

STANDARDS COMMITTEE

13 JUNE 2012

WORK PROGRAMME

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Summary

This report sets out the work programme for the Standards Committee. This is kept under review and presented to each meeting of the Standards Committee. In addition the position relating to complaints considered by the Referrals Sub Committee is summarised for information only.

1. Budget and Policy Framework

- 1.1 The role of the Standards Committee is to promote and maintain high standards of conduct by all Councillors and co-opted members including church and parent governor representatives serving on the Children and Young People Overview and Scrutiny Committee. The Committee has responsibility for setting its own work programme and this should be kept under regular review.
- 1.2 The procedures for dealing with allegations of misconduct by Councillors are currently set out in the Standards Committee (England) Regulations 2008 and the Council has established appropriate arrangements for the Standards Committee and its Sub-Committees to deal with such matters. Whilst the Standards Framework is subject to change under the Localism Act 2011, cases are being processed under the Council's existing arrangements, with reference to Standards For England Guidance ("SfE"), where appropriate.

2. Update on business of the Standards Committee

- 2.1 Appendix 1 to this report sets out the updated work programme for the Committee.
- 2.2 Standards for England guidance on timescales for an investigation acknowledge that there are many factors that can affect the time it takes to complete an investigation. There is an expectation that the Standards Committee will monitor the progress of investigations and the SfE guidance recommends that most investigations are carried out,

and a report on the investigation completed, within six months of the original complaint being assessed by the Referrals Sub-Committee.

PH/MO/161 and 162

- 2.3 On 15 March 2012 a Referrals Sub-Committee considered two complaints relating to Councillors Hewett and Purdy. The Referrals Sub-Committee decided to take no further action, as it considered that the complaint, if proven, would not be a breach of the Members' Code of Conduct. The complainant was informed of their right to request a review of this decision to "take no further action", but did not make such a request.

DU/MO/134

- 2.4 On 20 March 2012 a Hearings Sub-Committee, at its "consideration stage", considered the final investigation report relating to a complaint about Councillor Juby. The Hearings Sub-Committee agreed with the findings of the Independent Investigator, in that Councillor Juby had not breached the Members' Code of Conduct.

PH/MO/164

- 2.5 On 10 April 2012 a Referrals Sub-Committee considered a complaint relating to Councillor Jarrett. The Referrals Sub-Committee decided to take no further action, as it considered that the complaint, if proven, would not be a breach of the Members' Code of Conduct. The Complainant was informed of the right to request a review of this decision to "take no further action", but did not make such a request.

PH/MO/163

- 2.6 The update on this complaint is contained in the exempt appendix to this report.

DU/MO/132

- 2.7 On 28 May 2012 a Hearings Sub-Committee met to consider the Independent Investigator's report into a complaint made against Councillor Stamp. The Hearings Sub-Committee determined that Councillor Stamp had breached paragraph 3(1) of the Members' Code of Conduct; "you must treat others with respect". The Sub-Committee agreed the following sanctions:

- Censure and for this to be read out at full Council; and
- A written apology be sent to Mrs Ruparel and Mrs Sutton in a form specified by the Standards Committee.

- 2.8 The following table provides indicative timescales for conclusion of other investigations currently underway. The final column of the table explains the reasons for any slippage on dates, which were previously reported.

- 2.9 Upon completion of an investigation the Hearings Sub-Committee is responsible for determining whether it accepts a finding of no failure to observe the Code of Conduct, or that the matter should be referred for a hearing or to the First Tier Tribunal for determination. The timescale for holding a hearing to consider the outcome of a local investigation is normally within three months from completion of that investigation.

Complaint reference	Date complaint received	Indicative timescale for completion of investigation/Stage of investigation
MO/136 Complaint against Parish Councillors Mark and Noleen Skudder	July 2011	This is due to be heard at a 'consideration' Hearings Sub-Committee on 19 June 2012.
MO/152 Complaint against Parish Councillor Mark Skudder	September 2011	The review of these complaints was deferred in order for confirmation to be obtained from the Parish Clerk on the complainant's employment issues. This has now been obtained and a Review Sub-Committee will consider this complaint in June 2012.
MO/153 Complaint against Parish Councillors Mark Skudder, John Lambourne and Alan Marsh	August 2011	The review of these complaints was deferred in order to allow for an alternative parish council representative to be appointed. A new Parish Council representative has now been appointed and a Review Sub-Committee will consider this complaint in June 2012.

3. Business for 2012/13

- 3.1 If the Council decides to form a "Standards Committee" under the new standards regime it will be for the new committee to set its own work programme of business for 2012/13.

4. Financial and legal implications

- 4.1 The cost of local investigations is met from within existing budgets.
- 4.2 The Standards Committee (England) Regulations 2008 and associated SfE guidance prescribe the procedures relating to allegations of member misconduct.

5. Recommendations

- 5.1 To note the update on complaints.

Background papers

Standards for England Guidance on "Local Assessment of Complaints" and "Determinations"

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