

# **STANDARDS COMMITTEE**

**2 FEBRUARY 2011**

## **WORK PROGRAMME**

Report from: Deborah Upton, Monitoring Officer

Author: Teri Reynolds, Overview and Scrutiny Co-ordinator

### **Summary**

This report sets out the proposed work programme previously agreed by the Committee for 2010/11. 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 Adults Overview and Scrutiny Committee. The committee has responsibility for setting its own work programme and this should be kept under regular review.

### **2. Report**

2.1 Appendix 1 to this report sets out the updated work programme for the committee up to May 2011.

2.2 Standards for England ("SfE") guidance on timescales for an investigation acknowledge 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.

2.3 On 28 January 2011 a Hearings Sub-Committee, at its "consideration stage", is due to consider the final investigation reports relating to a complaint about Councillor Chitty (DU/MO/119). This meeting was due to be held on 22 December 2010 but unfortunately was unable to take place, as one of the Panel members was unable to attend, and the meeting was therefore not quorate.

2.4 At its meeting on 10 November 2010 the Hearings Sub-Committee of the Standards Committee conducted a hearing into a complaint that Councillor Brice breached the Members' Code of Conduct. In reaching

a decision on this case the Sub Committee recommended the Council to agree that Councillor Brice should not be appointed to any committees, or to substitute on any committees, or to represent the Council in any way. The Council agreed this at its meeting on 25 November 2010.

- 2.5 The Referrals Sub-Committee has not met since this Committee's last meeting on 24 November 2010, where an update on its activity was received.
- 2.6 The following table provides indicative timescales for conclusion of investigations currently underway. The final column of the table explains the reasons for any slippage on dates previously reported. 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 consideration at a hearing or to the Adjudication Panel 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.

<b>Complaint reference</b>	<b>Date complaint received</b>	<b>Indicative timescale for completion of investigation/Stage of investigation</b>
DU/MO/113: Complaint relating to Councillor Reckless	20.11.2009	Estimated completion date - 28.02.2011
DU/MO/116: Complaint relating to Councillor Chitty	10.12.2009	Estimated completion date - 28.02.2011; During the course of this investigation, there was a change in the Investigating Officer
DU/MO/117: Complaint relating to Parish Councillor Forrest	27.01.2010	Estimated completion date - 28.02.2011; During the course of this investigation, there was a change in the Investigating Officer
DU/MO/119: Complaint relating to Councillor Chitty	11.02.2010	Estimated completion date - 28.01.2011; Current position – Consideration stage
DU/MO/123: Complaint relating to Councillor Mackinlay	07.09.2010	31.03.2011 Investigation is in the early stages.
DU/MO/124: Complaint relating to Councillor Ruparel	13.09.2010	31.3.2011 Investigation is in the early stages.

DU/MO/125: Complaint relating to Councillor Sutton	13.09.2010	31.03.2011 Investigation is in the early stages.
DU/MO/126: Complaint relating to Councillor Mackinlay	13.09.2010	31.03.2011 Investigation is in the early stages.

*N.B Mr Milne, the Investigating Officer for all of the cases, with the exception of DU/MO/113 will be in attendance at the meeting in order to answer questions from the Committee.*

### **3. Financial and legal implications**

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

### **4. Recommendations**

- 4.1 To consider and comment on the work programme for 2010/11.
- 4.2 To note the position on complaints referred for investigation by the Referrals Sub-Committee.

### **Background papers**

Standards for England Guidance on “Local Assessment of Complaints” and “Determinations”

### **Lead officer contact**

Teri Reynolds, Overview and Scrutiny Co-ordinator  
 Telephone: 01634 332104 Email: [teri.reynolds@medway.gov.uk](mailto:teri.reynolds@medway.gov.uk)



**Proposed Work Programme for 2010/11  
Standards Committee**

<b>Item</b>	<b>Lead Officer</b>	<b>Committee Date</b>
Work programme and progress on investigations	TR	2 February 2011
Plans for formalities and member training after local elections in May 2011	DU/JK	2 February 2011
Protocol or Written Guidance to assist councillors with Ward Work	DU	2 February 2011
Draft guidance for Councillors on use of resources	DU/JK	2 February 2011
Standards for England update/summary of Localism Bill	DU	2 February 2011
Work programme and progress on investigations	TR	23 March 2011
Outcome of Consultation on Politically Restricted Posts	Paula Charker / Dawn Celiz	23 March 2011

**Items to be programmed:**

Update of Member's Planning Code of Good Practice