

<i>COMMITTEE</i>	<b>STANDARDS COMMITTEE</b>
<i>DATE</i>	<b>TUESDAY, 16 MARCH 2004</b>
<i>TITLE OF REPORT</i>	<b>UPDATE ON STANDARDS ISSUES</b>
<i>RESPONSIBLE OFFICER</i>	<b>Mark Bowen, assistant director, legal and contract services</b>

**1 PURPOSE OF THE REPORT**

1.1 The purpose of the report is to update members on key developments relating to the work of the committee.

**2 RECOMMENDATION**

2.1 That the chairman report back on the work of the Kent/Medway and South of England Region Networks of Independent Members

2.2 That members agree proposals for attendance at the conference of the Standards Board for England

2.3 The Monitoring Officer in conjunction with the Head of Council Office be instructed to explore options for training members in the undertaking of hearings for breaches of the Code of Conduct and to report back to the next meeting of the committee on 22 April 2004.

2.4 Members of the committee advise the Monitoring Officer of any specific comments they have on the consultation papers on local determination of misconduct action by Friday, 2 April 2004 to facilitate a report being brought to the meeting on 22 April.

2.5 That the Standards Board Link be placed on Medway's web-site.

**3 DECISION ISSUES**

3.1 The constitution gives the Standards Committee a key role in ensuring good practice across the authority.

**4 NETWORK OF INDEPENDENT MEMBERS**

4.1 A network of independent members has been established for the area covering Kent and Medway. In addition, a regional network is being launched by Isle of Wight Council.

- 4.2 The Kent network of independent members is established and meets quarterly. Ray Haines of Thanet Council is chairman of this group and Ron Gooday of Swale is his deputy. Mike Coulson is the group secretary and he is chair of this committee. The first meeting of the Isle of Wight forum is due to be held on 11 March and the chairman will update members on issues arising from both bodies.

## **5 NATIONAL CONFERENCE**

- 5.1 The National Conference of the Standards Board is to be held over two days on 13 and 14 September 2004, again at the ICC in Birmingham. A copy of the agenda is appended to this report. The fee for the conference is £380 (including VAT). This year a fee for one day attendance has been fixed at £210 (including VAT). Last year the conference was attended by the Monitoring Officer (whose cost of attendance had been covered by the Standards Board), the Chairman of the committee, Laura Wren, independent member and Councillors Mrs. Shaw and Kearney.
- 5.2 The council's budget decision will impact on attendance and subject to this member's instructions are sought on attendance at this year's conference.

## **6 TRAINING**

- 6.1 In the foreseeable future, members of this committee may have to determine complaints either referred by Ethical Standards Officers or undertaken at the outset following the putting in place of the Section 66 Regulations. A balance needs to be struck between providing training early – when the benefits may be lost by the time any hearings are undertaken against delaying it for too long and not having time to put in place any training before the first hearing. Therefore, the views of members of the committee are canvassed on training needs and timing of training.
- 6.2 At the date of writing the report the Monitoring Officer confirms that he is not aware of any matters relating to Medway Councillors which are before the Standards Board for England.

## **7 CONSULTATION PAPERS**

- 7.1 Two consultation papers have been issued. One by the Office of the Deputy Prime Minister and the other by the Standards Board for England. The consultation by the ODPM is on the proposed new regulations to allow for local investigation and determination by monitoring officers/standards committees of complaints against members. The Standards Board consultation paper deals with providing guidance to monitoring officers on local investigations.
- 7.2 The deadline for responses for both consultation documents is the 18 May 2004 which creates the strong possibility that the final documents will be launched at the Standards Board for England conference in September.

Copies of the consultation documents are appended to the report so that members can give consideration to them in advance of the next meeting of this committee on 22 April, which will formulate the council's response.

## **8 PUBLICITY FOR COMPLAINTS PROCEDURE**

- 8.1 We are required to keep members of the public advised of how complaints can be made against members who breach the Code of Conduct. The Standards Board for England has recently produced a banner and link which it is requesting Local Authorities place on their web site. A person clicking on the link is taken directly to the relevant part of the standards board web site.
- 8.2 Publicising the link will help Medway show it is demonstrating best practice on standards issues, will assist in demonstrating compliance with the recently adopted Code of Corporate Governance, support Medway's commitment to e-governance and will be looked on favourably as part of any future Comprehensive Performance Assessment.

## **9 MISCELLANEOUS**

- 9.1 Members have previously asked for guidance on indemnities for members which are subject to investigation. Given the present situation at Medway and the fact that a national review of this is being undertaken, a report will be brought to a future meeting of the committee.

## **10 LEGAL AND FINANCIAL IMPLICATIONS**

- 10.1 There will be a cost for attendance at the Standards Board Conference. Also training in undertaking hearings could prove costly. The committee does not have a direct budget and there would be a need for costs to be covered from budgets for member/officer training as appropriate. There are no direct legal implications arising from this report.