

STANDARDS COMMITTEE

1 MARCH 2006

WORK PROGRAMME OF STANDARDS COMMITTEE - 2005/2006

Report from: Peter Holland, Committee Co-ordinator

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1 PURPOSE OF THE REPORT

- 1.1 At its meeting on 20 July 2005 the committee agreed to assist in raising the profile of standards work at Medway by submitting an annual report to Council setting out the work of the committee over the previous year.

2 RECOMMENDATIONS

- 2.1 That the council be advised of the work of the committee as set out in section 4 of this report.

3 DECISION ISSUES

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

4 REVIEW OF STANDARDS ACTIVITY – MUNICIPAL YEAR 2005/2006

- 4.1 It was anticipated that a key aspect of the work of Medway Council's Standards Committee would be to deal with the hearing of complaints made against Medway councillors and parish councillors for the parished areas within Medway. It is pleasing to note that since the adoption of the Code of Conduct in April 2002, there have been very few complaints concerning Medway councillors which have been referred to the Standards Board for England. Of these, all save one, have been dismissed immediately as disclosing no breach of the Code of Conduct. One complaint which was made in the early days of the standards regime was referred to an ethical standards officer of the Standards Board for England for initial investigation. However, that investigation revealed no breach of the Code of Conduct. At the date of writing this report the monitoring officer is not aware of any complaints outstanding against Medway councillors or parish councillors within Medway's area.
- 4.2 Notwithstanding the absence of complaints to deal with the committee has met seven times over the last 12 months including the externally facilitated

interactive training session on handling investigations & hearings which was held in January of this year. In addition to members of the committee an invitation to attend was extended to group whips.

4.3 The committee has also sought to increase its profile. The chair of the committee is both an active member and the secretary of the Kent Independent Members Group which seeks to share good practice across the county. The council was represented by the chair, Tony Dance and the monitoring officer at the 4th National Assembly of Standards Committees. The monitoring officer was until recently a member of the National Council of the Association of Council Secretaries and Solicitors and chair of the South East Branch of this organisation which includes developing ethical standards issues and contributing to the national standards agenda as a key part of its programme.

4.4 Specific work highlights undertaken can be summarised as follows:

4.4.1 Input into the national standards agenda

In addition to the matters set out above, the committee has taken a keen interest in the national standards agenda. The committee considered the 10th report of the Commission on Standards in Public Life – The Graham Committee Report. It has provided excellent background information which assisted the committee in producing the response on behalf of the council to the national consultation by the Standards Board for England on the code of conduct which was reported at its meeting on 8 June. Subsequently this year the committee has also responded to the Office of the Deputy Prime Minister on the discussion paper published towards the end of 2005, setting out proposed changes to the standards regime. The committee welcomed the greater emphasis on local determination of standards matters and supported relaxations to the code of conduct to ensure members would not unreasonably be prevented from undertaking a community advocacy role subject to overall ethical standards being preserved.

4.4.2 Support for the licensing regime

The standards committee has also undertaken work to support the recent changes in licensing legislation. Key aspects of its work has included the preparation of a licensing code of conduct which was adopted by Full Council at its meeting on 14 July 2005. The code provides guidance to members on good practice in dealing with licensing applications and is designed to help reduce the change of challenge against the council's decision. It is pleasing to note that notwithstanding in excess of 700 licensing applications have been received by Medway which necessitated over 80 hearings by members panels, only four appeals have been lodged with the Magistrates Court against licensing decisions. In addition to the code of conduct, the committee also granted a general dispensation to members of Medway Council to participate in licensing panel hearings where their only interest arose through them being members of Medway Council.

4.4.3 The committee's wider remit

As in previous years, the committee has sought to take a wider interest in ethical and corporate governance standards across Medway. At its meeting on the 20 July 2005 the committee received its annual report on the council's compliance with the CIPFA/SOLACE Code of Governance at Medway. Following this meeting, the committee was interested in seeing how the council's audit section fed into the council's overall agenda on setting high ethical standards and at the meeting of the committee on the 21 September the Audit Services Manager attended to give a presentation on the work of his team.

Looking at standards across the authority, the Governor Services Manager attended the committee's meeting on the 16 November 2005 to appraise the committee of work undertaken to ensure high standards amongst school governors in Medway.

Independent members of the committee have attended Council meetings as observers.

4.4.4 Work with parish councils

On a national level the majority of complaints against members still relate to members of parish councils. When the standards regime was introduced Medway undertook an active training and liaison regime with parish councils and to date it is pleasing to note that no complaints have been submitted to the Standards Board for England in respect of parish councillors within Medway's area. The council has built on this work in a number of ways. The monitoring officer has set up a quarterly liaison meeting with parish clerks to ensure discussion and dialogue on standards issues and other matters of concern. This is well attended and has proved to be a successful sounding board. In addition, the monitoring officer has presented training to the open meeting of the Rural Liaison Committee in March 2005 on probity and planning issues. This work has been built on and at the meeting of this committee on 1 March 2006 will be considering the issue of guidance to parish councillors on probity and planning.

4.4.5 Other Matters

In addition to the matters set out above, the committee has established procedures to ensure that complaints are investigated and determined fairly when matters come to them for consideration. Members have also attended the national roadshows organised by the Standards Board for England.

6 LEGAL AND FINANCIAL IMPLICATIONS

6.1 There are no direct legal or financial implications arising from this report.

Background Papers

None.

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