

**Medway Council**  
**Meeting of Councillor Conduct Committee**  
**Wednesday, 21 February 2024**  
**6.07pm to 6.33pm**

**Record of the meeting**

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

**Present:** Councillors: McDonald (Chairperson), Howcroft-Scott and Myton

**Substitutes:** Councillors:  
Hamilton (Substitute for Louwella Prenter)

**In Attendance:** Bhupinder Gill, Assistant Director, Legal and Governance  
Teri Reynolds, Democratic Services Officer

**634 Apologies for absence**

An apology for absence was received from Councillor Louwella Prenter.

**635 Record of meeting**

The record of the meeting held on 15 March 2023 and the record of the Joint Meeting of Committees held on 24 May 2023 were both agreed and signed by the Chairperson as correct.

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

There were none.

**637 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.

**638 Disclosure and Barring Checks for Councillors**

**Discussion:**

The Assistant Director, Legal and Governance introduced the report which sought the Committee's view on undertaking Disclosure and Barring checks on elected Members. It was explained that a review on this issue had been undertaken and had found inconsistency in approach by local authorities and recommended unitary and upper tier local authorities to undertake enhanced criminal record checks for Councillors who were appointed to committees involved in decisions on the provision of children's services or services for vulnerable adults.

Members expressed their support of the recommendations to undertake the checks and the list of relevant committees/bodies set out at paragraph 3.9 of the report, subject to consideration being given to the School Transport and Curriculum Appeals Committee being added to the list. The Assistant Director undertook to confer with the Director of People and Deputy Chief Executive and the Leader of the Council on this suggestion.

Members shared the view that all Councillors should be subject to the checks, given their exposure to families during ward work. The Assistant Director explained that given the Constitution's current rules around substitutes at committees being flexible, it was likely all Members would be covered, although officers would remain mindful of the Council's financial situation and would avoid making checks unnecessarily and where possible would look to utilise existing DBS checks. He added that there had been no indication that the cost of implementing this would be funded by the Government.

In response to a further question the Assistant Director confirmed that only findings of DBS checks that were potentially relevant to a Member's role would be taken into account. It was also suggested that for any future elections, candidates should be made aware of the requirement of having DBS checks undertaken.

**Decision:**

The Committee agreed to:

- 1) Approve the conducting of enhanced Disclosure and Barring Checks on Councillors who are appointed to relevant member bodies (inclusive of substitutes).
- 2) Approve the list of bodies/committees set out in paragraph 3.9 of the report, as relevant bodies, subject to officers considering if the School Transport and Curriculum Appeals Committee should be added to the list.
- 3) Delegate authority to the Assistant Director of Legal and Governance in consultation with the Leader of the Council and the Director of People

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and Deputy Chief Executive to review and update the list of relevant bodies.

- 4) The Chairperson of the Councillor Conduct Committee to write to the Secretary of State, requesting assurances that local authorities will be funded to undertake the enhanced Disclosure and Barring Checks of Councillors.

### **639 Review of Ethical Framework**

#### **Discussion:**

The Assistant Director, Legal and Governance introduced the report which proposed a review of the Council's ethical framework. He explained that it had been some time since the last fundamental review and felt that now presented a good opportunity to ensure they were still fit for purpose, given there had been a large number of new councillors since the local elections in 2023, who had now had time to settle in and experience applying the Code of Conduct and other documents.

In reference to the Member working group that was proposed to support the work, the Assistant Director confirmed this was likely to commence in May, once current work on the Planning Code of Good Practice had been completed. Meetings would then be held once a month and it was anticipated the review would be concluded by late autumn of 2024.

Reference was made to social media being more clearly covered in the Member Code of Conduct. Given there had been previous complaints relating to social media content, more explicit guidance on its use was likely to feature in any updates following the review. Suggestions to be considered as part of the review also included a clearer and stronger focus on member/employee relations and for misogyny to be covered.

A suggestion was made that the ethical framework should be reviewed more regularly and that there should be no more than four years between reviews.

#### **Decision:**

The Committee:

- 1) noted the review to be undertaken, noting specifically that the review should consider aspects around social media, misogyny and member/employee relations.
- 2) requested political group whips to inform the Monitoring Officer of their nominee(s) for the informal working group.
- 3) requested that the ethical framework be reviewed more regularly in future and that reviews should be no more than four years apart.

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**Chairperson**

**Date:**

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