

**Medway Council**  
**Meeting of Standards Committee**  
**Wednesday, 2 February 2011**  
**7.00pm to 8.50pm**

**Record of the meeting**

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

**Present:** Councillors: Burt, O'Brien, Shaw and Smith

Independent Members:

Dance (Vice-Chairman), Gray (Chairman), Sanford, Shah, Sindrey and Thompson

Parish Council Representatives:

Parish Councillors: Buckwell, Coomber and Marsh

**In Attendance:** Julie Keith, Head of Democratic Services  
Duncan Milne, Investigating Officer  
Teri Reynolds, Overview and Scrutiny Co-ordinator  
Deborah Upton, Assistant Director, Housing and Corporate Services/Monitoring Officer

**765 Record of meeting**

The record of the meeting held on 24 November 2010 was agreed and signed by the Chairman as correct.

**766 Apologies for absence**

There were none.

**767 Urgent matters by reason of special circumstances**

There were none.

**768 Declarations of interest**

Parish Councillor Marsh declared a personal and prejudicial interest in relation to item 11 (Allhallows Parish Council – Governance Review) as he is the Vice-Chairman of Allhallows Parish Council and one of the complaints detailed in the appendix to the report referred to him. He therefore left the meeting during the discussion of this item.

## 769 Work Programme

### Discussion:

The Monitoring Officer introduced the report, which set out the proposed work programme for the Committee and the position relating to complaints considered by the Referrals Sub-Committee. The Investigating Officer was also present to answer questions.

In relation to the current investigations detailed in the report the Monitoring Officer invited the Committee to provide some direction as to whether the consideration of specific complaints should continue to be progressed during the purdah period, which ran from 25 March 2011 until 5 May 2011. She explained that where possible, investigations would be completed before the purdah period began. She had also taken advice from Standards for England, which had confirmed the general principle that Council business should continue during purdah as long as the rules on local authority publicity are properly observed.

The Investigating Officer provided an update to and answered questions from the Committee on the status of the investigations.

### Decision:

The Committee noted the report and agreed that it was in the public interest for the work of the Committee and its Sub Committees in relation to specific complaints about member conduct to continue during the purdah period, with as many as possible being completed before purdah begins.

## 770 Guidance for Councillors on ward work

### Discussion:

The Head of Democratic Services introduced the report, explaining that the Standards Committee had requested that guidance for Councillors on ward work be provided.

The Committee then commented on the guidance, which included: -

- Changing the phrase 'established convention' to 'good practice';
- Deletion of the words, 'and in particular with respect to the role they adopt when using of personal data' under the data protection section;
- Changing the wording at the paragraph which starts, 'Councillors may need to notify the Information Commissioner's Office (ICO)' and replacing it with the relevant direct quote from the advice published by the ICO.

### Decision:

The Committee agreed to authorise the Monitoring Officer to issue the guidance, with the comments of the committee incorporated, to all Councillors

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after consultation with Group Leaders and incorporation of their comments as appropriate.

### **771 Guidance for Councillors on use of Council resources**

#### **Discussion:**

The Head of Democratic Services introduced the report and suggested inclusion in the guidance of a reference to the guidance note on blogging recently published by Standards for England.

The Committee then made comments on the guidance, which included adding car park permits and other documentation with Medway Council's logo, to the definition of Council resources.

A suggestion was also made of adding references to secretarial support. The Head of Democratic Services explained that this was covered in the protocol on Member/Employee relations in the Council's Constitution.

#### **Decision:**

The Committee agreed to authorise the Monitoring Officer to issue the guidance, with its comments incorporated, to all Councillors in May 2011 after consultation with Group Leaders and incorporation of their comments as appropriate.

### **772 Local elections May 2011 - formalities and Member training**

#### **Discussion:**

The Head of Democratic Services introduced the report and advised that a copy of the Code of Conduct for Members would be included in the information packs supplied by Head of Elections and Member Services to all prospective candidates in the forthcoming local elections.

The Committee discussed the report and raised issues with regard to support provided to Parish Councils in relation to declarations of acceptance of office and registration of interests by Parish Councillors. A concern was also raised as it was understood that prospective candidates for the Parish Council elections had been told to acquire nomination packs from the relevant Parish Clerk. It was felt that prospective candidates should be directed to acquire these papers from the Council's Elections Office. The Monitoring Officer undertook to raise this concern with the Head of Elections and Members Services.

She also explained that she would provide training for parish clerks after the election and would also continue to provide training via the Rural Liaison Committee periodically.

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### **Decision:**

The Committee noted the report and agreed that the Monitoring Officer would provide training for Parish Clerks after the elections in May 2011.

### **773 Update on the provisions of the Localism Bill and standards**

#### **Discussion:**

The Monitoring Officer introduced the report, explaining that the Localism Bill proposed to deregulate standards and enable local authorities to adopt their own provisions to regulate members' conduct.

The committee then considered the report and asked questions which included; whether the advised restriction to two terms of office for Independent Members would continue and the options local authorities would have with regard to considering standards issues. In response the Monitoring Officer explained that responsibilities to make decisions relating to Councillors conduct would lie with full Council, which may not be considered the best option, so a Standards Committee may be retained for this purpose.

#### **Decision:**

The Committee agreed to note the report.

### **774 Exclusion of the press and public**

The committee agreed to exclude the press and public under paragraph 7C, Part 4 of Schedule 12A to the Local Government Act 1972 (as amended) which relates to information presented to a standards committee, or to a sub-committee of a standards committee, set up to consider any matter under regulations 13 or 16 to 20 of the Standards Committee (England) Regulations 2008, or referred to under section 58(1)(c) of the Local Government Act 2000.

### **775 Allhallows Parish Council - Governance Review**

#### **Discussion:**

The Monitoring Officer introduced the report, which set out the progress to date of the governance review being undertaken at Allhallows Parish Council and detailed some additional complaints received in relation to Allhallows Parish Councillors.

#### **Decision:**

The Committee agreed: -

- (1) to note the contents of the report;

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- (2) that the Monitoring Officer process the additional complaints received, attached as Appendix 2 to the report, and any future complaints received which are of a similar nature, as part of the current governance review of Allhallows Parish Council. In doing so the committee noted that one of the complaints referred to a Parish Councillor who was also a member of the Standards Committee.

**Chairman**

**Date:**

**Teri Reynolds, Overview and Scrutiny Co-ordinator**

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