

**Medway Council**  
**Meeting of Councillor Conduct Committee**  
**Wednesday, 22 January 2025**  
**6.00pm to 7.18pm**

**Record of the meeting**

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

**Present:** Councillors: McDonald (Chairperson), Howcroft-Scott (Vice-Chairperson), Brake, Gurung, Kemp, Peake, Pearce, Louwella Prenter and Tejan

**In Attendance:** Bhupinder Gill, Assistant Director, Legal and Governance  
Vicky Nutley, Head of Legal Services  
Teri Reynolds, Principal Democratic Services Officer

**622 Apologies for absence**

There were none.

**623 Record of meeting**

The record of the meeting held on 11 December 2024 was agreed and signed by the Chairperson as correct.

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

There were none.

**625 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.

## **626 Review of Ethical Framework**

### **Discussion:**

The Assistant Director, Governance and Legal (the Monitoring Officer), introduced the report which set out details of a government consultation on reviewing the code of conduct for councillors and the ethical framework and sought the Committee's views to help form the Council's response to the consultation. The consultation consisted of 40 questions and drafted responses were contained within Appendix 1. He added that Group Leaders and Group Whips, along with the Independent Person, had been approached to give their view about what the most significant areas of the consultation were which the Committee could consider focusing on.

The Principal Democratic Services Officer updated the Committee on the responses that had been received from the Leader of the Council, the Leader of the Conservative Group and the Independent Person. The Group Leaders had suggested that the questions around suspension and sanction should be a particular focus for the Committee, along with the questions relating about rights of appeal. The Independent Person had been largely content with the responses drafted at Appendix 1, adding that he supported the suggestion of the committee being chaired by an independent person but felt that they should not have voting rights.

Members then began to discuss the consultation and raised the following main points:

- Right of reply – emphasis on the need for subject members to have the right to make representations throughout the process was made. It was confirmed that under the Council's current procedures, this was provided.
- Independent Person chair – there was consensus that committees dealing with councillor conduct issues should be chaired by an Independent Person.
- Filtering system – reference was made to the current screening process undertaken by the Monitoring Officer, which was done in consultation with the Independent Person. The Independent Person had expressed his support of this process.
- Rights of appeal – rights of appeal for complainants and members was a concern for the committee. Reassurance was given that currently, as part of the screening of complaints, the Monitoring Officer sought the view of the Independent Person ahead of finalising decisions on complaints and that there was the right to refer to the Local Government and Social Care Ombudsman, on complaints relating to the process and administration of complaint handling.
- Power to suspend – Members shared the view that the power to suspend should sit with an external body, following a recommendation from a councillor conduct committee, not with committees directly.
- Offences that could relate to suspension – when asked what types of breaches could relate to a sanction of suspension, the Monitoring Officer

## **Councillor Conduct Committee, 22 January 2025**

explained it was likely that should suspensions be reintroduced as a possible sanction for the most serious of breaches then there would be guidance issued to assist in determining when that may be appropriate. It was also suggested that should this sanction be reintroduced, this should not be as high as six months due to the six month rule relating to potential disqualification for non attendance at a formal meeting within that period.

- Timescales – in response to a question about likely timeframes for investigations, the Monitoring Officer explained that as much as every effort was made to conduct investigation processes quickly, due to a multitude of factors this was often difficult to achieve and therefore investigations varied greatly in lengths of time.
- Wellbeing support – reference was made to the stress that can be experienced for members who were involved in complaints and investigations. The Monitoring Officer explained that Council staff were able to access independent support from an organisation called 'Care First' and it could be explored to extend this to Councillors if required.

### **Decision:**

The Committee delegated authority to the Monitoring Officer to finalise a response, in consultation with the Chairperson of the Councillor Conduct Committee, which would be shared with Group Whips before then being submitted as a formal response to the government's consultation by the deadline of 28 February 2025.

### **Chairperson**

### **Date:**

**Teri Reynolds, Principal Democratic Services Officer**

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