

**Medway Council**  
**STANDARDS COMMITTEE**

**15 OCTOBER 2002**

**7pm to 7.45pm**

**RECORD OF THE MEETING**

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**PRESENT:**

**Committee members:** Councillors Buckwell, Councillor Coomber (parish representative), Michael Coulson (independent member), Councillor Jefferies, Alan Povey (independent member) and Laura Wren (independent member)

**In attendance:** Councillor Swaby

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**4733 RECORD OF THE MEETING**

The record of the meeting held on 27 June 2002 was agreed and signed by the chair as correct.

**4734 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Mrs Julie Shaw.

**4735 UPDATE ON CODE OF CONDUCT ISSUES**

**Discussion:**

The monitoring officer presented a report that advised members of the committee on the work of the Standards Board in dealing with complaints and progress on the regulations to be made under section 66 of the Local Government Act 2000.

The committee was advised that the Standards Board had received far more complaints than anticipated, the range of which were set out at paragraph 4.3 of the report. As a consequence it was likely that the threshold for looking at complaints would not be as low as initially intended. The more important complaints would be prioritised and a more rigorous filtering process would take place before a referral was made to an ethical standards officer (ESO).

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Complaints had yet to be referred to an adjudication panel, however it was anticipated that a panel would be considering a batch of complaints in the near future which would provide a clear steer in respect of a failure to

complete a register of interests. Of approximately 1200 complaints made to the Standards Board since September 2002, 50% were made about parish councillors largely as a result of a failure to register interests. The committee was advised that all Medway councillors, including parish councillors had registered their interests however two parish councillors had resigned rather than sign up to the code.

The monitoring officer advised that the section 66 regulations in respect of the determination of local complaints were expected by the end of October, which might provide more opportunity for local determination than initially indicated. The regulations would be supported by guidance from the Standards Board drawing on good practice.

In the light of the local elections on 1 May 2003 the committee discussed ways in which prospective candidates and newly elected councillors could be advised of the provisions of the code, which included producing an advice note with the nomination forms or candidate pack; asking the monitoring officer to give a presentation at a seminar or open evening for prospective candidates; and having a training session as part of member induction.

### **Decision:**

The committee noted the information in the report and the comments of the monitoring officer and decided to incorporate the issue of advice and training on code of conduct issues for prospective candidates and newly elected members into the work programme to be discussed later in the meeting.

## **4736 COMPLAINTS PROCEDURE**

### **Discussion:**

The monitoring officer advised the committee that on occasion a complaint to the Standards Board was rejected because of the difficulty in identifying the type of breach of the code that was alleged. To address this difficulty the Standards Board had issued a guidance note and specimen complaints form, a copy of which was circulated to the committee.

The monitoring officer recommended adopting the use of this guidance and form with some minor amendments until the section 66 regulations and supporting guidance were in place.

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Members of the committee discussed the content and wording of the documentation before them and identified changes they would wish to make once the council issued its own guidance note.

There was also discussion regarding the importance of raising the awareness of the press and advisory organisations, such as the Citizen's Advice Bureau and Help the Aged, of the work of the Standards Committee. A number of ways to do this were considered including publishing an item in Medway Matters, providing information on the council's website; producing specific briefing notes; and inviting representatives from identified organisations and the press to a committee meeting.

### **Decision:**

- (a) To recommend the use of the form produced by the Standard Board for England for use by complainants in lodging their complaint until documentation particular to this authority is produced;
- (b) To recommend that where a complaint is made by a member or officer of the authority a copy is forwarded to the monitoring officer and the form is amended to facilitate this;
- (c) To incorporate into the work programme, to be discussed later in the meeting, the more detailed work on the content and wording of the documentation to be issued after receipt of the section 66 regulations and guidance

## **4737 FUTURE WORK PROGRAMME**

### **Discussion:**

The committee was advised that the date had now been set for the next Standards Committee Conference. It would take place over two days on 9 and 10 June 2003 in Birmingham.

### **Decision:**

- (a) The committee agreed to incorporate the following into the work programme:
  - (i) the provision of advice and training on code of conduct issues for candidates and newly elected members;
  - (ii) detailed work on the content and wording of the documentation advising members, officers and the public how to complain;

## **Standards Committee, 15 October 2002**

- (iii) consideration of ways to engage and brief the press and voluntary organisations which offer advice to the public, on code of conduct issues.
- (b) The committee agreed to cancel the meeting scheduled for 20 November if the section 66 regulations had not been received.

**Chair**

**Date**

**Ann Joyce**

Head of overview and scrutiny and committees

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