

Medway Council
Meeting of Councillor Conduct Committee
Wednesday, 8 September 2021
6.00pm to 6.08pm

Record of the meeting

Subject to approval as an accurate record at the next meeting of this committee

Present: Councillors: Mrs Diane Chambers (Chairman), Howcroft-Scott, Kemp (Vice-Chairman), Potter, Price and Tranter

Substitutes: Councillor:
Paterson (Substitute for McDonald)

In Attendance: Jan Guylar, Deputy Monitoring Officer
Teri Reynolds, Democratic Services Officer

312 Apologies for absence

Apologies for absence were received from Councillors Brake and McDonald.

313 Record of meeting

The record of the meeting held on 7 July 2021 was agreed and signed by the Chairman as correct.

314 Urgent matters by reason of special circumstances

There were none.

315 Declarations of Disclosable Pecuniary Interests and Other Significant Interests

Disclosable pecuniary interests

There were none.

Other significant interests (OSIs)

There were none.

Other interests

There were none.

316 Proposed delegation to screen complaints

Discussion:

The Deputy Monitoring Officer introduced the report which recommended the Committee to recommend full Council to agree a delegation to the Monitoring Officer, in consultation with the Independent Person, to undertake the initial screening for some complaints. She referred the committee to the types of cases that would apply, which were set out at section 2.4 and 6.1 of the report.

Reference was made to the consultation aspect with the Independent Person and it was suggested that it be made clearer that if either the Monitoring Officer or the Independent Person felt the complaint should be referred on to the Councillor Conduct Committee for formal assessment, then this be the action taken.

The Deputy Monitoring Officer was also asked for some examples of complaints that might be dealt with under the delegation. She explained that it was difficult to refer to examples without identifying previous complaints but added that the committee had recently considered a set of complaints which had largely fallen outside of the remit of the committee. However, due to there being no delegation in place the complaints had been brought forward to the committee for assessment. It was added that the screening criteria used by the committee to assess complaints already considered whether a complaint was trivial, malicious, vexatious, politically motivated or tit-for-tat and in such cases would recommend no further action, subject to the view of the Independent Person.

Decision:

- (1) The Committee recommended to full Council that the following delegation is granted:

The Councillor Conduct Committee delegates authority to the Monitoring Officer, who shall seek the views of Independent Person, to undertake the initial screening process for complaints and determine, if appropriate, that there is to be no further action (subject to the Independent Person sharing this view) on the following types of cases:

- a) No Councillor has been identified;
- b) No potential breach of the code has been identified;
- c) Insufficient detail to make a determination;
- d) The complaint is more than 6 months old and no cogent explanation for the delay in reporting;
- e) The complaint relates to matters that are not within the Councillor Conduct Committee's remit.
- f) The complaint is considered trivial, malicious or vexatious.

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Note: If either the Monitoring Officer or the Independent Person consider the complaint should be referred on to the Councillor Conduct Committee for formal assessment, then this will be the action taken.

- (2) The Committee delegated to the Monitoring Officer the authority to amend the Councillor Conduct complaints form and the Complaints Procedure accordingly.

Chairman

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