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Minutes of West Surrey Shadow Authority Standards Committee

2 September 2026

Present:

Councillor Jane Austin, Waverley Eastern Villages
Councillor Chris Bateson, Staines
Councillor Harleen Boparai, Staines South & Ashford West
Councillor Steve Greentree, Knaphill & Goldsworth West
Councillor Bob Hughes, Shere
Councillor Jonathan Hulley, Thorpe, Longcross & Ottershaw
Councillor Nirmal Kang, Heatherside & Parkside
Councillor Sarbie Kang, Camberley West & Frimley
Councillor Carl Mann, Thorpe, Longcross & Ottershaw
Councillor Louise Morales, Woking South
Councillor Isabel Mullens, Egham
Councillor Rory O'Brien, Sunbury Common & Ashford Common
Councillor Joanne Shaw, Guildford East
Councillor Sally Shorthose, West Surrey Shadow Authority
Councillor Richard Wilson, Bagshot, Windlesham & Chobham Ward

Apologies:

Councillor Scott Lewis, Woodham & New Haw

13/SD Apologies for Absence

Apologies for absence were received from Councillor Scott Lewis. Councillor Bob Hughes was in attendance as his substitute.

14/SD Declarations of Interest

There were none.

15/SD Minutes of Previous Meeting

The minutes of the meeting held on 06 July 2026 were agreed subject to the following amendments:

2/SD – be amended to:

‘Councillor Richard Wilson nominated and Councillor Shorthose seconded Councillor Joanne Shaw as Vice-Chair of the West Surrey Shadow Authority Standards Committee’,

9/SD – to be amended to:

‘A Member of the Shadow Authority may ask the Leader’

16/SD Appointment of Additional Independent Persons

The Committee considered a report that sought consideration of the appointment of an additional Independent Person and a recommendation to be made to the West Surrey Shadow Authority to approve the appointment.

The Committee were advised that it was due to an administrative error that Murray Litvak was not able to be considered for the position of an Independent Person at the previous Standards Committee.

The Monitoring Officer advised the Committee that a further recruitment exercise to appoint Independent Persons would be undertaken post vesting along with the recruitment of an Independent Member from a Parish Council.

The Committee **RESOLVED** to recommend to the West Surrey Shadow Authority to:

1. Approve the appointment of Murray Litvak as an Independent Person for the remainder of the Shadow Period until 31 March 2027; and
2. Approve an allowance of £1,159 per annum, per rata, as detailed in the Shadow Authority's Members' Allowance Scheme be paid, together with expenses for travel, where such costs are incurred in connection with the Independent Person's duties.

17/SD Member Development Programme Report Update

The Committee considered a report that sought to provide an update to the Standards Committee on Shadow Authority member training and development, including:

1. Training completed by members as part of Phase 1 (May- July 2026); and
2. Training principles and approach agreed for Phase 2 (September 2026 – April 2027)

Committee members were also asked to note the progress to date, the approach underway for Phase 2 and to provide feedback on any training gaps.

The Committee requested that a spreadsheet be produced to register all training undertaken by individual members to ensure that any compulsory training had been completed and also to ensure that members did not repeat any training.

Members identified some training that had not been scheduled within the Member Development Programme, such as scrutiny, inclusion and diversity.

The Committee was advised that the programme would be reviewed and additional training sessions added.

The Committee **RESOLVED** to:

1. Note the update on Phase 1 delivery of the induction programme,
2. Note the Phase 2 Member Development Principles and Training Plan;
and
3. Provide feedback on the approach to delivery and any identified training gaps and additional requirements for members.

18/SD Governance Arrangements for Constitution Work

The Committee considered a report that sought approval to disband the Constitution Sub-Committee and establish a Constitution Working Group to replace the Sub-Committee.

This item had been discussed at the Constitution Sub-Committee meeting held 27 August 2026. The proposal was not agreed by all members of the Sub-Committee with concerns raised about the lack of transparency if the Working Group met without the meeting being recorded and available to the public and without proper minutes.

Following a debate, it was agreed by a consensus that minutes would be taken and attached to the papers for the next formal Standards Meeting.

Councillor J Austin proposed and Councillor J Hulley seconded a motion that the Terms of Reference for the Working Group be amended to reflect that the meeting would be recorded and available for the public to view on the Future Surrey website.

Following a debate on Councillor Austin's motion, a vote was taken as follows:

For – 6
Against – 8
Abstain – 1

The motion **FELL**

Following further debate, a vote on the substantive motion to create a Constitution Working Group was taken as follows:

For 9
Against 6

Councillors Austin, Hulley, Hughes, Mann, Mullens and O'Brien, who voted against the substantive motion requested that their names to be noted in the minutes.

Councillors N Kang and Shaw who voted for the substantive motion requested that their names be noted in the minutes.

The Committee **RESOLVED** to:

Make a recommendation to Council to:

1. Disband the established Constitution Sub-Committee of the Standards Committee and note that the Standards Committee will, with immediate effect establish a Constitution Working Group with the same membership and for the same purpose, with the Terms of Reference as in Appendix 1 to this report; and
2. Delegate to the Monitoring Officer the authority to amend the Constitution to reflect any consequential changes arising from this decision and make arrangements for meetings to be recorded, with an attendance link to be provided to all members and the minutes from each Working Group meeting to be circulated to all members and attached to the papers for the next formal meeting of the Standards Committee.

19/SD Amendments to the Terms of Reference of the Employment Committee

The Committee considered a report that sought a recommendation to Council to revise the Terms of Reference for the West Surrey Employment Committee.

Following a debate, the Committee **RESOLVED** to make a recommendation to Council to:

1. Approve the revised Terms of Reference of the Employment Committee, as set out in Appendix 1; and
2. Delegate authority to the Monitoring Officer to make the necessary amendments to the Constitution.

20/SD Proposed Amendments to the Member-Officer Protocol

The meeting was adjourned at 15.20

The meeting reconvened at 15.27

The Committee considered a report that sought a recommendation to Council to agree the revised Member Officer Protocol.

Councillor Wilson proposed and Councillor Shaw seconded the following further amendment to the protocol:

‘Although a statutory duty of candour does not currently apply, members and officers are expected to act in the spirit of candour in their dealings with each other and with the public. Neither should knowingly mislead others and if a member or officer becomes aware that they have provided materially inaccurate or incomplete information, or that there is a material error or failure relevant to the other’s role, they should ensure it is brought promptly to the attention of the officer or member (or other appropriate person or body) and where possible, corrected or explained, This section does not require the disclosure of information where such disclosure would be unlawful or would result in the improper release of exempt information under Schedule 12 of the Local Government Act 1972’.

Councillor Austin requested a short adjournment to allow members time to consider Councillor Wilson’s amendment.

The meeting was adjourned at 15.50
The meeting reconvened at 15.52

During the debate members were advised that there was currently a Bill going through the parliamentary process in respect of candour. This was yet to be considered by the House of Lords so there was no current timeline with regard to the possibility of being granted Royal Assent. Some members suggested that the Committee therefore agree to defer this amendment and bring it to the Constitution Sub-Committee for consideration. Other members stated that there was no benefit to waiting and that West Surrey could use this to help set the culture for the new authority.

A vote was taken to agree the proposed amendment as follows:

For – 9 votes
Against – 1 vote
Abstain – 5 votes

The Committee **RESOLVED** to agree the amendment

Councillor Austin proposed and Councillor Hulley seconded a motion to defer the amendment to a meeting of the Constitution Sub-Committee.

A vote was taken to defer the amendment as follows:

For - 6
Against – 9
Abstain – 0

The Committee **RESOLVED** to not defer the amendment to a meeting of the Constitution Sub-Committee.

The Committee **RESOLVED** to recommend to Council that the revised Member Officer Protocol set out in Appendix 1 to this report be agreed and that the Monitoring Officer be delegated to amend the Constitution accordingly.

21/SD Social Media Policy for Councillors

The Committee sought clarification around whether it was acceptable for members to download footage of their participation in any meeting and posting it onto their own social media page. The Monitoring Officer advised that this was acceptable for a member's own participation but did not include other member's participation.

The Committee **RESOLVED** to make a recommendation to Council to:

1. Approve the Social Media Policy for Councillors for inclusion in the Constitution, both during the Shadow Period and for Post Vesting Day; and
2. Authorise the Monitoring Officer, in consultation with the Chair of the Standards Committee, to make minor amendments to the Policy to reflect changes in legislation, statutory guidance, Local Government Association guidance or Council arrangements provided that such amendments do not materially alter the purpose or effect of the Policy.

22/SD Gifts and Hospitality Policy

The Committee was advised that the Implementation Team had introduced a new procedure that would require members to complete an on-line form with declarations of any gifts or hospitality accepted or declined.

Following a debate the Committee **RESOLVED** to:

1. Consider and agree the proposed Guidance for Members on Gifts and Hospitality as reviewed by the Constitution Sub-Committee attached at Appendix 1,
2. Make a recommendation to the West Surrey Shadow Authority to:
 - a) Adopt the Guidance for Councillors on Gifts and Hospitality, attached at Appendix 1 to this report, into the West Surrey Shadow Authority Constitution and for post Vesting Day, the West Surrey Council Constitution,
 - b) Note that the Monitoring Officer will maintain a Register of Gifts and Hospitality declared by councillors and co-opted members and arrange for relevant entries to be published on the Future Surrey Website; and

- c) Delegate authority to the Monitoring Officer, in consultation with the Chair of the Standards Committee, to make minor administrative, legislative and formatting amendments to the Guidance where these do not materially alter its purpose or effect.

23/SD Member Conduct Complaint Arrangements

The Committee considered a report that sought a recommendation to Council.

Members were advised that whenever possible complaints would be resolved informally and only serious complaints would be progressed to an investigation.

Concerns were raised in respect of the outcome of an investigation being published on the Council's website. The Deputy Monitoring Officer advised that only a Decision Notice would be published that would outline the accusations and the outcome of the investigation; no exempt information would be publicised. Complainants are made aware that if their complaints are progressed to an investigation their name would be published on the website. Members agreed that if a person that had been complained against was exonerated following an investigation, they would be asked whether they wanted a Decision Notice published on the Council's website or not. The Committee were advised that the wording in Paragraph 14.1 would be amended to reflect this.

The Committee **RESOLVED** to:

Make a recommendation to the Shadow Authority that the revised Standards Arrangements, set out in Appendix 1 and Appendix 2 to the report are agreed and that the Constitution be amended accordingly.

24/SD Committee Forward Work Programme

The Committee were advised that the decision of where the Head Quarters of the West Surrey Authority would be, had been deferred to the October meeting of the Executive.

Members were advised that the Draft West Surrey Council Constitution would be considered at the meeting of the Constitution Sub-Committee on 15 December 2026.

An additional meeting of the Standards Committee would be scheduled in for 22 October 2026.

The Committee **RESOLVED** to agree the Standards Committee Work Programme.

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West Surrey Shadow Authority		
Report title: Proposed amendments to the Member-Officer Protocol		
Report to: Standards Committee		
Date: 02 September 2026		
Executive Portfolio Holder: Cllr. Victoria Kiehl Contact Email: Victoria.Kiehl@westsurrey.gov.uk		
Report of Statutory Officer: Susan Sale, Monitoring Officer (interim) Contact Email: Susan.Sale@westsurrey.gov.uk		
Report author(s): Deborah Davies, Deputy Monitoring Officer (interim) Contact Email: Deborah.Davies@westsurrey.gov.uk		
Wards affected: All Ward councillors informed: Yes		
Exempt from publication: No		
Key Decision: No	If a Key Decision, date registered on Forward Plan: N/A	
Report cleared for publication by:		
People Workstream	N/A	N/A
Equalities Impact Assessment complete	N/A	N/A
Senior Responsible Officer (or their delegate)	N/A	N/A
S151 Officer	Susan Sale on behalf of Vicky Radford	13 August 26
Monitoring Officer	Susan Sale	13 August 26
Executive Portfolio Holder consultation	Cllr Victoria Kiehl	13 August 26
Sub Committee Chair consultation	Cllr Jo Shaw	13 August 26
Head of Paid Service	Susan Sale on behalf of Andy Brown	13 August 26

1. Executive Summary

- 1.1** This report sets out suggested amendments to the Member – Officer Protocol, for adoption into the Constitution.
- 1.2** If the revised arrangements are accepted, they will replace the current Part 5-2 Protocol on Member Officer Relationship in the Shadow Authority Constitution

2 Recommendations:

- 2.1** That the Standards Committee resolves to recommend that the Council:

that the revised Member Officer Protocol set out in Appendix One to this report is agreed and that the Monitoring Officer be delegated to amend the Constitution accordingly.

3 Reason(s) for recommendation:

- 3.1** The relationship between Councillors and Officers is paramount to the governance and efficiency of the organisation and the service delivery and best value we provide to our residents, communities and businesses. Having clarity over the separate but inter dependent roles of Councillors and Officers, their respective responsibilities and how they effectively support each other and work together for shared outcomes is essential to good governance.

4 Next steps

- 4.1** If this report is approved by the Standards Committee, then it will recommend the changes to the Constitution, to the Council at its next meeting.

5 Exemption from publication

- 5.1** This report is not exempt from publication.

6 Background and Proposal

- 6.1** In order to support local authorities, the Local Government Association (LGA) produced good practice guidance on Member Officer relations protocols in November 2025.
- 6.2** West Surrey Shadow Authority adopted a Protocol on Member Officer Relationships at its inaugural meeting, and officers have now given further consideration to that Protocol, having regard to the LGA guidance and comments contained in Peer reviews.
- 6.3** The proposed version in Appendix One is a more developed and operational version of the current protocol. The main differences are highlighted in yellow. The suggested protocol is more wide ranging and operational and covers a number of new areas, such as attendance at group meetings, working between ward members and how to escalate relationship concerns.
- 6.4** As West Surrey Council will be a new entity, there is a need to develop a culture for the organisation and being clear how members and officers can work together and the expectations of both will be integral to that culture and to good governance.
- 6.5** The LGA Guidance suggests that when considering a new protocol, members should consider the following:-
- What are the member-officer leadership dynamics in our authority? (for example, new political leadership/established officer leadership, established political leadership/new managerial leadership or new political leadership/new managerial leadership?) What are the implications of this for member-officer relations?
 - How does/ will the protocol align with the authority's corporate governance framework and corporate values?
 - Does/ will the protocol clearly define the respective roles and responsibilities of members and officers in the authority?
 - Are the boundaries between political and professional roles well-articulated and practical?
 - Have we involved a representative mix of members and officers in the process of developing/ reviewing the protocol?
 - Have we considered feedback from previous complaints, conduct issues or governance reviews?
 - Will the new protocol help to guide behaviour in real-world scenarios, including challenging or ambiguous situations?
 - Is it easy for members and officers to find the protocol and is the language used accessible and understandable to all?

West Surrey Council is of course at an early stage, operating in a shadow format, and it may be necessary to revisit the protocol for the future, once the Council is established, to ensure that it is embedded in the culture of

the organisation. However a number of the questions set out above can still be considered by members.

7 Consultation

- 7.1** Both the relevant portfolio holder has been consulted, (and her comments will be reported to the Sub-Committee) and the Chair of the Constitution Sub Committee.

8 Key Risks

- 8.1** The Council already has a published Member Officer Relations Protocol and the proposed changes build on, and improve, that position. Making a change at this early stage reduces the risk that embedding the protocol within the culture of the West Surrey Council takes longer.
- 8.2** As West Surrey Council will be bringing together different ways of working with members/officers from across a number of existing councils, a more operational protocol which sets out clear suggestions for each circumstance would appear to be more helpful and provide greater clarity for members and officers.

9 Options

- 9.1** Not to agree any revision to the agreed protocol.
- 9.2** To agree changes to the proposal. The Sub-Committee could recommend changes to the proposed arrangements.
- 9.3** To agree the proposed arrangements set out in Appendix One. This is the preferred option as they are in line with recommended good practice from the LGA and other peer reviewed councils.

10 Issues for consideration

10.1 Financial Implications

- 10.1.1** There are no financial implications to this report.

10.2 Section 151 Officer Commentary

10.2.1 No further comments.

10.3 Legal Implications

10.3.1 Local authorities have a duty, under s.27 Localism Act 2011 (the Act), to promote and maintain high standards of conduct by their members and co-opted members. Having a member officer relations protocol in place helps to support the Code of Conduct.

10.3.2 The Equality Act 2010 (Public Sector Equality Duty) requires public authorities to have due regard to eliminating discrimination and advancing equality in their decisions, reinforcing the expectation that members and officers act fairly and without bias.

10.3.3 The Local Government and Housing Act 1989 requires the appointment of certain statutory officers (Head of Paid Service, Monitoring Officer, Chief Finance Officer) with defined duties and imposes political restrictions on senior council employees to ensure their political neutrality.

10.4 Monitoring Officer Commentary

10.4.1 The protocol can be used to form part of the Council's local code of governance and as a commitment to upholding standards of conduct in public life, supporting adherence to respective member and officer codes of conduct.

10.4.2 Local authorities are not legally required to agree a protocol on member-officer relations: it is however recognised as good practice across the sector, with most authorities having adopted a protocol.

10.5 People/Human Resources Implications

10.5.1 There are no HR implications.

10.6 Equality and Diversity Implications

10.6.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:

- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
- (b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
- (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

10.6.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, sex, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

10.6.3 The Equalities Comprehensive Impact Assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

10.6.4 This duty has been considered in the context of this report and it has been concluded that there are no equality and diversity implications arising directly from this report.

10.7 Climate Change and Sustainability Implications

10.7.1 There are no implications arising from this report.

10.8 Stakeholders Implications

10.8.1 None

11 Overview & Scrutiny Comments

11.1 N/A

12 List of Appendices

12.1 Appendix 1 – Suggested Revisions to 5-2 Member Officer Relations

13 **List of Background papers**

LGA – Good Practice on Member Officer Relations Protocols

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