(556)	(1,200)	644		644	46.3%	
4018 Website	(290)	(500)	210		210	58.0%	
4019 Community Communication	(556)	(1,700)	1,145		1,145	32.7%	
4020 APA expenditure	(744)	(750)	6		6	99.2%	
4021 IT Support	(2,571)	(3,600)	1,029		1,029	71.4%	
4030 Hire of Halls	0	(400)	400		400	0.0%	
4038 Insurance	(2,056)	(2,200)	144		144	93.4%	
4040 Payroll, audit & legal Fees	(1,128)	(2,000)	873		873	56.4%	
4041 Staff Committee	(150)	(500)	350		350	30.0%	
4051 Community Resilience	0	(100)	100		100	0.0%	
4060 Election Expenses	0	(1,200)	1,200		1,200	0.0%	
4061 Parish Action Plan & Projects	(495)	(500)	5		5	99.0%	
4062 Withyham Parish Volunteers	0	(100)	100		100	0.0%	

Continued over page

Detailed Income & Expenditure by Budget Heading 06/01/2025

Cost Centre Report

	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
4064 Community Cafe expenditure	(328)	(605)	277		277	54.2%	
4065 Climate & Ecology Working Grou	(268)	(500)	232		232	53.5%	101
4500 Office associated repairs	(848)	(4,500)	3,652		3,652	18.8%	
4501 New Office equipment electroni	(218)	(200)	(18)		(18)	109.1%	
4502 Office utilities	(998)	(2,500)	1,502		1,502	39.9%	
4503 Office maintenance contracts &	(900)	(1,000)	100		100	90.0%	
4508 Office waste	(453)	(1,200)	747		747	37.7%	
4510 Meeting Room catering	(209)	(200)	(9)		(9)	104.6%	
4600 Bank charges	(72)	(150)	78		78	48.0%	
<u>102 Grants & Donations</u>							
4101 Grants	(9,691)	(10,000)	309		309	96.9%	
4106 Youth Act/Facilities	0	(500)	500		500	0.0%	
<u>201 Groombridge</u>							
4200 Recreation Ground Rent	(302)	(320)	18		18	94.4%	
4201 Recreation Ground Purchases	(659)	(200)	(459)		(459)	329.5%	659
4202 Recreation Ground Repairs	0	(1,000)	1,000		1,000	0.0%	
4205 Mowing Groombridge Rec & Newto	(788)	(5,510)	4,722		4,722	14.3%	
4206 Mowing Tanyard	(311)	(1,048)	737		737	29.7%	
4211 Waste Collection Service	(858)	(1,200)	342		342	71.5%	
4213 Dog Waste Collection	(1,502)	(2,100)	599		599	71.5%	
4219 Groombridge Playground PWLB rep	(5,663)	(5,663)	0		0	100.0%	
4220 Groombridge Play Area maintena	(246)	(1,000)	754		754	24.6%	
4225 Park Corner Pond	0	(100)	100		100	0.0%	
4230 Trees	(950)	(4,000)	3,050		3,050	23.8%	
<u>202 St Johns</u>							
4240 Maintenance of Reading Rm Land	0	(638)	638		638	0.0%	
4241 Maintenance of Manor Pound	0	(500)	500		500	0.0%	
<u>203 Withyham/Blackham</u>							
4260 Mowing & hedge Teasley Mead	(414)	(1,500)	1,086		1,086	27.6%	
4261 Mowing Balls Green	(166)	(420)	254		254	39.5%	
4265 Rental Teasley Mead	(61)	(65)	4		4	93.8%	
4266 Rental Balls Green	(61)	(65)	4		4	93.8%	
4267 Teasley Mead Rec Equipment rep	(5,232)	(2,500)	(2,732)		(2,732)	209.3%	2,732
4268 BG Playground - Repairs	0	(100)	100		100	0.0%	
4270 Play Inspection BGrn & TMead	(167)	(270)	103		103	61.8%	
<u>401 Highways/Footways/Transport</u>							
4226 ESCC Devolution (grass)	(1,242)	(1,242)	0		0	100.0%	
4401 Wealdlink Bus Service	(471)	(650)	179		179	72.5%	
4402 External Furniture Repairs	0	(200)	200		200	0.0%	

Detailed Income & Expenditure by Budget Heading 06/01/2025

Cost Centre Report

	Actual Year To Date	Current Annual Bud	Variance Annual Total	Committed Expenditure	Funds Available	% Spent	Transfer to/from EMR
4403 Roadside Shelters	(153)	(500)	347		347	30.7%	
4405 Telephone boxes (adopted)	(57)	(150)	93		93	37.7%	
4406 Defibrillators	(347)	(200)	(147)		(147)	173.4%	
4407 Parish maintenance works/equip	(537)	(500)	(37)		(37)	107.3%	
4410 Notice Boards	(26)	(200)	174		174	13.1%	
4415 Rights of Way	(6)	(500)	494		494	1.3%	
4420 Finger Posts and signs	0	(1,000)	1,000		1,000	0.0%	
4421 Highways	(101)	(1,500)	1,399		1,399	6.7%	
4426 GB Village Sign Maintenance	0	(300)	300		300	0.0%	
4428 Grit Bins	0	(350)	350		350	0.0%	
4429 Salt Spreaders/Salt	(222)	(600)	378		378	37.1%	
<u>402 Lighting</u>							
4450 Energy & Maintenance 39 lights	0	(2,000)	2,000		2,000	0.0%	
4451 Repairs & Renewals	(486)	(2,000)	1,514		1,514	24.3%	
4452 New Columns	0	(3,000)	3,000		3,000	0.0%	
<u>500 Post office</u>							
5001 CIC Subsidy/Grant	(8,000)	(18,000)	10,000		10,000	44.4%	
5100 PO Building Annual PWLB repay	(8,389)	(16,800)	8,411		8,411	49.9%	
5101 PO building utilities repayment	(2,144)	(3,000)	856		856	71.5%	
5200 Phoenix Hse maintenance	(10,675)	(5,000)	(5,675)		(5,675)	213.5%	4,939
<u>901 Earmarked Reserves</u>							
9037 EMR Parish Assets	0	(35,000)	35,000		35,000	0.0%	
<u>999 VAT Data</u>							
115 VAT reclaimed	0	17,500	17,500			0.0%	
515 VAT on Payments	0	(17,500)	17,500		17,500	0.0%	
Grand Totals:- Income	246,020	274,160	28,140			89.7%	
Expenditure	146,270	274,160	127,890	0	127,890	53.4%	
Net Income over Expenditure	99,750	0	(99,750)				
plus Transfer from ENR	8,431						
less Transfer to EMR	4,894						
Movement to/(from) Gen Reserve	103,287						

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Date: 08/01/2025

Withyham Parish Council

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Time: 11:43

Cashbook 1

User: DS

Current Bank A/c (HSBC)

Payments made between 06/12/2024 and 08/01/2025

Nominal Ledger Analysis									
Date	Payee Name	Reference	£ Total Amnt	£ Creditors	£ VAT	A/c	Centre	£ Amount	Transaction Details
06/12/2024	UK Debt Management Office	PWLBP01224	8,389.48			5100	500	8,389.48	Loan repayment Ph Hse/PO
06/01/2025	Streetsights.co.uk	BACS178	753.95		125.66	4460	402	628.29	Streetsight maintenance (10/2
06/01/2025	ADN Roofing	BACS179	5,666.98		944.83	5200	500	4,724.15	Phoenix House roof
						341		-4,724.15	Phoenix House roof
						6000	500	4,724.15	Phoenix House roof
06/01/2025	R Bailey	BACS180	40.00			4503	101	40.00	Window cleaning Dec
06/01/2025	ADN Roofing	BACS181	156.60		26.60	4500	101	133.00	Office roof (chimney brick)
06/01/2025	Octopus	DDOCT01224	88.89			4502	101	88.89	Office electricity Nov
06/01/2025	Everflow	EFOS1224	31.69			4502	101	31.69	Water charges office
06/01/2025	Everflow	EFPO1224	858.88			5101	500	858.88	Water charges Ph Hse/PO
06/01/2025	Viking Direct	BACS182	119.40		19.90	4015	101	99.50	Stationery
06/01/2025	Omni Waste Management	BACS183	37.20		6.20	4506	101	31.00	Office bins Nov
06/01/2025	Holman & Sons	BACS184	6,520.00		920.00	5200	500	4,600.00	Reboard & plaster Ph Hse
						341		-4,600.00	Reboard & plaster Ph Hse
						6000	500	4,600.00	Reboard & plaster Ph Hse
06/01/2025	North Wealden Community Transp	BACS185	157.00			4401	401	157.00	Wealdlink Qtr4
06/01/2025	Society - Local Council Clerks	BACS186	36.00		6.00	4007	101	30.00	Training (D)
06/01/2025	SME.IT Solutions	BACS187	506.74		84.29	4013	101	100.27	phone/Bband
						4021	101	321.18	IT support
06/01/2025	Highways Volunteer	BACS188	10.35			4421	401	10.35	Mileage
06/01/2025	Employee	BACS189	9.00			4407	401	9.00	Mileage (PMP)
06/01/2025	Various	BACS190	7,700.37			4003	101	364.00	Salary
						4006	101	189.57	Overtime payments
						4000	101	7,146.80	Salaries +Adjustments
06/01/2025	HMRC	BACS191	3,317.64			4001	101	3,317.64	Tax & NI Qtr3
06/01/2025	Prepaid card	CB1PPC0125	164.26			203		164.26	Ch1 to PPCard Jan25
06/01/2025	British Gas Lite	DOBGO125	180.62			5101	500	180.62	PO/Ph Hse Elec
06/01/2025	Nest	DONEST0125	886.08			4001	101	886.08	Pensions
06/01/2025	HSBC	HSBC0125	8.00			4600	101	8.00	bank charges Nov-Dec
06/01/2025	The Premier Trust N.A Houghton	SONHD125	666.67			4012	101	666.67	Office rent Jan
06/01/2025	The Premier Trust T.J Newman	SOTND125	666.66			4012	101	666.66	Office rent

Date: 08/01/2025

Withyham Parish Council

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Time: 11:57

Cashbook 3

User: DS

Prepaid card

Payments made between 01/01/2025 and 13/01/2025

Nominal Ledger Analysis

Date	Payee Name	Reference	£ Total Amnt	£ Creditors	£ VAT	A/c	Centre	£ Amount	Transaction Details
13/01/2025	Milk & More	PP58	13.74			4510	101	13.74	Office/Mtg room milk
13/01/2025	Zoom Video Comms Ltd	PP59	15.59		2.60	4016	101	12.99	Subs
13/01/2025	Vistaprint	PP60	11.99		2.00	4015	101	9.99	Printing
13/01/2025	AmazonUK	PP61	13.94		2.32	4220	201	11.62	Playground bolts
13/01/2025	Canva	PP62	13.00			4016	101	13.00	Software subs
13/01/2025	Akismet	PP63	96.00		16.00	4016	101	80.00	Anti spam software
Total Payments:			164.26	0.00	22.92			141.34	