

Public Document Pack

Notice of Meeting

West Surrey Shadow Authority Standards Committee

<u>Date and Time</u>	<u>Place</u>	<u>Contact</u>
Wednesday, 2 September 2026 at 2.00 pm	Council Chamber. Council Offices, Knowle Green, Staines-upon-Thames TW18 1XB	Democratic Services committeeservices@spelthorne.gov.uk

Membership	
Name	Ward
Councillor Jane Austin	Waverley Eastern Villages
Councillor Chris Bateson	Staines
Councillor Harleen Boparai	Staines South & Ashford West
Councillor Steve Greentree	Knaphill & Goldsworth West
Councillor Jonathan Hulley	Thorpe, Longcross & Ottershaw
Councillor Nirmal Kang	Heatherside & Parkside
Councillor Sarbie Kang	Camberley West & Frimley
Councillor Scott Lewis	Woodham & New Haw
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

MEETING SUMMONS

To the members of the CommitteeName:

You are hereby summoned to attend a meeting of the CommitteeName to be held on Wednesday, 2 September 2026 at 2.00 pm, for the transaction of the business set out in the following agenda.

Such meeting to be held in the Council Chamber. Council Offices, Knowle Green, Staines-upon-Thames TW18 1XB

For enquiries regarding this agenda contact: Democratic Services

committeeservices@spelthorne.gov.uk

Susan Sale
Interim Monitoring Officer
West Surrey Shadow Authority
Published: Date Not Specified

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AGENDA

Page nos.

1. Apologies for Absence

To receive any apologies for absence.

2. Declarations of Interest

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter:

- (i) Any disclosable pecuniary interests and / or
- (ii) Other interests arising under the Code of Conduct in respect of any item(s) of business being considered at this meeting

3. Minutes of Previous Meeting

1 - 6

To confirm, as a correct record, the minutes of the inaugural Standards Committee meeting, held 06 July 2026.

4. Appointment of Additional Independent Persons

7 - 14

To consider the appointment of an additional Independent Person and to make a recommendation to the West Surrey Shadow Authority to approve the appointment.

5. Member Development Programme Report Update

15 - 26

To provide an update on proposals for the Member Development Programme for the shadow year.

6. Governance Arrangements for Constitution Work

To consider a proposal to disband the Constitution Sub-Committee and establish a Constitution Working Group to replace the Sub-Committee with immediate effect.

This item is to be considered at the Constitution Sub-Committee meeting on 27 August 2026 therefore the report is to follow.

7. Amendments to the Terms of Reference of the Employment Committee

To consider changes to the Employment Committee Terms of Reference.

This item is to be considered at the Constitution Sub-Committee meeting on 27 August 2026 therefore the report is to follow.

8. Proposed Amendments to the Member-Officer Protocol

To consider the revised Member Officer Protocol and to make a recommendation to Council to approve.

This item is to be considered at the Constitution Sub-Committee meeting on 27 August 2026 therefore the report is to follow.

9. Social Media Policy for Councillors 27 - 48

To consider the proposed Social Media Policy for Councillors, as reviewed by the Constitution Sub-Committee and to recommend it to the West Surrey Shadow Authority.

10. Gifts and Hospitality Policy 49 - 66

To consider the proposed Guidance for Members on Gifts and Hospitality, as reviewed by the Constitution Sub-Committee and to recommend its approval to the West Surrey Shadow Authority.

11. Member Conduct Complaint Arrangements 67 - 94

To consider the proposed policy to support the provisions in the Member Code of Conduct.

12. Committee Forward Work Programme 95 - 104

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Thank you for your co-operation.

**Minutes of the West Surrey Shadow Authority Standards Committee
6 July 2026**

Present:

Councillors:

Cllr Jane Austin	Cllr Nirmal Kang	Cllr Isabel Mullens
Cllr Chris Bateson	Cllr Sarbie Kang	Cllr Rory O'Brien
Cllr Harleen Boparai	Cllr Scott Lewis	Cllr Joanne Shaw
Cllr Steve Greentree	Cllr Carl Mann	Cllr Sally Shorthose
Cllr Jonathan Hulley	Cllr Louise Morales	Cllr Richard Wilson

1/SD Election of Chair

Councillor Stephen Greentree nominated and Councillor Nirmal Kang seconded Councillor Richard Wilson as Chair of the West Surrey Shadow Authority Constitution Sub-Committee.

It was **RESOLVED** that Councillor Richard Wilson be elected as Chair of the West Surrey Shadow Authority Constitution Sub-Committee.

2/SD Appointment of Vice Chair

Councillor Stephen Greentree nominated and Councillor Nirmal Kang seconded Councillor Richard Wilson as Chair of the West Surrey Shadow Authority Constitution Sub-Committee.

It was **RESOLVED** that Councillor Richard Wilson be elected as Chair of the West Surrey Shadow Authority Constitution Sub-Committee.

3/SD Apologies for Absence

There were none.

4/SD Declarations of Interest

There were none.

5/SD Minutes of previous meeting

The Committee **RESOLVED** that the minutes of the inaugural meeting of the West Surrey Shadow Authority Standards Committee held on 21 May 2026 subject to the last item being amended from 'To appoint members of the Standards Sub Committee' to 'To appoint members of the Constitution Sub-Committee'.

6/SD Public questions

There were none.

7/SD Members' questions

There were none.

8/SD Member Development Programme Update

The Committee considered a report that provided an update to the Committee on member training and development for the new West Surrey Shadow Authority members.

The Interim Monitoring Officer advised the Committee that a record of any training sessions attended would be recorded against each councillor to ensure that mandatory training had been undertaken. A Sharepoint site for members would be created and it was proposed that all training sessions would be recorded and that they along with any training slides would be stored there for members to access. A record of all training sessions attended or viewed by individual members would be kept to ensure that all mandatory training had been completed.

RESOLVED to:

1. Endorse the Member Development Programme Delivery Approach and Principles set out at paragraphs 14 to 22;
2. Note the arrangements for Phase 1 Induction Training of the Member Development Programme, as set out in Appendix 2 of the report;
3. Authorise the Monitoring Officer to proceed with arrangements for Phase 2 of the Member Development Programme, and provide any feedback on the proposed Phase Training Programming, set out in Appendix 3 to the report; and
4. Agree to receive a report from the Monitoring Officer at the September 2026 meeting of the Standards Committee with a progress update on the Member Development Programme.

9/SD Shadow Authority Constitution Update

The Committee considered a report that sought approval of the formal adoption of revised Executive Procedure Rules into the West Surrey Shadow Council Constitution. Members were asked to note the Executive Portfolio Holder appointments and to make a recommendation to the Shadow Authority to update the Shadow Authority Constitution.

Concerns were raised about the process of asking questions of the Executive and some members felt that the revised Executive Procedure Rules process would be too restrictive.

Councillor Hulley proposed and Councillor Austin seconded a motion to amend the draft constitution as follows:

A Member of the Shadow Authority may the Leader, or any other member of the Shadow Executive, ~~a maximum of three questions, on materially different topics, at a meeting of the Shadow Executive,~~ on any matter in relation to which the Shadow Authority has powers or duties or which affects the area of the Shadow Authority and which relates to an Executive function.

A Member wishing to ask a question must submit the question in writing to the Monitoring Officer at monitoring.offer@westsurrey.gov.uk, no later than two clear working days before the day of the meeting.

~~The length of any such question is limited to a maximum of 150 words.~~

The Monitoring Officer will help ensure the question is worded appropriately. ~~Any such questions may be rejected by the Monitoring Officer if it appears to them that is it defamatory, frivolous, vexatious or offensive, not about a matter for which the Shadow Executive within the last six months, it requires the disclosure of confidential or exempt information, it refers to legal proceedings taken or anticipated by or against the Shadow Authority, or it would more appropriately be dealt with by the Shadow Authority under the Freedom of Information Act 2000 or the Data Protection Act 1988 as amended. If a question is rejected by the Monitoring Officer, the member shall be advised of the reason for rejection.~~

A question relating to an urgent matter not otherwise included on the agenda may be asked provided that ~~(a) the consent of the Leader has been obtained and (b)~~ that the text of the question has been provided to the Monitoring Officer by noon on the day of the meeting.

An answer to a question from a member, may be given verbally at the Shadow Executive meeting, by reference to published material or information readily available to Members, or in writing, within 5 clear workings days of the meeting.

Questions shall be put and answered without debate.

Proposed amendment to the Executive Procedure Rules re Member Questions/SCS/23Jun26 Page 27.

4.9 Questions will be taken in order in which they are received by the Monitoring Officer, subject to the provisions that all members who submit such a question shall have their first question dealt with before any additional questions from them are considered.

~~4.10 There shall be a total time limit of 30 minutes at a meeting of the Shadow Executive for taking questions from members.~~

~~Questions shall be taken in the order in which they are received, except that the Chair may choose to take similar questions together. If the 30 minutes expires during a supplementary question or answer, the Chair may allow the supplementary question to be heard and responded to.~~

4.11 at the meeting, the member is able to attend either in person or remotely to put their question and has the right to ask one supplementary question without notice to the same Member. The supplementary question must arise directly from the original question or the reply.

~~The member has a maximum of 1 minute to put their supplementary question and the Member responding has a maximum of 2 minutes to respond verbally or may respond with 5 clear working days of the meeting. If the member is not able to attend the meeting either in person or remotely, the question may be read out by an Officer.~~

4.12 The questions and any written response will be recorded in the minutes of the meeting.

Proposed amendment to paragraph 15.2.1 of the West Surrey Authority Constitution adopted on 21 May –

Remove the words, 'In the public gallery, as an observer.

Following a debate a vote was taken.

For the Motion – 6
Against the Motion 9

The motion therefore FELL

The Committee **RESOLVED:**

1. Subject to the decision of the Leader to adopt revised Executive Procedure Rules as set out in Appendix 2, (to include a new section relating to Questions from Members), and to recommend to the Shadow Authority that these revised Executive Procedure Rules, be formally adopted into the West Surrey Shadow Authority Constitution at Part. 4.2, in place of the existing,

2. To authorise the Monitoring Officer to make any consequential constitutional formatting or cross-referencing amendments required to give effect to the changes arising from the revised Executive Procedure Rules,
3. To note the Executive Portfolio Holder appointments made by the Leader of the Council, as set out in Appendix 3 to this report, and recommend that the Shadow Authority notes the Monitoring Officer's intention to update the Constitution under her delegated authority to include these appointments; and
4. To note the recent changes that will be made to the West Surrey Shadow Authority Constitution, by the Monitoring Officer under her delegated authority, as set out in Appendix 4 to this report.

10/SD Appointment of Independent Persons

The Committee considered a report that sought approval to retain the services of the seven existing Independent Persons of the twelve sovereign authorities in Surrey and that a recommendation to be made to the West Surrey Shadow Authority to make the appointments to the role of Independent Persons for the purposes of the Localism Act 2011 to assist with the arrangements for dealing with complaints about elected members and co-opted members until 31 March 2027.

The Committee were advised only six of the existing Independent Persons had submitted their Curriculum Vitae.

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

1. That it appoint Bill Donnelly, Jane Clarke, Belinda Knight, John Smith, Dean Spears and Tim Stokes as Independent Persons for the remainder of the Shadow Period until 31 March 2027; and
2. That an allowance of £1,159 per annum, pro rata, as detailed in the Shadow Authority's Members' Allowance Scheme be paid to each of the Independent Persons, together with expenses for travel, where such costs are incurred in connection with their duties.

11/SD Schedule of meetings for the Remainder of the Shadow Period

The Committee considered the three options outlined in the report in order that it could make a recommendation to the Shadow Authority.

During the debate a number of views were expressed both for and against the options. Members highlighted that the location of the central West Surrey Authority offices might have an impact on the timings for committee meetings. The Committee asked that the Senior Responsible Officer for the Implementation Team be requested to bring a report to the next Committee meeting to update members on potential locations.

The Committee **resolved** to:

1. Make a recommendation to the Shadow Authority as follows:
 - a) Executive meetings to take place at 10am (as already agreed by the Leader of West Surrey Shadow Authority),
 - b) Employment Committee and Overview and Scrutiny Committee meetings to take place at 10am or 2pm. Determination of the meeting times to be made by the Chair of the Committees following consultation with Members of that Committee.
 - c) Audit and Governance Committee meetings to take place at 2pm or 5pm. Determination of the meeting times to be made by the Chair of the Committee following consultation with Members of that Committee.
 - d) Standards Committee meetings to be held at 2pm
 - e) Shadow Authority meetings to take place at 2pm or 7pm. Determination of the meeting times to be made by the Chair of the Committee following consultation with Members of that Committee.
2. Agree the next steps for proposing and agreeing future meeting dates from 1 April (post vesting day); and
3. Recommend the proposal for future meeting times for the remainder of the shadow period (as agreed in recommendation 1) to the Shadow Authority for consideration at its meeting on 30 July 2026.

12/SD Committee Forward Plan

The Committee **RESOLVED** to approve the Committee Forward Plan subject to the following item being added:

Appointment of Independent Persons from 01 April 2027.

West Surrey Shadow Authority		
Report title: Additional appointment of Independent Person to the West Surrey Shadow Authority until 31 March 2027		
Report to: West Surrey Standards Committee		
Date: 2 September 2026		
Executive Portfolio Holder: Councillor Victoria Kiehl, Portfolio Holder for Governance, Democracy and Corporate Services		
Report of Lead Officer: Susan Sale, Monitoring Officer (interim)		
Report author(s): Arabella Davies, Work Stream Lead for Constitution and Shadow Authority Work Stream Lead		
Wards affected: All.		
Ward councillors informed: No		
Exempt from publication: Partially – Open Report and Exempt Appendix 1		
Key Decision: No	If a Key Decision, date registered on Forward Plan: Not applicable	
Report cleared for publication by:		
People Workstream	Shella Smith	4 August 2026
Equalities Impact Assessment complete	N/A	N/A
Senior Responsible Officer (or their delegate)	N/A	N/A
S151 Officer	Vicky Radford	4 August 2026
Monitoring Officer	Susan Sale	31 July 2026
Executive Portfolio Holder consultation	Councillor Victoria Kiehl	31 July 2026
Committee Chair consultation	Councillor Richard Wilson	31 July 2026
Head of Paid Service	Susan Sale on behalf of Andy Brown	4 August 2026

1. Executive Summary

- 1.1** Further to the previous report considered by the Standards Committee on 6 July, the Committee is asked to consider one further expression of interest received from an Independent Persons of an existing sovereign authority in Surrey and recommend to the Shadow Authority approval of this additional appointment for the purposes of the Localism Act 2011, to assist with the arrangements for dealing with complaints about elected members and co-opted members until 31 March 2027.

2 Recommendation:

- 2.1** That the West Surrey Shadow Standards Committee recommends to the West Surrey Shadow Authority to:
- 2.1.1** **Approve the appointment of Murray Litvak as an Independent Person for the remainder of the Shadow Period until 31st March 2027; and**
- 2.1.2** **Approve an allowance of £1,159 per annum, per rota, 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.**

3 Reason(s) for recommendation:

- 3.1** To comply with the provisions set out in the Localism Act 2011, the Shadow Authority is required to appoint at least one Independent Person to assist with the arrangements for dealing with complaints against Councillors (including Co-Opted Members) and other matters relating to any proposed dismissal of a Statutory Officer.
- 3.2** Seven expressions of interest were originally submitted, but at the last meeting of the Shadow Standards Committee, the CV for one of the candidate was not available. This is now attached as a Confidential Appendix to this report. The Committee recommended the appointment of six of the seven Independent Persons at its July meeting. For completeness, it is now asked to consider the seventh applicant.

4 Next steps

- 4.1** Subject to agreement by the West Surrey Shadow Standards Committee, the recommendations will be referred to the West Surrey Shadow Authority meeting on 23 September 2026.

5 Exemption from publication

- 5.1** This report is partially exempt. The substantive report is open but appendix 1 is exempt in accordance with schedule 12A to the Local Government Act 1972, due to it including personal information relating to an individual. The view of the Monitoring Officer is that the public interest test does not override the exemption.

6 Background and Proposal

- 6.1** At its last meeting on 6 July, the West Surrey Shadow Standards Committee considered the requirement to appoint Independent Persons in accordance with the provisions set out in The Localism Act 2011, and specifically section 28 (7), which details that the standards arrangements adopted by the Shadow Authority should include provision for the appointment of at least one Independent Person.
- 6.2** Expressions of interest were invited from the existing pool of Independent Persons of the Councils within Surrey; these Independent Persons already having been through a formal recruitment process when first appointed by their respective local authorities and possessing significant experience of dealing with Code of Conduct complaints for local authorities both at County and District and Borough level.
- 6.3** Expressions of interest were received from seven applicants. Due to an administrative error, the documentation for one of the applicants was not included in the Confidential Appendix provided to Committee Members, despite having been provided in good time. In order to avoid any detriment to the applicant the Committee is asked to consider the appointment of this Independent Person.
- 6.4** Further to consultation with the Interim Monitoring Officers for the West and East Surrey Shadow Authorities, it is proposed that all of the IPs who have expressed an interest in the role be appointed to a pool of Independent Persons for both the West and East Surrey Shadow Authorities to avoid any potential conflicts of interest.
- 6.5** The appointments will be for the remainder of the Shadow Period, and until the appointment of new Independent Persons has been approved by the West Surrey Council and East Surrey Council post Vesting Day. Officers will undertake further work for the appointment of these Independent Persons for both Councils and the appointments will be for a period of four years.

7 Consultation

- 7.1** The Interim Monitoring Officers for both the West and East Surrey Shadow Authorities have been advised of the administrative error and the further request to appoint an additional Independent Person, thereby increasing the pool for both Shadow Authorities to seven.
- 7.2** Consultation has also been undertaken with the relevant Portfolio Holder, Cllr Kiehl and the Chair of the Standards Committee, Cllr Wilson.

8 Key Risks

- 8.1** The West Surrey Shadow Authority has approved the appointment of six Independent Persons; consequently, the previous risk identified of delays arising from the inability to consult with or involve an Independent Person no longer pertain.

9 Options

- 9.1 Option 1 (recommended):** The Committee is asked to endorse the appointment of Murray Litvak in addition to the previous appointments approved in July of Bill Donnelly, Jane Clarke, Belinda Knight, Annie Ren, Dean Spears and Tim Stokes, as Independent Persons for the Shadow Period until 31 March 2027
- 9.2 Option 2:** The Committee could decide that the six Independent Persons previously recommended by the Shadow Standards Committee and formally appointed by the West Surrey Shadow Authority at its meeting on 30 July are sufficient and no further appointments are required at this time.

10 Issues for consideration

10.1 Financial Implications

- 10.1.1** The allowances payable to the Independent Persons during the remainder of the shadow period (£1,738 per person) will be funded from the Devolution & Local Government Reorganisation Implementation Fund which is funded jointly by the predecessor authorities and managed under a Memorandum of Understanding.
- 10.1.2** The Members' Allowance Scheme adopted by the Shadow Authority at their inaugural meeting on 21 May provided that appointed Independent Persons receive a payment of £1,159 per annum. This will be pro rata for the remainder of the Shadow Period.

10.2 Section 151 Officer Commentary

Finance colleagues will review and if necessary, make recommendations when the report is submitted for clearance.

- 10.2.1** West Surrey Council will operate in a very challenging financial environment, with significant budgetary pressures due to increasing demand and costs of service delivery and reducing government funding. The new unitary will be increasingly reliant on Council Tax as the primary source of income.
- 10.2.2** Decisions made by the sovereign councils and the West Surrey Shadow Authority will need to consider the ongoing financial impact and ensure that expenditure does not exceed the resources available. It is vital that significant importance is placed on effective financial

management and medium-term financial sustainability to protect service delivery and achieve a balanced budget position going forward.

10.2.3 The costs are part of the Member Allowances allocation.

10.2.4 Having Independent Persons appointed ensures good governance for the Shadow Authority.

10.3 Legal Implications

10.3.1 As detailed in the body of the report, the Localism Act 2011, section 28 (7), requires the standards arrangements adopted by the Shadow Authority to include provision for the appointment of at least one Independent Person.

10.4 Monitoring Officer Commentary

10.4.1 Independent Persons are often conflicted within the same matter if, for example they are asked to advise the Monitoring Officer at the outset, support the Subject Member and also advise the Sub Committee post investigation. It is therefore helpful to appoint several to ensure that conflicts and absences do not have operational impact.

10.4.2 All of the Independent Persons recommended have been through a previous recruitment process and are already experienced and knowledgeable so should be able to add value to the standards and ethics regime within the Shadow Authority.

10.5 People/Human Resources Implications

10.5.1 This commentary is provided by Surrey County Council's Director of People and Change in the capacity of People, Workforce and Culture Workstream Lead.

10.5.2 There are no direct workforce implications arising from this report. The appointments will support good governance and the effective operation of the standards arrangements during the Shadow Period, but do not create any additional employment-related obligations for the Shadow Authority.

10.6 Equality and Diversity Implications

10.6.1 The Standards Procedures Rules comply with equalities legislation including the Public Sector Equality Duty as defined in the Equality Act 2010 and which requires public bodies 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 None for the purposes of this report as the decision is administrative in nature.

10.8 Stakeholders Implications

10.8.1 The purpose of appointing a pool of Independent Persons is to ensure access to a wide knowledge and experience base, reinforcing independence and providing assurance to the members of the public and Town and Parishes throughout the West Surrey Shadow Authority area.

11 Overview & Scrutiny Comments

11.1 Not applicable

11.2 List of Appendices

11.3 Appendix 1 – CV of Additional Independent Person - EXEMPT

12 List of Background papers

12.1 None

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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West Surrey Shadow Authority		
Report title: Member Development Programme – Update Report September 2026		
Report to: West Surrey Shadow Authority Standards Committee		
Date: 2 September 2026		
Executive Portfolio Holder: Cllr Victoria Kiehl – Executive Member for Governance, Democracy and Corporate Services		
Report of Lead Officer: Susan Sale, Monitoring Officer (interim)		
Report author(s): Anna Miller, Member Development Sub-Workstream Lead		
Wards affected: All		
Ward councillors informed: No		
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	Name	Date
Equalities Impact Assessment complete	N/A	N/A
Senior Responsible Officer (or their delegate)	Name	Date
S151 Officer	Vicky Radford	7 August 2026
Monitoring Officer	Susan Sale	6 August 2026
Executive Portfolio Holder consultation	Cllr Kiehl	6 August 2026
Committee Chair consultation	Cllr Wilson	6 August 2026
Head of Paid Service	Susan Sale on behalf of Andy Brown	6 August 2026

1. Executive Summary

- 1.1 The purpose of this report is to provide an update to the Standards Committee on Shadow Authority member training and development, including:
- Training completed by members as part of Phase 1 (May – July 2026)
 - Training principles and approach agreed for Phase 2 (September 2026– April 2027)
- 1.2 Members are asked to note the progress to date, the approach underway for Phase 2 and to provide feedback on any training gaps.

2. Recommendations:

- 2.1 It is recommended that the Standards Committee resolves to:

2.1.1 Note the update on Phase 1 delivery of the induction programme

2.1.2 Note the Phase 2 Member Development Principles and Training Plan

2.1.3 Provide feedback on the approach to delivery and any identified training gaps and additional requirements for members.

3. Reason(s) for recommendation:

- 3.1 To ensure that a robust and comprehensive programme of member development activities is in place for the duration of the shadow period. This will enable councillors to be equipped with the skills and information to ensure the authority is able to operate safely and legally from Vesting Day (1 April 2027).

4. Next steps

- 4.1 Planning and delivery for Phase 2 Member Development Sessions will continue, with regular feedback from members and Local Government Reorganisation (LGR) Implementation Programme Themes about content and delivery.

5. Exemption from publication

- 5.1 None of this report is exempt from publication.

6. Background and Proposal

Phase 1

- 6.1 Phase 1 of the Shadow Authority member development programme took place between May and July 2026 and focused on the initial induction and mandatory training requirements for members.

- 6.2** Sessions in Phase 1 included the initial induction day, specific training for councillors to enable them to participate in committees that they are members of (including completing mandatory training where required) and training on key aspects of local authority governance, finance and Local Government Reorganisation (LGR), to enable councillors to participate in decision making and discussions relating to the LGR implementation plan and the budget setting process.
- 6.3** A West Surrey Councillor SharePoint site has been created to provide access to training presentations and recordings, where available, for sessions councillors were unable to attend.
- 6.4** Attendance at all training sessions is recorded. Councillors may also ask for their record to be updated where they confirm they have watched a training recording. The Committee is asked to note the mandatory training completed to date, as set out in Appendix 1.

Phase 2

- 6.5** Work has continued to develop Phase 2 of the programme, which will run from September to Vesting Day. Following feedback at the July Standards Committee meeting, the initial list of topics has been further reviewed and structured into clearer categories.
- 6.6** The refreshed approach also distinguishes between formal training, committee-specific development and briefing sessions, and identifies where further input is required from the Statutory Officers and relevant LGR Implementation Programme Themes to confirm priorities, content and delivery arrangements.
- 6.7** Indicative scheduling has been provided for sessions, to help organise the flow of training, to ensure that members are provided with relevant training and information at appropriate times.
- 6.8** LGR Implementation Programme Theme Leads have been engaged with the development of sessions within their remit.
- 6.9** The West Surrey Shadow Authority includes members with a wide range of experience, from newly elected councillors to those who have served for many years across different councils at many tiers of local government. The programme is designed to give all councillors access to the learning and information they need to carry out their roles effectively.

Member Development Principles

- 6.10** A set of Member Development Principles has been developed to guide the planning and delivery of Phase 2. These draw on feedback from the Shadow Standards Committee and Interim Monitoring Officer, alongside best practice from sovereign councils. The principles are intended to provide a consistent framework for deciding what training is required, how it should be

delivered and how member participation will be supported. The principles are included in Appendix 2.

7. Consultation

- 7.1** The Phase 2 topic list has been developed through engagement with the West Surrey Shadow Standards Committee and the Interim Monitoring Officer. Feedback received through these routes has been used to refine the proposed programme and identify areas where further engagement is required.
- 7.2** Further consultation and coordination is ongoing with the wider Implementation Team, including relevant Themes, to confirm ownership, scheduling, content and delivery of sessions.
- 7.3** Councillors are encouraged to provide further feedback on the training plan, including any individual or collective training needs, through the Interim Monitoring Officer or their political group leaders. This will help ensure the programme remains responsive to members' needs, reflects the range of experience across the Shadow Authority, and supports councillors to carry out their roles effectively during the shadow period and from Vesting Day.
- 7.3.1** Consultation has taken place with the relevant Portfolio Holder and the Chair of the Standards Committee; their comments will be fed back verbally to the meeting in due course.

8. Key Risks

- 8.1** Without an agreed programme-wide approach to Member Development, there is a risk that training will not be sufficiently coordinated across the programme, leading to duplication, gaps in provision or sessions that do not meet members' needs. A programme-wide approach will apply the agreed principles and training plan as a clear framework for ownership, prioritisation and delivery, helping ensure members receive the training and information they need to carry out their roles.
- 8.2** Without suitable training in place there is a risk of members not being ready to take on responsibility for sovereign council functions at Vesting Day. This programme-wide approach ensures that councillors will be equipped with the skills and information to ensure the authority is able to operate safely and legally on Vesting Day.

9. Options

- 9.1** Option 1: Note and endorse the proposals in this report and agree that officers continue to deliver the Member Development Programme, with any additional sessions that members consider necessary. This option is recommended as it will ensure that members are supported to carry out their roles during the

shadow period effectively and are best placed to take on full responsibilities from Vesting Day

- 9.2** Option 2: Do not endorse the refreshed Member Development Programme proposals and request that officers re-look at the programme. This option is not recommended as it creates a risk that members are unable to discharge their statutory and other duties.

10. Issues for consideration

10.1 Financial Implications

- 10.1.1** There is no dedicated shadow member development budget for 2026/27; however, the cost will come from the D&LGR Implementation fund.
- 10.1.2** The proposed approach is expected to make use of internal expertise and available external support where appropriate. The Local Government Association has offered several sessions free of charge, which have been included in the draft plan and support the value for money of the programme.
- 10.1.3** Any additional costs associated with delivery, including external facilitation if required, will need to be identified and confirmed as delivery of the programme continues.

10.2 Section 151 Officer Commentary

- 10.2.1** West Surrey Council will operate in a very challenging financial environment, with significant budgetary pressures due to increasing demand and costs of service delivery and reducing government funding. The new unitary will be increasingly reliant on Council Tax as the primary source of income.
- 10.2.2** Decisions made by the sovereign councils and the West Surrey Shadow Authority will need to consider the ongoing financial impact and ensure that expenditure does not exceed the resources available. It is vital that significant importance is placed on effective financial management and medium-term financial sustainability to protect service delivery and achieve a balanced budget position going forward.
- 10.2.3** Councillors need to be appropriately trained in order to carry out their functions. There are a range of training options available ensuring value for money for the Council.

10.3 Legal Implications

- 10.3.1** The West Surrey Shadow Authority Constitution requires that Members may not sit as Members of either the Standards Committee or Audit & Governance Committee without completing mandatory training. The same provision applies to Members who may wish to sit on these committees as Substitute Members. Training has been provided in advance of both first substantive meetings of those Committees.

10.3.2 All members are also strongly encouraged to attend Code of Conduct Training and one session has been provided, and the recording made available, with another live session scheduled for September. This is important training to ensure that Members are aware of their obligations in respect of interests and their declarations for the register to ensure they don't inadvertently fall foul of the criminal offence of the Localism Act 2011.

10.4 Monitoring Officer Commentary

10.4.1 A strong Member Development Programme is essential to ensure the conduct of effective and lawful decision making, by well equipped, skilled and knowledgeable members, to ensure a robust governance framework and compliance with the Council's best value duty.

10.5 People/Human Resources Implications

10.5.1 There are no significant workforce implications arising directly from the recommendations in this report. Delivery of the Member Development Programme will require some officer input and capacity from within the implementation programme and, where relevant, sovereign authorities to support the design and delivery of topic-specific training for members. However, this is not considered to give rise to any substantive staffing issues and can be managed within existing arrangements.

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 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 direct climate change or sustainability implications arising from this update report. Where possible, online or hybrid delivery and electronic materials may help reduce travel and printing associated with the programme.

10.8 Stakeholders Implications

10.8.1 Councillors are the primary stakeholders for this work. Their input is summarised in the Consultation section of this report.

11 Overview & Scrutiny Comments

11.1 Not applicable

12 List of Appendices

12.1 Appendix 1 - West Surrey Training attendance

12.2 Appendix 2 - Member Development Principles

13 List of Background papers

13.1 [West Surrey Standard Committee – 6 July 2026 – Member Development Programme Report](#)

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West Surrey Shadow Authority - Member Attendance at Member Development Sessions

Attendance records for all sessions are being kept. The table below provides a summary of attendance levels so far.

Title	Committee members	Other members
What to expect from the inaugural meeting	Not applicable	34
Executive training	10/10	Not applicable
Employment Committee Training	15/15	5
Member Code of Conduct	Not applicable	42
Chairing Skills	Deferred due to low attendance*	Not applicable
Constitution & Decision Making	Not applicable	49
How local government finance works	Not applicable	38
LGR Programme Update: Online briefing	Not applicable	41
Communications and Social media	Not applicable	29
Audit & Governance Committee Training	11/14	13
Standards Committee	15/15	11
Overview & Scrutiny Committee	14/15	5
Building effective member and officer relationships (1)	Not applicable	20
Financial governance	Not applicable	26
Building effective member and officer relationships (2)	Not applicable	17
Joint All-Member Implementation Programme Update	Not applicable	31
Woking/Spelthorne - Member briefing	Not applicable	31

* invitation was extended to a total of 12 Chairs and Vice Chairs

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Member Development – Phase 2 Principles

This document sets out the principles for developing and delivering Phase 2 of the member development programme for East and West Surrey.

These principles provide a framework for planning training during the shadow period, helping councillors understand their roles, responsibilities and decision-making functions as the new councils are established.

Aims of the member development programme

The member development programme aims to provide councillors with the knowledge, skills and support needed to fulfil their roles effectively during the Shadow year and post Vesting Day.

The aims of the programme are:

- ensuring councillors understand their roles, responsibilities, statutory obligations and decision-making functions during the transition
- supporting effective governance, scrutiny and member/officer relationships within the new councils
- preparing councillors for specific committee, executive, regulatory and civic responsibilities
- providing a consistent core training offer across East and West Surrey
- supporting councillors to understand the range of services delivered by a unitary council, local priorities and transformation activity
- building confidence in practical skills, including chairing, questioning, scrutiny, community leadership and casework
- ensuring training is timely, proportionate, accessible and responsive to councillor needs
- supporting a positive learning culture that continues beyond the initial transition period.

Delivery principles

The following principles will be followed when planning and arranging training:

- prioritise online delivery where this supports accessibility and efficient use of councillors' time
- use in-person delivery where the session is skills-based, interactive or would benefit from facilitated discussion
- consider hybrid delivery only where it can be supported effectively
- make training available to all councillors unless there is a clear reason to limit attendance
- separate sessions to be held for East and West Surrey, with consistent content across both authorities, except where area-specific elements are required.

Scheduling principles

Training should be scheduled in a way that supports councillor availability, makes effective use of time and aligns with the Shadow Council timetable, key decision points and councillors' practical needs.

- training sessions should normally be no longer than two hours and should include a short break where appropriate
- briefing sessions should normally be around 30 minutes of presentation, followed by time for questions on the topic. More detailed or complex topics may require longer sessions or be split across two sessions
- Fridays and school holidays should be avoided where practicable
- evening sessions should be considered to support councillors with work, caring or other daytime commitments
- ideally it is envisaged that training should be offered across two regular time slots (e.g. an afternoon and an early evening slot), to reduce repeated barriers to attendance. The intention is for sessions to alternate slots weekly for each authority. However, due to the number of existing diary commitments across all 14 councils this may not be possible initially.
- sessions should be prioritised according to when councillors need the information, particularly ahead of committee appointments, key decisions or Vesting Day.

Training providers and contributors

Training should be delivered by the provider or contributor best placed to support the learning outcome, recognising that different types of session may require different expertise.

- LGA, interim statutory officers and officers from the existing sovereign councils may all have a role in delivering Phase 2 training
- briefing sessions may be delivered by officers from the existing sovereign councils where the content is primarily informational or service-specific
- external trainers should be considered where a session would benefit from specialist training skills, facilitation techniques or a neutral, independent perspective, for example, where services or functions are currently delivered in different ways across Surrey
- the choice of trainer should take account of the session format required, the sensitivity of the topic, the level of interaction required and also ensuring value for money.

West Surrey Shadow Authority		
Report title: Social Media Policy for Councillors		
Report to: Standards Committee		
Date: 2 September 2026		
Executive Portfolio Holder: Cllr Victoria Kiehl Contact Email: Victoria.Kiehl@westsurrey.gov.uk		
Report of: Constitution Sub-Committee and Susan Sale, Monitoring Officer (interim) Contact Email: susan.sale@westsurrey.gov.uk		
Report author(s): Faith Mwende, Joint Corporate Governance Officer, Guildford Borough Council and Waverley Borough Council Contact Email: Faith.Mwende@guildford.gov.uk		
Wards affected: All Ward councillors informed: No		
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	Vicky Radford	28 July 2026
Monitoring Officer	Susan Sale	28 July 2026
Executive Portfolio Holder consultation	Cllr Victoria Kiehl	28 July 2026
Committee Chair consultation	Cllr Richard Wilson	28 July 2026
Head of Paid Service	Andy Brown	28 July 2026

1. Executive Summary

- 1.1** This report presents a proposed Social Media Policy for Councillors of West Surrey Shadow Authority, for inclusion in the Constitution. The Policy has been prepared having regard to the existing arrangements of the sovereign Councils and the Local Government Association's updated guidance on councillors' use of social media. By drawing on national guidance and good practice, the policy aims to ensure councillors are well-equipped to navigate the digital environment in a professional and inclusive manner, establishing a clear and consistent framework for Members' online activity.
- 1.2** The policy aims to support councillors in engaging with residents effectively, whilst protecting the Council's reputation, ensuring compliance with legal obligations, and upholding the Member Code of Conduct. Adoption of the policy will minimise risks and promote consistent standards of behaviour across all online platforms.
- 1.3** The Constitution Sub-Committee considered the proposed Policy at its meeting on 6 August and it is presented to the Standards Committee for recommendation to the Shadow Authority for its inclusion in the Constitution, both during the Shadow Period and post Vesting Day. Adoption of the Policy will support Members to use social media safely and effectively, provide clarity about the standards expected of them and help maintain public confidence in the Council's ethical governance arrangements.

2 Recommendations:

2.1 That the Standards Committee resolves to:

- 2.1.1** Consider the proposed Social Media Policy for Councillors, as reviewed by the Constitution Sub-Committee and attached at Appendix 1, and recommends it to the West Surrey Shadow Authority;

2.2 That the Standards Committee recommends that the West Surrey Shadow Authority resolves:

- 2.2.1** To approve the Social Media Policy for Councillors for inclusion in the Constitution, both during the Shadow Period and for Post vesting Day; and
- 2.2.2** To 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.

- 2.2.2.1 To note that training to support councillors in using social media is included within the Member Development Programme.

3 Reason(s) for recommendation:

- 3.1** The Shadow Authority requires a clear and consistent framework to support all Members in using social media safely, effectively and responsibly.
- 3.2** Effective communication is vital for councillors and social media can play a key role in achieving this. This policy aims to provide councillors with a clear and practical framework for responsible, ethical, and lawful use of social media. This in turn will protect the integrity and reputation of the Shadow Authority and its members while promoting open and professional digital engagement
- 3.3** Inclusion of the Policy in the Constitution will provide a transparent and consistent basis for advising Members and considering concerns arising from their use of social media.
- 3.4** Adoption of a single Policy will avoid inconsistent arrangements being carried forward from the predecessor councils and will support public confidence in the ethical governance arrangements of both the Shadow Authority and the new West Surrey Council.

4 Next steps

- 4.1** If endorsed by the Standards Committee, the Policy will be recommended to the Shadow Authority for approval as part of the Constitution, both during the Shadow Period and post vesting Day.
- 4.2** Following approval by the Shadow Authority, the Policy will be incorporated into the Constitution and published on the Future Surrey website.
- 4.3** The Policy will form part of the Member Development Programme and appropriate training and guidance will be provided to support Members in understanding their responsibilities when using social media.
- 4.4** The Monitoring Officer will keep the Policy under review and report any substantive amendments through the appropriate constitutional governance arrangements.

5 Exemption from publication

- 5.1** All of this report is not exempt from publication.

6 Background and Proposal

- 6.1** The Shadow Authority has adopted the Local Government Association (LGA) Model Code of Conduct for Councillors as part of its Constitution.

The Code sets out the standards of conduct expected of Members and applies to all forms of communication and interaction, including electronic communications and social media activity where a Member is acting, or could reasonably be perceived to be acting, in their capacity as a councillor.

- 6.2** Social media has become an important tool for councillors to engage with residents, share information about Council business and participate in local democratic debate. However, the increased visibility, permanence and reach of online activity can present legal, ethical and reputational risks if not managed appropriately.
- 6.3** A review of the predecessor authorities in West Surrey identified that two District / Borough Councils have adopted dedicated guidance for councillors' use of social media. The remaining predecessor authorities relied on the Members' Code of Conduct and general governance arrangements.
- 6.4** The proposed Social Media Policy for Councillors builds upon the guidance previously adopted by the predecessor councils and has been updated having regard to the LGA's latest guidance on councillors' use of social media.
- 6.5** The Policy is intended to complement the Members' Code of Conduct by providing practical guidance on the appropriate use of social media. It explains how the principles of the Code apply in an online environment and supports Members in engaging with residents in a professional, respectful and lawful manner.
- 6.6** The Policy includes guidance on acting in an official capacity, maintaining respectful dialogue, protecting confidential and personal information, complying with legal obligations, avoiding predetermination, managing online abuse, maintaining cyber security and the responsible use of emerging technologies, including artificial intelligence.
- 6.7** The Policy is intended to support Members in carrying out their role confidently and effectively. Advice and guidance will continue to be available from the Monitoring Officer as required.
- 6.8** Subject to approval by the Shadow Authority, the Policy will form part of the West Surrey Shadow Authority Constitution and, post Vesting Day, the West Surrey Council Constitution and will be supported by Member training as part of the ongoing development programme.

7 Consultation

- 7.1** The proposed Social Media Policy has been developed having regard to the LGA's guidance on councillors' use of social media, the existing guidance adopted by predecessor authorities and a review of recognised good practice across local government.

- 7.2** Consultation has taken place with the Chair and Members of the Standards Committee and any comments will be updated verbally at the meeting.
- 7.3** Consultation has also taken place with the Portfolio Holder for Governance, Democracy and Corporate Services and any comments will be updated verbally at the meeting.

8 Key Risks

- 8.1** Without a clear policy, Members may be unsure how the Members' Code of Conduct applies to social media and may inadvertently expose themselves or the Shadow Authority to reputational damage through inappropriate online activity.
- 8.2** Inappropriate use of social media may also expose individual Members or the Shadow Authority to legal risks, including breaches of data protection legislation, confidentiality obligations, copyright and defamation law.
- 8.3** Adoption of the proposed Policy will assist in mitigating these risks by providing Members with practical guidance supported by training and advice from the Monitoring Officer.

9 Options

- 9.1** The Constitution Sub-Committee considered the proposed Policy at its meeting on 6 August and is recommending it to the Standards Committee for endorsement and onward recommendation to the Shadow Authority.
- 9.2** Option 1 – (Recommended) Approve the proposed Social Media Policy for Councillors, as set out in Appendix 1, for inclusion within the Constitution and support the provision of Member training.
- 9.3** Option 2 – Retain the current position and rely solely on the Members' Code of Conduct without adopting a dedicated Social Media Policy.
- 9.4** Option 3 – Instruct officers to prepare an alternative Policy. This would require additional officer time and resources and would delay implementation. There is no evidence that an alternative approach would provide greater benefit than the proposed Policy, which reflects current LGA guidance and recognised good practice.

10 Issues for consideration

10.1 Financial Implications

- 10.1.1 There are no direct financial implications arising from the recommendations contained in this report.
- 10.1.2 Any Member training associated with implementation of the Policy will be delivered through existing Member development arrangements and existing budgets.

10.2 Section 151 Officer Commentary

- 10.2.1 West Surrey will operate in a very challenging financial environment, with significant budgetary pressures from increasing demand and costs of service delivery, coupled with limited financial resources and reducing government funding. West Surrey Council will be increasingly reliant on Council Tax as the primary source of income.
- 10.2.2 Decisions made by the sovereign councils in West Surrey and the West Surrey Shadow Authority will need to consider the ongoing financial impact and ensure that expenditure does not exceed the resources available. It is vital that significant importance is placed on effective financial management and medium-term financial sustainability to achieve a balanced budget position and protect delivery service.
- 10.2.3 A clear social media policy is a risk mitigation for West Surrey Council.

10.3 Legal Implications

- 10.3.1 Section 27 of the Localism Act 2011 requires relevant authorities to promote and maintain high standards of conduct by Members and to adopt a Code of Conduct consistent with the Nolan Principles of Public Life.
- 10.3.2 The proposed Social Media Policy supports the implementation of the Members' Code of Conduct by providing practical guidance on its application in an online environment. It does not create additional legal obligations but assists Members in complying with existing statutory and common law duties.
- 10.3.3 The Policy reflects relevant legislation and legal principles, including the Human Rights Act 1998, Equality Act 2010, Data Protection Act 2018 and UK GDPR, Defamation Act 2013, common law duties relating to confidentiality and bias, and other relevant legislation governing the conduct of public office holders.

10.4 Monitoring Officer Commentary

- 10.4.1 The Monitoring Officer is supportive of the adoption of a Social Media Policy, as research by the LGA shows that a high percentage of code of conduct complaints now arise from the use of social media. Having an adopted policy will allow members to be clear and will provide consistency, and this should be supported by member training.

10.5 People/Human Resources Implications

- 10.5.1 There are no direct human resources implications arising from this report.

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 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 The proposed Policy has no direct climate change or sustainability implications.
- 10.7.2 The adoption of a policy may provide greater confidence for more Members to utilise digital communication may reduce reliance on printed material and support more sustainable methods of engagement where appropriate.

10.8 Stakeholders Implications

- 10.8.1 The proposed Policy primarily affects elected Members and co-opted Members of West Surrey Council by providing a consistent framework for the responsible use of social media.
- 10.8.2 The Monitoring Officer will support the implementation of the Policy by providing advice, guidance and Member training where appropriate.
- 10.8.3 If the Policy is adopted by West Surrey Council, then it may be used by the Town and Parish Councils post vesting day, if they choose to do so.

11 Overview & Scrutiny Comments

11.1 Not applicable.

12 List of Appendices

12.1 Appendix 1 – Proposed Social Media Policy for Councillors.

13 List of Background papers

13.1 West Surrey Council Constitution – [Members' Code of Conduct.](#)

13.2 Local Government Association – [Guidance for Councillors' Use of Social Media.](#)

Social Media Policy

The Shadow Authority recognises that social media is an important way for Members to engage with residents, communities and businesses. Used well, it promotes openness, transparency and participation in local democracy. This Policy has been developed to help Members use social media confidently, responsibly and lawfully while maintaining the high standards of conduct expected of elected representatives.

1. Introduction

- 1.1. Social media provides Members with valuable opportunities to communicate with residents, explain Shadow Authority decisions, raise awareness of local issues and encourage participation in local democracy. It enables Members to communicate directly with the communities they represent, respond to local concerns and promote greater public understanding of the Shadow Authority's work.
- 1.2. The purpose of this Policy is to provide practical guidance on the responsible use of social media. It complements the West Surrey Shadow Authority Members' Code of Conduct and should be read alongside the Shadow Authority's Constitution and any guidance issued by the Monitoring Officer. The Policy is intended to support Members in making informed decisions about their online activity. It does not seek to discourage legitimate political debate or restrict freedom of expression, provided that social media is used lawfully and consistently with the standards expected of elected Members.
- 1.3. Social media is constantly evolving. Accordingly, the principles set out in this Policy apply equally to existing and emerging digital communication platforms and should be interpreted broadly to reflect changes in technology and communication methods.

2. Scope of the Policy

- 2.1. This Policy applies to all elected and co-opted Members of West Surrey Shadow Authority whenever they use social media in connection with, or in circumstances that could reasonably be perceived as relating, to their role as a Councillor.
- 2.2. The Members' Code of Conduct applies whenever a Member is acting, claims to be acting, or could reasonably be regarded as acting in their official capacity. Examples include where a Member identifies themselves as a Shadow Councillor, comments on Shadow Authority business, engages with residents or officers on Shadow Authority matters, or uses Shadow Authority resources or Shadow Authority-managed social media accounts.

- 2.3. Members should recognise that the distinction between personal and official use of social media is not always clear. Even where an account is described as personal, it may still be associated with a Member's public role. Statements such as "views are my own" may help to clarify that a post expresses a personal opinion, but they do not remove a Member's responsibilities under the Members' Code of Conduct where that Code applies.

3. Using Social Media Responsibly

- 3.1. Having established when this Policy applies, the following sections set out the standards expected of Members when using social media and the principles that should guide their online conduct.
- 3.2. Members are expected to use social media in a manner that reflects the Seven Principles of Public Life and maintains public confidence in local government. The standards expected of Members in Shadow Authority meetings, correspondence and public events apply equally to online communication.
- 3.3. Social media provides an important forum for political discussion and democratic debate. Members are entitled to express political opinions, challenge policies and decisions, and engage in robust debate. However, criticism should be directed towards issues and decisions rather than individuals and should never amount to bullying, harassment, intimidation or personal abuse.
- 3.4. Members should communicate courteously and respectfully at all times. They should take reasonable care to ensure that information they publish is accurate, avoid disclosing confidential or personal information and be mindful that comments made online may be copied, shared or remain publicly available even after they have been deleted.
- 3.5. Particular care should be taken when commenting on matters where the Shadow Authority exercises a quasi-judicial function, such as planning or licensing. Members should avoid making comments that could give rise to a perception that they have predetermined an issue before all relevant information has been considered.

4. Before You Post

- 4.1. Before publishing content on social media, Members should consider whether the information is accurate, fair and respectful, whether it could disclose confidential or personal information, and whether it reflects the standards expected of someone holding public office. Members should also consider how a post might be interpreted by residents, colleagues and the wider public,

recognising that online content can be copied, shared and remain publicly available long after it has been deleted.

- 4.2. Members should exercise particular care before commenting on matters where the Shadow Authority is required to act impartially, including planning, licensing and other quasi-judicial functions. Comments that suggest a Member has reached a firm view before all relevant information has been considered may give rise to concerns about bias or predetermination.
- 4.3. Where there is any doubt about whether material is appropriate for publication, Members are encouraged to seek advice from the Monitoring Officer or Democratic Services before posting.

5. Engaging with Others

- 5.1. Social media provides an opportunity to engage openly and constructively with residents, businesses, community organisations and other stakeholders. Members should seek to encourage respectful discussion and recognise that positive engagement can help build trust and strengthen relationships with the communities they represent.
- 5.2. Members are entitled to disagree with others and to participate in robust political debate. However, discussions should remain courteous and proportionate. Members should avoid becoming involved in prolonged or hostile exchanges and should not respond in a manner that could reasonably be regarded as bullying, harassment, intimidation or personal abuse.
- 5.3. Members may use the moderation tools available on social media platforms where appropriate, including limiting replies, hiding comments or blocking users where behaviour is abusive, threatening, discriminatory or otherwise unacceptable. Such action should not be taken solely because an individual expresses criticism of the Shadow Authority or holds a different political opinion.
- 5.4. Where Members receive threatening or abusive communications, they should retain evidence where possible and report the matter to the relevant social media platform. Where appropriate, incidents should also be reported to the Monitoring Officer and, where necessary, the police.

6. Legal Responsibilities

- 6.1. Members remain personally responsible for complying with the law when using social media. The same legal obligations that apply to other forms of communication also apply online.
- 6.2. Members should take particular care to comply with legislation relating to data protection, confidentiality, defamation, copyright, equality, harassment and human rights. Confidential or exempt information must not be disclosed unless authorised by law or by the Shadow Authority.
- 6.3. Members should also exercise caution when commenting on criminal investigations, legal proceedings or matters before the courts, as online comments may prejudice proceedings or breach reporting restrictions.
- 6.4. During any pre-election period, Members should have regard to any guidance issued by the Monitoring Officer concerning publicity and the appropriate use of Shadow Authority resources and official social media accounts.

7. Artificial Intelligence, Emerging Technology and Cyber Security

- 7.1. Digital technology continues to evolve rapidly and Members may choose to use artificial intelligence or other emerging technologies when preparing material for publication. Members remain personally responsible for any content published in their name and should ensure that it is accurate, lawful and reflects their own views before publication.
- 7.2. Alongside the opportunities presented by emerging technologies, Members should also take reasonable steps to protect their online accounts and digital information unauthorised access. Good practice includes:
 - using strong passwords;
 - enabling multi-factor authentication where available;
 - keeping software and devices up to date; and
 - remaining alert to phishing attempts and online scams.
- 7.3. Where an account used in connection with Shadow Authority business is compromised, Members should notify the Monitoring Officer promptly so that appropriate advice and support can be provided.

8. Advice and Support

- 8.1. The Shadow Authority is committed to supporting Members in using social media effectively, responsibly and safely. Advice on the application of this Policy, the Members' Code of Conduct and related governance issues is available from the Monitoring Officer.

- 8.2. Members are encouraged to seek advice before publishing material where they are uncertain about its accuracy, legality or potential implications. Obtaining advice at an early stage can help avoid misunderstandings, protect both the Member and the Shadow Authority, and promote public confidence in local government.
- 8.3. The Shadow Authority may provide training and guidance from time to time to support Members in developing good practice and responding to changes in legislation, technology and social media platforms.

9. Complaints and Breaches

- 9.1. Concerns about a Member's use of social media will be considered in accordance with the Shadow Authority's standards arrangements where the Members' Code of Conduct applies. Whether the Code applies will depend on the circumstances of each case, including whether the Member was acting, claiming to act, or could reasonably have been perceived to be acting in their official capacity.
- 9.2. Members should recognise that deleting or editing online content does not necessarily remove it from the public domain. Where concerns arise, it may be appropriate to retain screenshots or other evidence to assist in establishing the facts.
- 9.3. A failure to follow this Policy will not automatically amount to a breach of the Members' Code of Conduct. However, the Policy may be taken into account when considering whether a Member has complied with the standards expected of elected representatives.

10. Review of the Policy

- 10.1. This Policy will be reviewed periodically by the Monitoring Officer to ensure that it remains consistent with legislation, national guidance and recognised good practice. The Monitoring Officer may issue supplementary guidance from time to time to assist Members in the practical application of this Policy, which should be read alongside this Policy and the Members' Code of Conduct.

Appendix A – A Quick Sense Check Before Posting

This appendix provides practical reminders to support the principles set out in this Policy. It does not form part of the Policy itself. Before publishing content, Members may find it helpful to pause and ask themselves the following questions:

- Is the information accurate and up to date?
- Would I be comfortable if this post appeared in the local media or was discussed at a Shadow Authority meeting?
- Could the post disclose confidential or personal information?
- Could my comments give the impression that I have already made up my mind on a matter that I may later have to determine?
- Am I communicating respectfully, even where I disagree with others?
- Have I checked that any photographs, videos or other content can be shared lawfully?
- If I have used artificial intelligence to draft or edit content, have I checked it carefully for accuracy and suitability?
- Is my account protected by appropriate security measures, including multi-factor authentication where available?
- If I am unsure, have I sought advice before posting?

Social Media Policy

The Shadow Authority recognises that social media is an important way for Members to engage with residents, communities and businesses. Used well, it promotes openness, transparency and participation in local democracy. This Policy has been developed to help Members use social media confidently, responsibly and lawfully while maintaining the high standards of conduct expected of elected representatives.

1. Introduction

- 1.1. Social media provides Members with valuable opportunities to communicate with residents, explain Shadow Authority decisions, raise awareness of local issues and encourage participation in local democracy. It enables Members to communicate directly with the communities they represent, respond to local concerns and promote greater public understanding of the Shadow Authority's work.
- 1.2. The purpose of this Policy is to provide practical guidance on the responsible use of social media. It complements the West Surrey Shadow Authority Members' Code of Conduct and should be read alongside the Shadow Authority's Constitution and any guidance issued by the Monitoring Officer. The Policy is intended to support Members in making informed decisions about their online activity. It does not seek to discourage legitimate political debate or restrict freedom of expression, provided that social media is used lawfully and consistently with the standards expected of elected Members.
- 1.3. Social media is constantly evolving. Accordingly, the principles set out in this Policy apply equally to existing and emerging digital communication platforms and should be interpreted broadly to reflect changes in technology and communication methods.

2. Scope of the Policy

- 2.1. This Policy applies to all elected and co-opted Members of West Surrey Shadow Authority whenever they use social media in connection with, or in circumstances that could reasonably be perceived as relating, to their role as a Councillor.
- 2.2. The Members' Code of Conduct applies whenever a Member is acting, claims to be acting, or could reasonably be regarded as acting in their official capacity. Examples include where a Member identifies themselves as a Shadow Councillor, comments on Shadow Authority business, engages with residents or officers on

Shadow Authority matters, or uses Shadow Authority resources or Shadow Authority-managed social media accounts.

- 2.3. Members should recognise that the distinction between personal and official use of social media is not always clear. Even where an account is described as personal, it may still be associated with a Member's public role. Statements such as "views are my own" may help to clarify that a post expresses a personal opinion, but they do not remove a Member's responsibilities under the Members' Code of Conduct where that Code applies.

3. Using Social Media Responsibly

- 3.1. Having established when this Policy applies, the following sections set out the standards expected of Members when using social media and the principles that should guide their online conduct.
- 3.2. Members are expected to use social media in a manner that reflects the Seven Principles of Public Life and maintains public confidence in local government. The standards expected of Members in Shadow Authority meetings, correspondence and public events apply equally to online communication.
- 3.3. Social media provides an important forum for political discussion and democratic debate. Members are entitled to express political opinions, challenge policies and decisions, and engage in robust debate. However, criticism should be directed towards issues and decisions rather than individuals and should never amount to bullying, harassment, intimidation or personal abuse.
- 3.4. Members should communicate courteously and respectfully at all times. They should take reasonable care to ensure that information they publish is accurate, avoid disclosing confidential or personal information and be mindful that comments made online may be copied, shared or remain publicly available even after they have been deleted.
- 3.5. Particular care should be taken when commenting on matters where the Shadow Authority exercises a quasi-judicial function, such as planning or licensing. Members should avoid making comments that could give rise to a perception that they have predetermined an issue before all relevant information has been considered.

4. Before You Post

- 4.1. Before publishing content on social media, Members should consider whether the information is accurate, fair and respectful, whether it could disclose confidential

or personal information, and whether it reflects the standards expected of someone holding public office. Members should also consider how a post might be interpreted by residents, colleagues, officers and the wider public, recognising that online content can be copied, shared and remain publicly available long after it has been deleted.

- 4.2. Members should exercise particular care before commenting on matters where the Shadow Authority is required to act impartially, including planning, licensing and other quasi-judicial functions. Comments that suggest a Member has reached a firm view before all relevant information has been considered may give rise to concerns about bias or predetermination.

4.3. Members should exercise caution when engaging with content that may contain misinformation or disinformation. Social media allows inaccurate claims to spread quickly. Members' engagement, such as liking or sharing a post, could lend unintended credibility. Members should avoid amplifying unverified claims, speculation, or content from unclear or unreliable sources. If in doubt, seek advice from the communications team before posting.

4.3-4.4. Where there is any doubt about whether material is appropriate for publication, Members are encouraged to seek advice from the Monitoring Officer or Democratic Services before posting.

5. Engaging with Others

- 5.1. Social media provides an opportunity to engage openly and constructively with residents, businesses, community organisations and other stakeholders. Members should seek to encourage respectful discussion and recognise that positive engagement can help build trust and strengthen relationships with the communities they represent.
- 5.2. Members are entitled to disagree with others and to participate in robust political debate. However, discussions should remain courteous and proportionate. Members should avoid becoming involved in prolonged or hostile exchanges and should not respond in a manner that could reasonably be regarded as bullying, harassment, intimidation or personal abuse.
- 5.3. Members may use the moderation tools available on social media platforms where appropriate, including limiting replies, hiding comments or blocking users where behaviour is abusive, threatening, discriminatory or otherwise

unacceptable. Such action should not be taken solely because an individual expresses criticism of the Shadow Authority or holds a different political opinion.

- 5.4. Where Members receive threatening or abusive communications, they should retain evidence where possible and report the matter to the relevant social media platform. Where appropriate, incidents should also be reported to the Monitoring Officer and, where necessary, the police.
- 5.5. When engaging with official West Surrey Council accounts, Members should remain courteous to officers running the accounts. Social media should not be used to raise Member enquiries.

6. Legal Responsibilities

- 6.1. Members remain personally responsible for complying with the law when using social media. The same legal obligations that apply to other forms of communication also apply online.
- 6.2. Members should take particular care to comply with legislation relating to data protection, confidentiality, defamation, copyright, equality, harassment and human rights. Confidential or exempt information must not be disclosed unless authorised by law or by the Shadow Authority.
- 6.3. Members should also exercise caution when commenting on criminal investigations, legal proceedings or matters before the courts, as online comments may prejudice proceedings or breach reporting restrictions.
- 6.4. During any pre-election period, Members should have regard to any guidance issued by the Monitoring Officer concerning publicity and the appropriate use of Shadow Authority resources and official social media accounts.

7. Artificial Intelligence, ~~and~~ Emerging Technology ~~and~~ Cyber-Security

- 7.1. Digital technology continues to evolve rapidly and Members may choose to use artificial intelligence or other emerging technologies when preparing material for publication. AI tools may produce content that appears plausible but is factually incorrect. Members remain personally responsible for any content published in their name and should ensure that it is accurate, lawful and reflects their own views before publication. For transparency reasons, Members should ensure that any AI images or text created for public social posts are labelled as such.

8. Cyber Security and Safety

7-2-8.1. Alongside the opportunities presented by emerging technologies, Members should also take reasonable steps to protect their online accounts and digital information unauthorised access. Good practice includes:

- using strong passwords;
- enabling multi-factor authentication where available;
- keeping software and devices up to date; and
- remaining alert to phishing attempts and online scams.

7-3-8.2. Where an account used in connection with Shadow Authority business is compromised, Members should notify the Monitoring Officer promptly so that appropriate advice and support can be provided

8.3. Members should maintain a clear boundary between their personal life and public role. Review privacy and tagging settings on all platforms and avoid posting personal information such as their date of birth or details about their family. Be mindful that friends, family and neighbours may not wish to have their information shared.

8.4. Any abusive, threatening or inappropriate behaviour should be reported to the social media platform and, where appropriate, to the council or the police. Members subject to repeated harassment should speak to the monitoring officer, community safety team or the police. It is far safer to report concerns early, even if you are unsure whether they are serious.

8-9. Advice and Support

8-1-9.1. The Shadow Authority is committed to supporting Members in using social media effectively, responsibly and safely. Advice on the application of this Policy, the Members' Code of Conduct and related governance issues is available from the Monitoring Officer.

8-2-9.2. Members are encouraged to seek advice before publishing material where they are uncertain about its accuracy, legality or potential implications. Obtaining advice at an early stage can help avoid misunderstandings, protect both the Member and the Shadow Authority, and promote public confidence in local government.

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9.3. The Shadow Authority may provide training and guidance from time to time to support Members in developing good practice and responding to changes in legislation, technology and social media platforms.

9.4. If online activity is beginning to affect a Member's wellbeing, or if they experience abuse or harassment, they are encouraged to seek advice from the communications team. This may include support with managing interactions, reducing online activity, or taking a temporary break where appropriate.

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9.10. Complaints and Breaches

10.1. Concerns about a Member's use of social media will be considered in accordance with the Shadow Authority's standards arrangements where the Members' Code of Conduct applies. Whether the Code applies will depend on the circumstances of each case, including whether the Member was acting, claiming to act, or could reasonably have been perceived to be acting in their official capacity.

9.1.10.2. Any concerns about an officer's use of social media should be raised in line with the council's Councillor-Officer Protocol.

9.2.10.3. Members should recognise that deleting or editing online content does not necessarily remove it from the public domain. Where concerns arise, it may be appropriate to retain screenshots or other evidence to assist in establishing the facts.

9.3.10.4. A failure to follow this Policy will not automatically amount to a breach of the Members' Code of Conduct. However, the Policy may be taken into account when considering whether a Member has complied with the standards expected of elected representatives.

10.11. Review of the Policy

10.1.11.1. This Policy will be reviewed periodically by the Monitoring Officer to ensure that it remains consistent with legislation, national guidance and recognised good practice. The Monitoring Officer may issue supplementary guidance from time to time to assist Members in the practical application of this Policy, which should be read alongside this Policy and the Members' Code of Conduct.

Appendix A – A Quick Sense Check Before Posting

This appendix provides practical reminders to support the principles set out in this Policy. It does not form part of the Policy itself. Before publishing content, Members may find it helpful to pause and ask themselves the following questions:

- Is the information accurate and up to date?
- Would I be comfortable if this post appeared in the local media or was discussed at a Shadow Authority meeting?
- Could the post disclose confidential or personal information?
- Could my comments give the impression that I have already made up my mind on a matter that I may later have to determine?
- Am I communicating respectfully, even where I disagree with others?
- Have I checked that any photographs, videos or other content can be shared lawfully?
- If I have used artificial intelligence to draft or edit content, have I checked it carefully for accuracy and suitability?
- Is my account protected by appropriate security measures, including multi-factor authentication where available?
- If I am unsure, have I sought advice before posting?

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West Surrey Shadow Authority		
Report title: Guidance for Councillors on Gifts and Hospitality		
Report to: Standards Committee		
Date: 2 September 2026		
Executive Portfolio Holder: Cllr Victoria Kiehl Contact Email: Victoria.Kiehl@westsurrey.gov.uk		
Report of: Constitution Sub-Committee and Susan Sale, Monitoring Officer (interim), Contact Email: susan.sale@westsurrey.gov.uk		
Report author(s): Faith Mwende, Joint Corporate Governance Officer, Guildford Borough Council and Waverley Borough Council Contact Email: Faith.Mwende@guildford.gov.uk		
Wards affected: All		
Ward councillors informed: No		
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	Vicky Radford	28 July 2026
Monitoring Officer	Susan Sale	28 July 2026
Executive Portfolio Holder consultation	Cllr Victoria Kiehl	28 July 2026
Committee Chair consultation	Cllr Richard Wilson	28 July 2026
Head of Paid Service	Andy Brown	28 July 2026

1. Executive Summary

- 1.1** This report proposes the adoption of Guidance for Councillors on Gifts and Hospitality for West Surrey Council, both during the Shadow Period and post Vesting Day. The Guidance will support councillors in identifying, declaring and managing offers of gifts and hospitality connected with their role and establish a consistent approach across the new authority.
- 1.2** In preparing the proposed Guidance, officers have reviewed the arrangements operated by predecessor councils in West Surrey as well as relevant national guidance. The proposed Guidance has been developed specifically for West Surrey Council.
- 1.3** Adoption of the Guidance will promote transparency, support high standards of conduct and provide councillors with practical guidance on the acceptance, refusal and declaration of gifts and hospitality.

2 Recommendations:

2.1 That the Standards Committee resolves to:

- 2.1.1** Consider the proposed Guidance for Members on Gifts and Hospitality as reviewed by the Constitution Sub-Committee attached at Appendix 1, and recommends its approval to West Surrey Shadow Authority.

2.2 That the Standards Committee recommends that the Shadow Authority resolves to:

- 2.3** 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.
- 2.4** 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.
- 2.5** 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

3 Reason(s) for recommendation:

- 3.1** To establish a single, clear and consistent approach to the acceptance, refusal, declaration and registration of gifts and hospitality by councillors and co-opted members of West Surrey Shadow Authority and in due course, West Surrey Council.

- 3.2** To support compliance with the Members' Code of Conduct and the Seven Principles of Public Life and to help councillors avoid circumstances that could give rise to actual or perceived influence, personal gain or impropriety.
- 3.3** To promote openness and public confidence by providing for the maintenance and publication of a Register of Gifts and Hospitality.

4 Next steps

- 4.1** Subject to the Standards Committee endorsing the recommendations, the proposed Guidance for Councillors on Gifts and Hospitality will be recommended to the Shadow Authority for approval.
- 4.2** Following approval, the Guidance will be incorporated into the Constitution and will form part of the ethical governance framework both for the Shadow Authority and for West Surrey Council and will operate as supporting guidance to the Members' Code of Conduct.
- 4.3** The Monitoring Officer will establish the arrangements required for councillors and co-opted members to declare gifts and hospitality and for relevant information to be recorded and published. Information on the requirements of the Guidance will be included as part of the Member Development Programme.

5 Exemption from publication

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

6 Background and Proposal

- 6.1** The acceptance of gifts and hospitality by councillors can create a risk of actual or perceived influence over their conduct or decision-making. Even where an offer has no improper purpose, its acceptance may give rise to a public perception that a councillor has received a personal benefit because of their position or may be expected to show favour in return.
- 6.2** Clear guidance assists councillors in deciding whether an offer should be accepted or refused and whether it must be declared. It also protects individual councillors and the authority by promoting openness, consistency and compliance with the Seven Principles of Public Life.
- 6.3** The Local Government Association's Model Councillor Code of Conduct provides that councillors should not accept gifts or hospitality that could give rise to real or substantive personal gain or a reasonable suspicion of influence. It also provides for gifts and hospitality with an estimated value

of at least £50 to be registered with the Monitoring Officer within 28 days and for significant offers that have been refused to be registered.

- 6.4** As the Shadow Authority does not have an existing policy or process for the declaration and registration of gifts and hospitality, it is necessary to establish a single set of arrangements for all councillors and co-opted members of the new Council. The proposed guidance does not replace or consolidate the policy of any predecessor authority but has been prepared specifically for the Shadow Authority and West Surrey Council.

- 6.5** The current arrangements in predecessor authorities are set out below:

Authority	Policy/ Guidance	Registration Threshold	Declare refused Offers	Publication of Register
Surrey County Council	Members' Code of Conduct	£50	No	Gifts and hospitality over £50 published within each Member's Register of Interests
Guildford Borough Council	Guidance for Members on Gifts and Hospitality (Annex to Members' Code of Conduct)	£50	Yes	Published online
Runnymede Borough Council	Policy on Gifts and Hospitality	£50	No	Online declaration process / register maintained
Spelthorne Borough Council	Policy on Gifts, Hospitality and Sponsorship	£35	Yes	Published online
Surrey Heath Borough Council	Members' Code of Conduct	£50	No	Register available for public inspection at Council offices
Waverley Borough Council	Guidance for Members on Gifts and Hospitality (Annex to Members' Code of Conduct)	£50	Yes	Published online
Woking Borough Council	Members' Code of Conduct.	£50	No	Published online

- 6.6** The review demonstrates that a £50 registration threshold is widely used, including across West Surrey. However, there is variation in whether refused offers are recorded, whether more detailed practical guidance is provided and whether the register is published online, incorporated within Members' Registers of Interests or made available only on request.
- 6.7** Drawing on the review of existing arrangements, the proposed Guidance will:
- a) establish a clear presumption that gifts or hospitality should not be accepted where doing so could create an actual or perceived obligation or influence;
 - b) provide practical guidance to councillors on assessing and responding to offers;
 - c) establish a consistent £50 threshold for the registration of gifts and hospitality;
 - d) require declarations to be submitted within 28 days;
 - e) address significant gifts and hospitality that have been offered but refused;
 - f) provide access to advice from the Monitoring Officer where a councillor is uncertain; and
 - g) provide for relevant information to be made publicly available.
- 6.8** A threshold does not mean that gifts or hospitality below that value can automatically be accepted. The nature of an offer, the identity and relationship of the person or organisation making it, the circumstances in which it is offered and how acceptance might reasonably be perceived are all relevant. A gift or hospitality below £50 may still need to be refused where acceptance could create an impression of influence or impropriety.
- 6.9** Similarly, registration of a gift or hospitality does not make its acceptance appropriate. Registration is a transparency requirement and is separate from the initial decision about whether an offer should be accepted. The proposed Guidance therefore places primary emphasis on careful consideration and, where appropriate, refusal.
- 6.10** Publishing relevant entries from the Register of Gifts and Hospitality will provide greater transparency than arrangements under which the register can only be inspected at council offices. It will also enable residents to access the information without making a separate request or attending a council office.
- 6.11** The proposed Guidance brings together recognised good practice into a single framework tailored to the governance arrangements of West Surrey Council.

7 Consultation

- 7.1** The proposed Guidance has been informed by a review of arrangements operated by the predecessor authorities across West Surrey.
- 7.2** Consultation has also taken place with the Portfolio Holder for Governance, Democracy and Corporate Services.
- 7.3** Consultation has also taken place with the Chair and Members of the Standards Committee.
- 7.4** No public consultation is proposed. The Guidance concerns the internal ethical governance arrangements applying to councillors and co-opted members and is based on established principles of public life, national guidance and existing local authority practice.

8 Key Risks

- 8.1** Failure to adopt clear guidance on gifts and hospitality could result in inconsistent practice across the new Council, increasing the risk of actual or perceived conflicts of interest and undermining public confidence in the Council's ethical governance arrangements.
- 8.2** Without clear guidance and a consistent process for declaring and recording gifts and hospitality, councillors may be uncertain about the circumstances in which offers should be accepted, refused or registered, creating a risk of inadvertent non-compliance with the Members' Code of Conduct.
- 8.3** The proposed Guidance mitigates these risks by establishing a clear, consistent and transparent framework for the acceptance, refusal, declaration and publication of gifts and hospitality, supported by advice from the Monitoring Officer where required.

9 Options

- 9.1** The Constitution Sub-Committee considered the proposed guidance at its meeting on 6 August and is recommending it to the Standards Committee for endorsement and onward recommendation to the Shadow Authority.
- 9.2** Option 1 – Approve the proposed Guidance (recommended). This option would adopt the proposed Guidance and establish the arrangements for declaring, recording and publishing gifts and hospitality at West Surrey Council, both during the Shadow Period and post vesting Day.

- 9.3** Option 2 – Adopt one of the predecessor authority policies without amendment. This option was considered but is not recommended. Whilst the predecessor authorities have well-established arrangements, West Surrey Council is a new authority and requires governance documents that reflect its own constitutional framework. Officers have reviewed the arrangements operated by predecessor authorities and wider authorities to develop guidance specifically for West Surrey Council rather than reproducing the Policy of any one authority.
- 9.4** Option 3 – Do not adopt guidance – This option is not recommended. Although the Members' Code of Conduct establishes general standards of behaviour, the absence of supporting guidance would provide less clarity for councillors, could lead to inconsistent practice and would reduce transparency in relation to the declaration and registration of gifts and hospitality.
- 9.5** Option 4 – Instruct officers to prepare an alternative guidance. This would require additional officer time and resources and would delay implementation. There is no evidence that an alternative approach would provide greater benefit than the proposed guidance.

10 Issues for consideration

10.1 Financial Implications

- 10.1.1 There are no significant financial implications arising directly from this report.
- 10.1.2 Any administrative costs associated with maintaining and publishing the Register of Gifts and Hospitality will be met from existing resources.

10.2 Section 151 Officer Commentary

- 10.2.1 West Surrey will operate in a very challenging financial environment, with significant budgetary pressures from increasing demand and costs of service delivery, coupled with limited financial resources and reducing government funding. West Surrey Council will be increasingly reliant on Council Tax as the primary source of income.
- 10.2.2 Decisions made by the sovereign councils in West Surrey and the West Surrey Shadow Authority will need to consider the ongoing financial impact and ensure that expenditure does not exceed the resources available. It is vital that significant importance is placed on effective financial management and medium-term financial sustainability to achieve a balanced budget position and protect delivery service.
- 10.2.3 Adopting a gifts and hospitality register shows strong governance for West Surrey Council.

10.3 Legal Implications

10.3.1 Section 27 of the Localism Act 2011 requires local authorities to promote and maintain high standards of conduct by members and co-opted members and to adopt a Code of Conduct consistent with the Nolan Principles of Public Life.

10.3.2 Whilst there is no statutory requirement to adopt separate guidance on gifts and hospitality, local authorities have the power to adopt local governance arrangements to promote and maintain high standards of conduct.

10.4 Monitoring Officer Commentary

10.4.1 It is good practice to adopt a gifts and hospitality policy and this will help support the ethical framework across both the Shadow Authority and West Surrey Council, by setting clear expectations for members and giving clarity to the public.

10.5 People/Human Resources Implications

10.5.1 There are no direct human resources implications arising from this report

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 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 The proposed guidance has no direct climate change or sustainability implications.

10.8 Stakeholders Implications

10.9 The proposed guidance will apply to councillors and co-opted members of the Shadow Authority and West Surrey Council will be asked to adopt it. There are no direct implications for residents, businesses, parish and town councils or other external stakeholders.

10.9.1 The publication of the Register of Gifts and Hospitality will support transparency and provide assurance to residents and other stakeholders regarding the Council's ethical governance arrangements.

11 Overview & Scrutiny Comments

11.1 Not applicable.

12 List of Appendices

12.1 Appendix 1 - Draft Guidance for Councillors on Gifts and Hospitality

13 List of Background papers

13.1 Surrey County Council – Members' Code of Conduct and published Register of Interests (Gifts and Hospitality).

13.2 Guildford Borough Council – Guidance for Members on Gifts and Hospitality (Annex to the Members' Code of Conduct).

13.3 Waverley Borough Council – Guidance for Members on Gifts and Hospitality (Annex to the Members' Code of Conduct).

13.4 Spelthorne Borough Council – Policy on Gifts, Hospitality and Sponsorship (2019 review).

13.5 Surrey Heath Borough Council – Members' Code of Conduct.

13.6 Runnymede Borough Council – Gifts and Hospitality declaration arrangements.

13.7 Woking Borough Council – Constitution and Members' Code of Conduct.

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Guidance for Councillors on Gifts and Hospitality

1. Purpose of this Guidance

- 1.1. This Guidance supports the Members' Code of Conduct by providing practical advice to councillors and co-opted members on the acceptance, refusal, declaration and registration of gifts and hospitality received in connection with their role as a member of West Surrey Shadow Authority.
- 1.2. The purpose of this Guidance is to help councillors exercise sound judgement, maintain public confidence in the integrity of the Shadow Authority's decision-making and promote openness and transparency. It should be read alongside the Members' Code of Conduct and does not replace or amend the obligations contained within the Code.
- 1.3. This Guidance applies to all elected and co-opted members of West Surrey Shadow Authority.
- 1.4. This Guidance cannot cover every circumstance in which gifts or hospitality may be offered. Councillors are expected to exercise their own judgement, having regard to the principles set out in the Members' Code of Conduct and this Guidance. Where there is any doubt about whether a gift or hospitality should be accepted or declared, advice should be sought from the Monitoring Officer before accepting the offer wherever practicable.

2. Key Principles

- 2.1. Councillors should always remember that they are public office holders and must act in a way that maintains public confidence in the integrity of the Shadow Authority and its decision-making.
- 2.2. The acceptance of gifts or hospitality should always be exceptional rather than routine. Even where an offer is made with good intentions, councillors should carefully consider whether accepting it could create, or reasonably be perceived to create, an obligation or influence over the performance of their duties.
- 2.3. In deciding whether to accept or refuse a gift or hospitality, councillors should have regard to the Seven Principles of Public Life, particularly integrity, objectivity, openness and accountability.
- 2.4. When considering an offer, councillors should ask themselves:
 - Why is this being offered to me?

- Would I have been offered it if I were not a councillor?
- Could accepting it reasonably be perceived as influencing my judgement or decision-making?
- Would I feel comfortable if the details were made public?
- Would accepting it undermine public confidence in the Shadow Authority or in my role as a councillor?

2.5. Where there is any doubt, the safest course is to seek advice from the Monitoring Officer before accepting the offer or, where that is not practicable, to decline it.

3. Deciding Whether to Accept Gifts and Hospitality

3.1. Each offer of a gift or hospitality should be considered on its own merits. There is no single rule that applies in every circumstance and councillors are expected to exercise sound judgement.

3.2. When deciding whether acceptance would be appropriate, councillors should take account of all the relevant circumstances, including:

- who is making the offer;
- why the offer is being made;
- the nature and estimated value of the gift or hospitality;
- whether the person or organisation making the offer currently has, or is likely to have, dealings with the Shadow Authority or West Surrey Council;
- whether the Shadow Authority is considering, or is likely to consider, a matter affecting the person or organisation making the offer;
- whether the offer is proportionate and consistent with normal business or civic practice; and
- how acceptance might reasonably be perceived by members of the public.

3.3. Councillors should not accept any gift or hospitality which:

- could reasonably be regarded as an inducement or reward for carrying out their duties;
- places them under an obligation to the person or organisation making the offer;
- could reasonably give rise to a perception of improper influence or preferential treatment;
- is excessive or disproportionate in the circumstances; or

- could otherwise undermine public confidence in the integrity of the Shadow Authority or its decision-making.
- 3.4. Particular care should be exercised where offers are made by, or on behalf of:
- prospective contractors with West Surrey Council;
 - developers or applicants in relation to planning or licensing matters with the sovereign Councils;
 - organisations who may seek funding, grants or other financial assistance from West Surrey Council;
 - organisations involved in procurement or tendering exercises; or
 - any individual or organisation involved in regulatory, enforcement or legal proceedings with the sovereign Councils.
- 3.5. Acceptance of gifts or hospitality from these individuals or organisations will not always be inappropriate. However, councillors should exercise particular caution and seek advice from the Monitoring Officer where there is any doubt.

4. Registration Requirements

- 4.1. Under the Members' Code of Conduct, councillors are required to notify the Monitoring Officer of any gift or hospitality offered or received in connection with their role as a councillor where the estimated value is £50 or more.
- 4.2. Notification must normally be made within 28 days of the gift or hospitality being offered or received.
- 4.3. The requirement to register applies whether the offer has been:
- accepted;
 - politely declined; or
 - accepted and subsequently donated or otherwise disposed of.
- 4.4. The declaration should include, where known:
- the date of the offer or receipt;
 - the name of the individual or organisation making the offer;
 - the nature of the gift or hospitality;
 - the estimated value;
 - the reason for the offer, if known; and
 - the action taken (for example accepted, declined or donated).
- 4.5. Where a number of related gifts or offers of hospitality are received from the same source, councillors should consider their cumulative value. Where the

combined estimated value reaches or exceeds the registration threshold, the gifts or hospitality should be registered.

- 4.6. Gifts or hospitality received solely in a councillor's private capacity, and which are unrelated to their role as a councillor, do not need to be registered under this Guidance.
- 4.7. The Monitoring Officer will maintain a Register of Gifts and Hospitality and arrange for relevant entries to be published in accordance with the Shadow Council's agreed arrangements.

5. Illustrative Examples of Gifts and Hospitality

- 5.1. The following are examples of gifts and hospitality which may normally be accepted, provided councillors have considered the principles set out in this Guidance and, where applicable, comply with the registration requirements in the Members' Code of Conduct:
- civic hospitality provided by another local authority or public body;
 - modest refreshments or working meals provided as part of meetings, conferences or official engagements;
 - hospitality provided in connection with partnership working or joint projects where it is ancillary to the business being conducted;
 - modest souvenir or commemorative gifts received during civic or ceremonial events;
 - low-value promotional items, such as pens, diaries, calendars or similar items distributed generally to attendees; and
- 5.2. The following are examples of gifts or hospitality which should normally be declined:
- cash or cash equivalents;
 - vouchers or gift cards;
 - gifts of significant value;
 - travel, accommodation or hospitality provided primarily for personal benefit;
 - tickets to sporting, cultural or entertainment events offered primarily for personal benefit rather than in connection with official duties;
 - discounts or preferential treatment not generally available to members of the public;
 - gifts or hospitality offered during procurement exercises, planning, licensing or regulatory matters at sovereign Councils, or whilst another decision affecting the donor is under consideration; and
 - any gift or hospitality which could reasonably be regarded as seeking to influence a councillor in carrying out their duties.

- 5.3. These examples are intended to assist councillors in exercising their judgement and are not exhaustive. Each offer should be considered on its own merits and in the context in which it is made.

6. Particular Circumstances

6.1. Civic and ceremonial events

- 6.1.1. Attendance at civic, ceremonial or community events forms part of a councillor's representative role. Modest hospitality offered as part of such events will often be appropriate, provided acceptance would not give rise to any actual or perceived conflict of interest.

6.2. Conferences, training and external events

- 6.2.1. Councillors may, from time to time, attend conferences, seminars, site visits or other events as part of their official duties. Attendance should normally be connected with the councillor's official duties and represent an appropriate use of public office.
- 6.2.2. Reasonable refreshments and hospitality which are incidental to attendance at such events will not normally give rise to concern. However, councillors should carefully consider any additional hospitality, accommodation or travel offered by third parties and satisfy themselves that acceptance would not compromise, or reasonably appear to compromise, their impartiality.

6.3. Gifts which cannot reasonably be refused

- 6.3.1. There may occasionally be circumstances where refusing a gift would cause offence or be inconsistent with accepted civic or diplomatic practice.
- 6.3.2. Where this occurs, councillors should notify the Monitoring Officer as soon as reasonably practicable. Consideration should then be given to whether the gift should be retained by the Shadow Authority, or otherwise disposed of by the Monitoring Officer in such ways as they consider appropriate, with a written record to be kept of the disposal decision.

7. Further Guidance

7.1. Gifts received in my private capacity

Gifts and hospitality received solely in a private capacity, which are unrelated to a councillor's role as a member of the Shadow Authority, do not need to be registered under the Members' Code of Conduct

7.2. Estimating the value of gift or hospitality

Where the value is not known, councillors should make a reasonable estimate. If there is any doubt as to whether the registration threshold has been met, the safest course is to register the gift or hospitality or seek advice from the Monitoring Officer.

7.3. Declined offers

Where the Members' Code of Conduct requires the registration of declined offers, these should be notified to the Monitoring Officer in the same way as accepted gifts or hospitality.

7.4. What if several councillors receive the same gift or hospitality?

Each councillor is individually responsible for complying with the Members' Code of Conduct. Where the same gift or hospitality is offered to several councillors, each councillor should make their own assessment and, where required, submit their own declaration.

7.5. Holding other public offices

This Guidance applies only to gifts and hospitality received in your capacity as a member of the Shadow Authority.

Where gifts or hospitality are received in another public role, they should be declared in accordance with the requirements of that organisation. If there is uncertainty about the capacity in which an offer has been made, advice should be sought from the Monitoring Officer.

7.6. What if I am unsure?

If there is any doubt about whether a gift or hospitality should be accepted, declined or registered, councillors should seek advice from the Monitoring Officer before accepting the offer wherever practicable.

8. Further Advice

- 8.1. The Monitoring Officer is responsible for maintaining the Register of Gifts and Hospitality and providing advice to councillors on the application of the Members' Code of Conduct.

- 8.2. Councillors are encouraged to seek advice at an early stage whenever they are uncertain about the acceptance, refusal or registration of any gift or hospitality. Seeking advice before accepting an offer can help avoid misunderstandings and ensure that public confidence in the Shadow Authority's decision-making is maintained.

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West Surrey Shadow Authority		
Report title: Arrangements for Dealing with Allegations of Misconduct by Councillors and Co-Opted Members		
Report to: Standards Committee		
Date: 2 September 2026		
Executive Portfolio Holder: Cllr. Victoria Kiehl Contact Email: Victoria.Kiehl@westsurrey.gov.uk		
Report of: Constitution Sub-Committee and Susan Sale, Interim Monitoring Officer Contact Email: Susan.Sale@westsurrey.gov.uk		
Report author(s): Deborah Davies, Joint Head of Governance – Guildford & Waverley Borough Councils Contact Email: Deborah.Davies@guildford.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	3 Aug 26
Monitoring Officer	Susan Sale	3 Aug 26
Executive Portfolio Holder consultation	Cllr Kiehl	3 Aug 26
Committee Chair consultation	Cllr Wilson	3 Aug 26

Head of Paid Service	Susan Sale on behalf of Andy Brown	3 Aug 26
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1. Executive Summary

- 1.1** This report sets out suggested arrangements for dealing with allegations of member misconduct under the Code of Conduct, for adoption into the Constitution.
- 1.2** If the revised arrangements are accepted, they will replace the current Part 4:5 Part A: Arrangements for Dealing with Allegations and Determinations of Complaints Under Section 28(6) Localism Act 2011 and Appendix 1 - Sub Committee Hearing Procedure for determination of allegations about the Member Code of Conduct.

2 Recommendations:

- 2.1** That following endorsement by the Constitution Sub-Committee at its meeting on 6 August, the Standards Committee resolves to:

Recommend to the Shadow Authority that the revised Standards Arrangements set out in Appendix One and Appendix Two to this report are agreed and that the Constitution be amended accordingly.

That the Standards Committee resolves to recommend that the Shadow Authority resolves to:

Adopt the revised Standards Arrangements set out in Appendix 1 and Appendix Two to this report into the Constitution with immediate effect.

3 Reason(s) for recommendation:

- 3.1** Having published Standards Arrangements will make the process clear for residents, members and officers, promote consistency in decision making, support the efficient and proportionate resolution of complaints and provide greater transparency in how allegations are handled.
- 3.2** The Localism Act 2011 requires Councils to have arrangements under which allegations can be investigated and decisions made. Although the Act does not expressly require those arrangements to be in the Constitution, the constitution is intended to describe how the shadow Authority operates and how decisions are made. Having the arrangements in the Constitution and showing the decision making, supports the overall purpose of the Constitution.

- 3.3** The revised arrangements are more operationally detailed and set out timescales and procedures rather than just the framework.

4 Next steps

- 4.1** Following endorsement by the Constitution Sub-Committee, Standards Committee will decide whether to recommend the changes to the Shadow Authority 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 Councils, the Local Government Association (LGA) produced a Model Code of Conduct in December 2020, for Councils to adopt in whole and/or with local variations. They keep this Code under annual review to ensure it continues to be fit- for-purpose, incorporating advances in technology, social media and changes in legislation.
- 6.2** West Surrey Council adopted its Code of Conduct at its meeting on 21 May 2026, and the Code is based on the LGA model code.
- 6.3** To accompany the Code, the LGA have produced extensive guidance and procedures for Monitoring Officers on how to investigate complaints, deal with informal resolutions and other matters. The revised Standards Arrangements have taken the LGA guidance into account, as they help to bring consistency for members and complainants.
- 6.4** The Council already has an adopted set of Standards Arrangements at 4.5 of the Constitution and the proposed revisions in the Appendices are a more developed and operational version rather than a fundamentally different procedure. The main differences are:-

Area	Current Constitution	Proposal
Level of Detail	High level procedure setting out powers and principles	Comprehensive operational procedure with step by step process for complainants and members

Initial Assessment	More concise with greater discretion over the procedure	Sets out the tests to be followed, public interest consideration and detailed rejection criteria
Timescales	Fewer timescales	Deadlines specified for all stages
Confidentiality	Core constitutional procedures	Detailed provisions on anonymity, confidentiality requests and disclosure
Informal resolution	Refers to this but in less detail	Extensive process including consultation, compliance and escalation
Investigations	Provides the framework	Full process including appointment reports and consultation with Independent Person
Hearings	Establishes Sub-Committee and its powers	Detailed hearing procedure including pre-hearing, witnesses, evidence, representation and deliberation
Sanctions	Lists available powers	Comprehensive list with aggravating and mitigating factors

7 Consultation

- 7.1 The portfolio holder has been consulted and her comments will be reported to the Sub-Committee.

8 Key Risks

- 8.1 There is a risk of a lack of transparency if the Council does not have a published set of arrangements. There is also a risk that complaints are not raised because members of the public are not aware of what happens to

them or have concerns about the process. The revised set of Arrangements sets out in more detail how the process will operate for both complaints and hearings.

9 Options

- 9.1** Not to agree any revision to the published arrangements.
- 9.2** To agree a revised set of arrangements. The Standards Committee could recommend changes to the proposed arrangements.
- 9.3** To agree the proposed arrangements set out in Appendix One and Two. This is the preferred option as they are in line with recommended good practice and they support the LGA Code of Conduct.

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 There is nothing to add to the report

10.3 Legal Implications

- 10.3.1 Local authorities, including parish councils, 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. These standards arrangements will support the Monitoring Officer to ensure consistency.

10.4 Monitoring Officer Commentary

- 10.4.1 The arrangements will support the Monitoring Officer and any designated deputy in carrying out their statutory duties.

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 The arrangements for the shadow Authority will not apply to Parish Councils as these are still subject to the Sovereign Council's jurisdiction.

11 Overview & Scrutiny Comments

- 11.1 N/A

12 List of Appendices

12.1 Appendix 1 – Revisions to Part 4:5 Part A: Arrangements for Dealing with Allegations and Determinations of Complaints Under Section 28(6) Localism Act 2011

12.2 Appendix 2 - Revisions to Part 4:5 Appendix 1- Sub Committee Hearing Procedure for determination of allegations about the Member Code of Conduct.

13 List of Background papers

13.1 LGA – Guidance on Member Model Code of Conduct Complaints Handling

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APPENDIX 1

Part 4:5 Part A: Arrangements for Dealing with Allegations and Determinations of Complaints Under Section 28(6) Localism Act 2011

1. Introduction

- 1.1. This procedure applies when a complaint is received that a member, or co-opted member, of West Surrey Shadow Authority has or may have failed to comply with the adopted Code of Conduct for members.
- 1.2. A complaint is confidential and remains so until the complaint is resolved.

2. Code of Conduct

- 2.1. The Shadow Authority is required under the Surrey (Structural Changes) Order 2026 (Para 14) to have regard to s27 Localism Act 2011 to promote and maintain high standards of conduct by members and co-opted members of the authority. In discharging that duty, the Council must adopt a code dealing with the conduct and standards of behaviour that is expected of its members and co-opted members when they are acting in that capacity.

A copy of the West Surrey Shadow Authority Code of Conduct can be found here [\[insert link\]](#).

- 2.2. The Code applies to all councillors when they are acting in their capacity as a councillor.

3. Making a complaint

- 3.1. If you consider that a councillor has breached the Code of Conduct for the Shadow Authority, you may make a complaint. The Shadow Authority can only accept complaints which are in written form. We have a form which is available to complete [\[insert link\]](#) or on request by contacting us. If you have problems in completing the complaints form then you (or someone else on your behalf) can ask the Shadow Authority for assistance by contacting the Monitoring Officer, by email at Monitoring.Officer@westsurrey.gov.uk. If you prefer to write a letter, then you should ensure that your complaint contains all relevant information

including which part of the code of conduct you think has been breached, the outcome you are seeking and your contact details.

- 3.2. Complaints must be submitted in writing, by post or email to:

The Monitoring Officer, West Surrey Shadow Authority c/o Guildford Borough Council, Millmead House, Millmead, Surrey, GU2 4BB

Email: Monitoring.Officer@westsurrey.gov.uk

- 3.3. The Shadow Authority's Monitoring Officer is the appointed officer who has responsibility for managing code of conduct complaints on behalf of the Shadow Authority.
- 3.4. If your complaint is in relation to a member of the West Surrey Shadow Authority who is also a member of another Council, then you should note that we can only accept complaints in respect of conduct directly relating to the Shadow Authority and we may pass your complaint to the Monitoring Officer of the relevant Council if we consider that we are not the correct Authority.

4. Acknowledging the complaint

- 4.1. The Monitoring Officer (or an officer acting on their behalf) will normally acknowledge receipt of the complaint within five clear working days and advise the complainant that the complaint will be assessed, to consider whether it is within the Monitoring Officer's jurisdiction and meets the initial assessment criteria. Where we consider there is insufficient information to identify a possible breach of the Code of Conduct, we may request further information.

5. Confidentiality

- 5.1. If a complainant has asked for their identity to be withheld, this request will be considered by the Monitoring Officer at the Initial Assessment stage.
- 5.2. As a matter of fairness and natural justice, the subject member should usually be told who has complained about them and receive details of the complaint. However, in exceptional circumstances, the Monitoring Officer may withhold the complainant's identity if, on request from the complainant, they are satisfied that the complainant has evidence and reasonable grounds for believing that they or any witness relevant to the complaint may be at risk of actual harm, or their employment may be jeopardised if their identity is disclosed, or there is a risk that evidence would be compromised and/or that the investigation would be prejudiced.

- 5.3. If the Monitoring Officer decides to anonymise the complainants' details, this will be kept under continuous review.
- 5.4. If the Monitoring Officer decides to refuse a request by a complainant for confidentiality, they will offer the Complainant the option to withdraw the complaint.
- 5.5. The Monitoring Officer will advise the Chief Executive, Chief Finance Officer and relevant Group Leader that a complaint has been received against the named councillor but will not disclose the substance of the complaint.

6. Anonymous complaints

- 6.1. The Monitoring Officer will not normally allow anonymous complaints as they are against the principles of transparency and fairness and make matters much more difficult to investigate. However, the Monitoring Officer may accept an anonymous complaint where they consider that there may be exceptional compelling reasons why the complaint could be accepted without detriment to the process and where the allegation can be evidenced without reference to the complainant. For example, if an anonymous complainant submitted a video showing the councillor acting inappropriately or sent in documentation disclosing an undeclared directorship in a matter relating to local authority business, it may be considered that the public interest in investigating the allegation would outweigh the issue of anonymity.

7. Conflicts of Interest

- 7.1. If at any time the Monitoring Officer considers that they have an actual or potential conflict of interest, then they will instruct a Deputy Monitoring Officer to act in their place.

8. Initial Assessment

- 8.1. A complaint can only be accepted if: -
 - it is made against one or more named Members or co-opted Members of the Shadow Authority, and
 - the Subject Member held office at the time of the alleged misconduct; and
 - the complaint relates to matters where the councillor was acting as a councillor or representative of the Shadow Authority (not any other Council) and it is not a private matter;

- the complaint, if proven, would be a breach of the Code under which the councillor was operating at the time of the alleged misconduct.
- 8.2. If the above criteria are not met, then the complaint will be automatically rejected, as the Monitoring Officer is not able to deal with the complaint. This is known as the 'Jurisdiction Test'.
- 8.3. If a complaint is about a Council service, rather than misconduct by a councillor, then the complainant will be referred to the complaints team at the relevant Council which the Monitoring Officer considers is responsible for the service, and the complainant will be advised accordingly.
- 8.4. The Monitoring Officer will usually advise the subject member of the complaint and ask them for comment at this stage. They will allow 10 working days for comment.
- 8.5. The initial assessment is made against the following criteria:
1. Whether the complaint is trivial, malicious, vexatious, politically motivated, or 'tit for tat';
 2. Whether an investigation would be in the public interest or the matter, if proven, would be serious enough to warrant any sanction;
 3. Whether a substantially similar complaint has been considered, and no material evidence has been submitted;
 4. Whether a substantially similar complaint been submitted and accepted;
 5. Whether the complaint relates to conduct that took place more than 6 months ago;
 6. Whether the behaviour has already been dealt with, e.g. the subject member has apologised for making an error and the matter would not warrant a more serious sanction;
 7. Whether the complaint relates to dissatisfaction with a local authority decision rather than conduct;
 8. Whether the complaint is about someone who is seriously ill; and
 9. Whether the complaint is so serious that it should be reported to the Police.
 10. Whether there has been a delay of over 30 days between the incident complained of and the complaint (the matter will not ordinarily be considered further unless there are very good reasons).

Depending on the outcome of assessment against these criteria, the complaint could be rejected at this stage.

- 8.6. The complainant and the subject member will be notified of the outcome of the assessment within 20 working days of the acknowledgement of the complaint, and what further action (if any) will be taken. This can be:-

- (a) That no further action should be taken, with reasons given.
- (b) That the allegation should be referred for informal resolution.
- (c) That the allegation should be referred for formal investigation.
- (d) That the allegation should be referred to the police or another regulatory body.

9. Independent Person

- 9.1. The Shadow Authority must appoint at least one Independent Person under S28 Localism Act 2011. An Independent Person must not be a councillor or a member of staff. The Act sets out criteria on who can be an 'Independent Person' and their views must be sought and taken into account before the Monitoring Officer makes their decision on whether to investigate an allegation. The Monitoring Officer may choose whether to seek their views on rejecting a complaint for lack of jurisdiction or other reasons. The Monitoring Officer may also seek their views at any other time.
- 9.2. The views of an Independent Person may also be sought by a subject member at any time. To avoid any conflicts of interest, the Shadow Authority has a pool of Independent Persons.
- 9.3. If an Independent Person has been consulted by a subject member at any time, then they may not provide their views to the Monitoring Officer or be consulted by them, to avoid any potential conflict of interest. They must notify the Monitoring Officer of any contact with the subject member, although they should not disclose the content.

10. Rejection of the Complaint

- 10.1. If the complaint is so serious that it should be reported to the Police or another agency, then the Monitoring Officer may refer the matter themselves or advise the complainant that they should contact the Police or other agency direct. The Monitoring Officer may decide not to advise the subject member of the complaint in these circumstances and consideration of the complaint will be deferred until the outcome of any Police investigation.
- 10.2. If the complaint is rejected, the complainant will be provided with a notification of the rejection of the complaint, and the reasons for this. If the Independent Person was consulted on the decision to reject, then the notification will make it clear whether they agreed with the decision. If they did not agree, then the Monitoring Officer will explain how they took account of the Independent Person's views in reaching a different decision.

- 10.3. If the subject member resigns at any point before the Monitoring Officer has issued a decision, then the Monitoring Officer will consider whether the matter should be closed, having regard to the public interest test and the resources required. The Monitoring Officer will consult the Independent Person before making their decision.

11. Complaints which have been accepted

- 11.1. If the complaint is accepted, the Monitoring Officer will consult with the Independent Person and will take their views into account before deciding on one of the following outcomes:
- a) The matter should be dealt with through a process of informal resolution in the first instance; or
 - b) The matter should be referred for a formal investigation.
- 11.2. There is no legal requirement for a decision notice to be published at this stage, but the Monitoring Officer will consider whether an assessment notice should be published in the public interest.
- 11.3. The Monitoring Officer may discontinue a complaint or terminate an investigation at any time if they consider it to be in the public interest, following consultation with the Independent Person. Where a complaint is discontinued or terminated, the Monitoring Officer will advise the complainant and subject member within five working days of the decision, setting out reasons.

12. Informal Resolution

- 12.1. Wherever possible, the Monitoring Officer will resolve complaints informally. An informal resolution is a more proportionate way of dealing with relatively minor allegations, one-off incidents or underlying disagreements between individuals. Informal resolution does not mean that a subject member has been found to have breached the Code of Conduct, because the matter has not been investigated at this stage and the purpose is to address any underlying causes.
- 12.2. Informal resolution can take a wide variety of forms, and may include:
- arranging training for the subject member
 - requesting that the subject member apologise
 - suggesting a mediation meeting between the subject member and the complainant
 - any other action capable of resolving the complaint.

- 12.3. Where a complaint concerns an issue between two Councillors, the Monitoring Officer may choose to refer the matter to the appropriate Group Leader(s) to resolve amongst themselves, if possible.
- 12.4. If the Monitoring Officer considers, after consultation with the Independent Person, that the complaint could be dealt with through informal resolution then the subject member and the complainant will be informed of this proposal and given 10 working days to comment before the Monitoring Officer reaches a final decision. The purpose of this is to establish how successful the resolution might be. It does not give either party the right of veto.
- 12.5. Both parties will be informed by the Monitoring Officer of the action to be taken and the time scales in which it will be undertaken.
- 12.6. The Monitoring Officer will seek confirmation that the suggested resolution has been complied with, within the timescales, and if it has then the Monitoring Officer will notify both parties that the matter is then closed.
- 12.7. Where a subject member or the complainant disagrees with or refuses to comply with the proposed resolution, fails to co-operate or has taken inadequate action, then the Monitoring Officer will consider whether a formal investigation is needed, having regard to the public interest test and the resources required. The Monitoring Officer will consult the Independent Person before making a decision whether to commence a formal investigation. The Monitoring Officer may consider that no further action is required even where the resolution has not been complied with.

13. Formal investigation

- 13.1. If the Monitoring Officer considers that the matter should proceed by way of formal investigation, they will make arrangements (within 10 working days of the decision being made) for the complaint to be formally investigated and may appoint an Investigator to investigate the complaint, gather further evidence and prepare a report.
- 13.2. The Investigator may be the Deputy Monitoring Officer, a suitably qualified member of staff or an external investigator. The Monitoring Officer will advise the subject member and complainant of their appointment, so that they know who is dealing with the case, the scope of the investigation and what will happen next. A copy of the complaint will be provided to the subject member if they have not already received this.

- 13.3. The subject member will also be informed that they have the right to seek the views of an Independent Person and be accompanied at any interviews with the Investigator.
- 13.4. The scope of the delegation of the investigation will be kept in writing, and there will be agreed timelines for delivery of the report, usually within two months. Any extension of time will be agreed by the Monitoring Officer.
- 13.5. The Investigator may make enquiries of any person they think necessary, however there is no obligation for such persons to respond. This will not delay the investigation, but it will be made clear in the Investigator's report where there have been unreasonable delays or lack of responses.
- 13.6. During the investigation, there may be evidence of further breaches which extend beyond the scope of the investigation. These cannot be investigated and should be the subject of a separate complaint to the Shadow Authority if necessary.
- 13.7. The Investigator can refer the investigation back to the Monitoring Officer in the event that circumstances change during the investigation, and it will be for the Monitoring Officer to decide whether the investigation should continue, after consulting with the Independent Person.
- 13.8. All information gathered will be kept confidential and all those being interviewed will be asked to maintain confidentiality. Any draft report will be marked as confidential and all requests for information will be dealt with having regard to the relevant legislation.
- 13.9. The draft report will be shared with the Monitoring Officer and the Independent Person so that they can be satisfied that the investigation is of an acceptable standard and met the scope of the complaint. The draft report will contain the agreed and disputed facts, the Investigator's view on whether there has been a breach of the Code and their reasons for their conclusion.
- 13.10. Once the Monitoring Officer is satisfied with the report, it will be sent by the Investigator to the relevant parties requesting comments within 10 working days. The Investigator is under no obligation to accept any comments from the parties, but where they do not, then they will make a note explaining why.
- 13.11. The final report will contain a finding on the balance of probabilities as to whether there has been any failure to comply with the Code of Conduct. The final report will be sent by the Investigator to the Monitoring Officer and the

Independent Person, and the investigation will be regarded as complete if the Monitoring Officer receives the final report and agrees that no further investigation is necessary.

13.12. The Monitoring Officer will review the Investigating Officer's report within 10 working days, and will consult with the Independent Person before deciding whether:

- a) there has been no breach and no further action will be taken;
- b) there have been one or more breaches, but no further action is needed;
- c) there have been one or more breaches, but the matters should be resolved in a way other than by a hearing (see informal resolution above); or
- d) that the matters be referred to a hearing (see hearings procedure set out in Appendix 1)

13.13. The final report will be issued to the subject member and the complainant, and others as the Monitoring Officer considers appropriate including members of the Standards Committee.

13.14. The Monitoring Officer will give their decision when sending out the report and will also make it clear whether any of the report is confidential.

14. Publicising the findings

14.1. In all cases where there has been an investigation, whether or not any further action is taken, then the Monitoring Officer will arrange for a decision notice to be published on the Shadow Authority's website.

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APPENDIX 2

Appendix 2 - Sub Committee Hearing Procedure for determination of allegations about the Member Code of Conduct.

1. Hearings Panel

- 1.1. Where the Monitoring Officer has decided that the matter should be referred to a Hearings Panel, this will be set up as soon as possible but not less than 20 working days after the final report is issued.
- 1.2. Once a date has been set for a Hearing, the Monitoring Officer will notify:
 - the subject member;
 - the investigator;
 - the relevant Independent Person;
 - the complainant if appropriate;
 - the clerk of any relevant town or parish council, where the subject member is a town/parish councillor. Whether they want to be represented at the Hearing;
- 1.3. The Monitoring Officer will outline the hearing procedure, the subject member's rights and ask for a written response from the subject member in respect of the following:-
 - a) Whether they disagree with any findings of fact and their reasons if so;
 - b) Whether they want to give written or verbal evidence;
 - c) Whether they want to call any witnesses
 - d) Whether they wish to request any part of the Hearing be held in private, and their reasons;
 - e) Whether they wish to request that any part of the investigation report of other documents be withheld from the public, and their reasons.

The Investigator will also be asked if they wish to call any witnesses.

- 1.4. If the subject member is unable to make the specified date the Panel may arrange for the hearing to be held on a different date, provided that they are satisfied that the subject member has given an acceptable reason to the Monitoring Officer. Where the subject member does not give an acceptable reason to the Monitoring Officer or does not reply within a specified time, the Panel will proceed with the date and may consider the report in the subject

member's absence if the subject member does not go to the hearing. The subject member should not be able to evade having the case heard simply by refusing to cooperate and the Shadow Authority's Code of Conduct makes failure to cooperate a potential breach. The Panel will make clear at the start of the hearing that they have considered whether they can proceed in the absence of the subject member and should record their reasons.

- 1.5. If one or more witnesses are unavailable on the given date the Panel, as part of the pre-hearing process, will decide how material should be presented to the Hearing and whether another date needs to be looked for. Witnesses will be kept promptly informed of the relevant dates, times and location of the hearing, but it is the responsibility of the subject member to make sure their witnesses are available to attend.
- 1.6. Except in the most complicated cases, the Panel will aim to complete a hearing in one sitting or in consecutive sittings of no more than one working day in total.

2. Advice to the Panel

- 2.1. The Monitoring Officer will usually be the main adviser to the Panel, unless they have an interest in the matter that would prevent them from performing this role independently. This may be because they have carried out the investigation or have another conflict. If this situation arises, the Monitoring Officer will arrange for the Deputy Monitoring Officer or another appropriately qualified officer to advise the Panel.
- 2.2. The Monitoring Officer or other legal adviser's role in advising the Panel is to:
 - make sure that members of the Panel understand their powers and procedures.
 - make sure that the procedure is fair and allows the complaint to be dealt with as efficiently and effectively as possible.
 - make sure that the subject member understands the procedures the Panel will follow.
 - provide advice to the Panel during the Hearing and their deliberations.
 - help the Panel produce a written decision and a summary of that decision.

3. Composition of the Panel

- 3.1. The Panel will comprise three Councillors from the Standards Committee, appointed by the Monitoring Officer. The Panel will be politically balanced where possible. Any Councillor appointed will have had appropriate training.
- 3.2. The Independent Person who has provided views to the Monitoring Officer will also be asked to attend the Hearing. If they are unable to do so, the Shadow Authority will seek their written views prior to the Hearing.

4. Holding a Pre-Hearing

- 4.1. As soon as a date has been set for a hearing, the Monitoring Officer will arrange a pre-hearing with the Panel. The purpose of the pre-hearing is to allow matters at the Hearing to be dealt with more fairly and quickly and to alert parties to any difficulties to allow them to be resolved before the Hearing. The pre-hearing will also decide on the chair of the Panel. A pre-hearing may be dealt with by written correspondence, virtual meeting or in person meeting, depending on the complexity of the case.
- 4.2. At the pre-hearing, the Panel will not debate the merits of the case. They will consider:
 - Whether any findings of fact in the investigation report are in dispute and, if so, how the Panel would satisfy itself how it could resolve that difference at the Hearing.
 - Whether it considers any additional evidence is required at the hearing.
 - What witnesses it thinks it would want to hear from.
 - Whether the witnesses to be called are relevant bearing in mind the nature of the issue and the need for proportionality.
 - Whether there are any parts of the hearing that are likely to be held in private or whether any parts of the investigation report or other documents should be withheld from the public prior to the hearing, on the grounds that they contain 'exempt' material though the final decision will rest with the Panel on the day.
 - Identify any potential conflicts of interest.
- 4.3. A pre-hearing is not a formal meeting and is not open to the press or public, or to any councillors other than those on the Hearings Panel.
- 4.4. Following the pre-hearing, the Monitoring Officer will write to all those involved at least 14 days prior to the Hearing to confirm who will be asked to give evidence, set out any representation, and outline the procedure for the Hearing.

5. The Hearing

- 5.1. The Panel will always work in a demonstrably fair, independent and politically impartial way. The Panel will decide factual evidence on the balance of probabilities.
- 5.2. The rules on access to information apply to the Hearings Panel. The Hearing will be in public unless there are lawful reasons for all or part of it to be heard as exempt or confidential matters, and the Panel will take account of any advice received from the Monitoring Officer.

6. Representation

- 20.1 The subject member may choose to be represented by counsel, a solicitor, or by any other person they wish. If they consulted an Independent Person, they may in addition ask them to attend. This will be agreed at the pre-Hearing and if the Panel has any concern about the person chosen to represent the subject member, it will be made clear at that stage. The Panel does, however, have the right to withdraw its permission to allow a representative if that representative disrupts the hearing. However, an appropriate warning will normally be given before permission is withdrawn.

7. Evidence

- 7.1. At the hearing, the Investigating Officer may be asked to present their report, or the Panel may agree that it does not need any further evidence from the Investigator on their report if the findings of fact are not disputed.
- 7.2. If the findings of fact are disputed, then the Investigator can call such witnesses as they consider necessary and make representations to substantiate their conclusion that the councillor has failed to comply with the Code of Conduct.
- 7.3. The subject member will then have an opportunity to give their evidence, to call witnesses and to make representations to the Hearing Panel as to any disputed findings of fact and why they consider that they did not fail to comply with the Code of Conduct.
- 7.4. The Panel will allow witnesses to be questioned by the subject member and the Investigator, or their representatives. The Panel can also question the

Investigator, the subject member and witnesses directly, and can allow the Independent Person to do this.

- 7.5. If the Panel believes that questions are irrelevant, oppressive, or repetitious then the Chair will stop that line of questioning.

8. Making a Finding

- 8.1. Once the Panel has heard all the relevant evidence it will adjourn the Hearing and retire to deliberate.
- 8.2. The Independent Person may be asked to retire with the Panel but will take no part in the decision-making process. They will be asked to give their views to the Panel, and these will be taken into regard when the Panel makes its decision. These views will be conveyed back publicly once the Panel reconvenes.
- 8.3. The Monitoring Officer, or other legal adviser to the Panel, will be asked to retire with the Panel to advise on matters of procedure and law. Any advice given will be conveyed back publicly once the Panel reconvenes and the Panel will make its decision on the balance of probabilities, based on the evidence it has heard.
- 8.4. If the Panel, after retiring, decides that it needs to reconsider certain matters it may reconvene to ask further questions.
- 8.5. Once the Panel has reached its decision it will reconvene the hearing and inform the subject member of its decision with reasons. Where a breach has been found, it will invite representations from the subject member and Investigator as to any aggravating or mitigating factors before retiring again to consider an appropriate sanction. It will then reconvene the hearing and advise the subject member of its decision on any sanction to be imposed.
- 8.6. The Panel will give its full written decision, with reasons, to the relevant parties as soon as possible after the hearing, and in most cases, this will be within five working days of the Hearing Panel.
- 8.7. The full written decision will be provided to the subject member, the complainant and the Independent Person.

9. Sanctions

9.1. If the Panel finds that a subject member has failed to follow the Code of Conduct, then they are able to impose sanctions which are reasonable and proportionate. Typical sanctions may include one or a combination of the following:

- reporting the findings in respect of the subject member's conduct to the Shadow Authority;
- issue a formal Censure Notice;
- recommend to the subject member's group leader (or to the Shadow Authority) that they be removed from any or all committees or sub-committees of the authority for a specified period;
- recommend to the Shadow Authority that the subject member be removed from positions of responsibility for a specified period;
- instruct the Monitoring Officer to arrange training for the subject member;
- recommend to that the subject member be removed from all outside appointments to which they have been appointed or nominated by the authority;
- recommend to the Shadow Authority that it withdraws facilities provided to the subject member by the authority for a specified period, such as a computer, website and/or email and internet access;
- recommend to council that it excludes the subject member from the authority's offices or other premises for a specified period, except for meeting rooms as necessary for attending council, committee and sub-committee meetings and/or restricts contact with officers to named officers only;
- if relevant recommend to the council that the subject member be removed from their role as leader of the authority; or
- if relevant recommend to the appropriate official of a political group that the councillor be removed as group leader or other position of responsibility.

9.2. When deciding on a sanction, the Panel will ensure that it is reasonable, proportionate, and relevant to the subject member's behaviour. Before deciding what sanction to issue, the Panel will consider the following questions, along with any other relevant circumstances:

- What was the subject member's intention?
- Did the subject member know that they were failing to follow the Code of Conduct?
- Did the subject member get advice from officers before the incident? Was that advice acted on or ignored?
- Has there been a breach of trust?

- Has there been financial impropriety, for example improper expense claims or procedural irregularities?
- What was the result or potential result of failing to follow the Code of Conduct?
- How serious was the incident?
- Does the subject member accept they were at fault?
- Did the subject member apologise to the relevant people?
- Has the subject member previously been warned or reprimanded for similar misconduct or failed to follow the Code of Conduct before?
- Is the subject member likely to do the same thing again?
- How will the sanction impact on the subject member's ability to carry out their role?

9.3. Sanctions involving restricting access to the Shadow Authority's premises or equipment or contact with officers will not unnecessarily restrict the subject member's ability to carry out their responsibilities as an elected representative or co-opted member.

9.4. The Panel will consider mitigating factors, which may include:

- an honestly held, although mistaken, view that the action concerned did not constitute a failure to follow the provisions of the Code of Conduct, particularly where such a view has been formed after taking appropriate advice;
- a councillor's previous record of good service;
- substantiated evidence that the councillor's actions have been affected by ill-health;
- recognition that there has been a failure to follow the Code; co-operation in rectifying the effects of that failure; an apology to affected persons where that is appropriate, self-reporting of the breach by the councillor;
- compliance with the Code since the events giving rise to the complaint.

9.5. The Panel will also consider aggravating factors, which may include:

- dishonesty or breaches of trust;
- trying to gain an advantage or disadvantage for themselves or others;
- bullying;
- continuing to deny the facts despite clear contrary evidence;
- seeking unfairly to blame other people;
- failing to heed appropriate advice or warnings or previous findings of a failure to follow the provisions of the Code;

- persisting with a pattern of behaviour which involves repeatedly failing to abide by the provisions of the Code.

10. Publicising the findings

- 10.1. The decision notice will be published on the Shadow Authority's website, and anywhere else the Panel considers appropriate.
- 10.2. If the Panel finds that the subject member did not fail to follow the authority's Code of Conduct, the public summary will say this and give reasons for their finding.
- 10.3. If the Panel finds that the subject member failed to follow the Code but that no action is needed, the public summary will:
 - state that the councillor failed to follow the Code, but that no action needs to be taken;
 - outline what happened;
 - give reasons for the Panel's decision not to take any action.
- 10.4. If the Panel finds that a councillor failed to follow the Code and it imposed a sanction, the public summary will:
 - state that the councillor failed to follow the Code;
 - outline what happened;
 - explain what sanction has been imposed;
 - give reasons for the decision made by the Panel.
- 10.5. The Panel's reports and minutes will be available for public inspection in the same way as other local authority committee papers.

11. Appeals

- 11.1. There is no right of appeal against a decision on a Code of Conduct complaint.

12. Variation

The Monitoring Officer, or the Hearings Panel on the advice of the Monitoring Officer, may vary these arrangements in any particular instance where they are of the opinion that such a variation is expedient in order to secure the effective and fair

consideration of any matter, is lawful, and is consistent with the principles of natural justice.

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WEST SURREY SHADOW AUTHORITY

STANDARDS COMMITTEE

WORK PROGRAMME

June 2026 – March 2027

Version History		
Version	Notes	Author
V2 26/06/26	Second draft – cleared by Susan Sale	AG
V3 24/08/26	Third draft – cleared by Susan Sale	SCS

Meeting Date	Number of Items
06/07/2026	5
02/09/2026	8
02/11/2026	17
15/12/2026	3
18/01/2027	1
09/03/2027	3

Meeting Date	Item	Description	Portfolio Holder	Report Author	Contact	Date Added
06/07/2026	Election of Chair and Appointment of Vice Chair	To elect a Chair and appoint a Vice Chair for the West Surrey Standards Committee for the Shadow Period	N/A	N/A	Susan Sale	26/06/2026

06/07/2026	Review of 26/27 Shadow Authority Meeting Times	A report considering the review of shadow meeting times as resolved at the inaugural shadow council meeting.	Cllr Victoria Kiehl	Susan Sale	Vicky Hibbert	26/06/2026
06/07/2026	Appointment of Independent Persons for WSSA	To appoint at least one Independent Person for the shadow period.	Cllr Victoria Kiehl	Susan Sale	Arabella Davies	26/06/2026
06/07/2026	Update on the Member Development Programme -1	To provide an update on the Member Development Programme for the Shadow Year.	Cllr Victoria Kiehl	Susan Sale	Cath Rose / Anna Miller	26/06/2026
06/07/2026	Shadow Authority Constitution Updates	A report to notify the West Surrey Standards Committee of changes needed to the constitution including arising from executive decisions and minor ones under the Monitoring Officers delegations.	Cllr Victoria Kiehl	Susan Sale	Susan Sale	26/06/2026
02/09/2026	Update on the Member Development Programme -2	To provide a further update on proposals for the Member Development Programme for the Shadow Year.	Cllr Victoria Kiehl	Susan Sale	Anna Miller	26/06/2026

02/09/2026	Appointment of Additional Independent Person(s)	To appoint an additional Independent Person for the shadow period.	Cllr Victoria Kiehl	Arabella Davies	Susan Sale	30/07/2026
02/09/2026	Social Media Policy	To receive recommendations from the Constitution Sub Committee	Cllr Victoria Kiehl	Deborah Davies	Susan Sale	06/08/2026
02/09/2026	Gifts & Hospitality Guidance	To receive recommendations from the Constitution Sub Committee	Cllr Victoria Kiehl	Deborah Davies	Susan Sale	06/08/2026
02/09/2026	Member Conduct Complaint Arrangements	To receive recommendations from the Constitution Sub Committee	Cllr Victoria Kiehl	Deborah Davies	Susan Sale	06/08/2026
02/09/26	Governance Arrangements for Constitution Work	To propose that the Constitution Sub Committee becomes a Working Group of the Standards Committee	Cllr Victoria Kiehl	Susan Sale	Susan Sale	06/08/2026
02/09/2026	Terms of Reference of the Employment Committee	To receive recommendations from the Constitution Sub Committee	Cllr Victoria Kiehl	Deborah Davies	Susan Sale	06/08/2026
02/09/2026	Review of the Member Officer Protocol	To receive recommendations from the Constitution Sub Committee	Cllr Victoria Kiehl	Deborah Davies	Susan Sale	06/08/2026
02/11/2026	Schedule of Meetings for	To make recommendations to	Cllr Victoria Kiehl	Susan Sale	Vicky Hibbert	26/06/2026

	West Surrey Council 27/28	WSSA full council for the schedule of meetings for 27/28.				
02/11/2026	Finance Procedure Rules	To receive recommendations from the Constitution Sub Committee	Cllr Victoria Kiehl	Vicky Radford	Susan Sale	06/08/2026
02/11/2026	Contract & Procurement Procedure Rules	To receive recommendations from the Constitution Sub Committee	Cllr Victoria Kiehl	Contract & Procurement Workstream	Susan Sale	06/08/2026
02/11/2026	Council Procedure Rules	To receive recommendations from the Constitution Sub Committee	Cllr Victoria Kiehl	Deborah Davies	Susan Sale	06/08/2026
02/11/2026	Review of Proper Officer Designations	To receive recommendations from the Constitution Sub Committee	Cllr Victoria Kiehl	Vicky Hibbert	Susan Sale	24/08/2026
02/11/2026	Responsibility for Functions	To receive recommendations from the Constitution Sub Committee	Cllr Victoria Kiehl	Vicky Hibbert	Susan Sale	24/08/2026
02/11/2026	Officer Decision Making Protocol	To receive recommendations from the Constitution Sub Committee	Cllr Victoria Kiehl	Susan Sale	Susan Sale	24/08/2026
02/11/2026	Petition Scheme	To receive recommendations from the Constitution Sub Committee	Cllr Victoria Kiehl	Vicky Hibbert	Susan Sale	24/08/2026

02/11/2026	Review of Audit & Governance Committee Procedure Rules and Terms of Reference	To receive recommendations from the Constitution Sub Committee	Cllr Victoria Kiehl	Deborah Davies	Susan Sale	24/08/2026
02/11/2026	Review of Employment Committee Procedure Rules and Terms of Reference	To receive recommendations from the Constitution Sub Committee	Cllr Victoria Kiehl	Susan Sale	Susan Sale	24/08/2026
02/11/2026	Review of the Articles of the Constitution	To receive recommendations from the Constitution Sub Committee	Cllr Victoria Kiehl	Deborah Davies	Susan Sale	24/08/2026
02/11/2026	Budget Procedure Rules	To receive recommendations from the Constitution Sub Committee	Cllr Victoria Kiehl	Vicky Radford	Susan Sale	24/08/2026
02/11/2026	Budget and Policy Framework Rules	To receive recommendations from the Constitution Sub Committee	Cllr Victoria Kiehl	Vicky Radford	Susan Sale	24/08/2026
02/11/2026	Post Vesting Day Scrutiny Arrangements	To receive recommendations from the Constitution Sub Committee	Cllr Victoria Kiehl	Vicky Hibbert	Susan Sale	24/08/2026
02/11/2026	Company Governance Protocol	To receive recommendations from the Constitution Sub Committee	Cllr Victoria Kiehl	Michael Graham	Susan Sale	24/08/2026

02/11/2026	Post vesting Day Licensing Committee Procedure Rules and Terms of Reference	To receive recommendations from the Constitution Sub Committee	Cllr Victoria Kiehl	Deborah Davies	Susan Sale	24/08/2026
02/11/2026	Post Vesting Day Planning Committee Procedure Rules and Terms of Reference	To receive recommendations from the Constitution Sub Committee	Cllr Victoria Kiehl	Deborah Davies	Susan Sale	24/08/2026
15/12/2026	Scheme of Officer Delegations	To receive recommendations from the Constitution Sub Committee	Cllr Victoria Kiehl	Susan Sale, Deborah Davies & Vicky Hibbert	Susan Sale	24/08/2026
15/12/2026	Delegations to Executive Members	To receive recommendations from the Constitution Sub Committee	Cllr Victoria Kiehl	Susan Sale, Deborah Davies & Vicky Hibbert	Susan Sale	24/08/2026
15/12/2026	Proper Officer Designations	To receive recommendations from the Constitution Sub Committee	Cllr Victoria Kiehl	Susan Sale, Deborah Davies & Vicky Hibbert	Susan Sale	24/08/2026
18/01/2027	Report from the Constitution Sub Committee: West Surrey Council Constitution	A report to the Standards Committee recommending the final version of the post vesting day West Surrey Council Constitution for	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Arabella Davies	26/06/2026

		recommendation to the Shadow Authority				
09/03/2027	Annual Report of the Monitoring Officer	To receive a report from the Monitoring Officer regarding Standards matters that have arisen during the Shadow Period including member conduct matters	N/A	Susan Sale	Susan Sale / Vicky Hibbert / Deborah Upton	26/06/2026
09/03/2027	Adoption of Member's Allowance Scheme for West Surrey Council	To make recommendations to WSSA full council for the adoption of a member's scheme of allowances.	Cllr Victoria Kiehl	Susan Sale	Susan Sale	26/06/2026
09/03/2027	To receive a provisional work programme for The West Surrey Council Standards Committee	To consider work programme for the Standards Committee and its sub committees for the 2027/2028 municipal year	Cllr Victoria Kiehl	Susan Sale	Susan Sale / Vicky Hibbert / Arabella Davies	26/06/2026
09/03/2027	Appointment of Independent Persons	A report from the Interim Monitoring Officer regarding the appointment of independent persons post vesting day.	Cllr Victoria Kiehl	Vicky Hibbert/Arabella Davies	Susan Sale	09/07/26

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