

<b>Standards Committee</b>	
<b>Meeting Date</b>	11 July 2024
<b>Report Title</b>	Changes to Standards Hearings
<b>EMT Lead</b>	Larissa Reed – Chief Executive
<b>Head of Service</b>	Lisa Fillery – Director of Resources
<b>Lead Officer</b>	Larissa Reed – Chief Executive
<b>Classification</b>	<b>Open.</b>
<b>Recommendations</b>	1. To agree changes to Standards Hearings as set out in 2.2.1 – 2.2.5 of the main report.

## **1 Purpose of Report and Executive Summary**

1.1 This report sets out proposed changes to hearings following a complaint and subsequent investigation.

## **2 Background**

2.1 Following a standards hearing held on 27 November 2023, a complaint was received by the Chief Executive in relation to both the outcome of the hearing and the process undertaken.

2.2 The Chief Executive commissioned Mid Kent Legal services to investigate the complaint. The complainant then requested a review. This was undertaken by an independent person (not the council appointed independent person) who was an experienced Monitoring Officer.

2.1 Whilst neither of the two investigations felt the outcome of the hearing was invalid, they both suggested changes going forward which could ensure more robust hearings be held.

2.2 The recommendations are as follows:

**2.2.1** The council should make clear on the website the process for making complaints against councillors.

**2.2.2** Ensure there are clear and comprehensive procedure notes for undertaking a hearing.

**2.2.3** If the Monitoring Officer is the investigating officer, ensure they are not sitting on the top table with the members/legal representative/Chief Executive, but somewhere where there can be no perception of influence.

**2.2.4** Provide formal training for the members of Standards Committee in undertaking hearings.

**2.2.5** Not allowing members to sit on hearings until the training has been fully completed.

### **3 Alternative Options Considered and rejected by officers**

3.1 The only other option considered by officers not to implement these changes. This has been rejected as this would not be fair to members who take any role in a standards hearing

### **4 Consultation Undertaken or Proposed**

4.1 There has been no formal consultation. The complainant has agreed to this report coming to Standards Committee.

### **5 Implications**

<b>Issue</b>	<b>Implications</b>
Corporate Plan	This strategy meets the needs of the corporate plan (Running the Council Pledge) as training and governance are key to running a successful council
Financial, Resource and Property	The delivery of the training recommended is within council resources
Legal, Statutory and Procurement	There is a a legal requirement to manage the standards regime.
Crime and Disorder	No implications
Environment and Climate/Ecological Emergency	No implications
Health and Wellbeing	No implications
Safeguarding of Children, Young People and Vulnerable Adults	No implications
Risk Management and Health and Safety	No implications
Equality and Diversity	Councillors have the right to have clear and fair processes.

Privacy and Data Protection	No implications
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**6 Appendices**

None

**7 Background Papers**

Stage 1 complaint – undertaken by R Fitzpatrick  
Independent review undertaken by S Boyle