

STANDARDS COMMITTEE

Minutes of the meeting held on 9 January 2020 at 7.00 pm in Council Chamber, Cecil Street, Margate, Kent.

Present: Dr Jonathan Sexton (Chairman)
Councillors J Bayford, Campbell, Crittenden, Dexter, Duckworth, Fellows and Kup.
Parish Councillor Crow-Brown (Minster Parish Council)

177. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Braidwood and Parish Councillor Quittenden.

178. DECLARATIONS OF INTEREST

There were no declarations of interest.

179. MINUTES OF PREVIOUS MEETING

Councillor Campbell proposed, Councillor Duckworth seconded and it was agreed that the minutes of the meeting of the Standards Committee held on 27 June 2019 be approved and signed by the Chairman.

180. STANDING ORDERS IN RELATION TO STAFF

Tim Howes, Director of Corporate Governance and Monitoring Officer presented the report.

Members asked questions and the following was discussed:

- The Constitutional Review Working Party recommended that all suspensions including urgent suspensions be carried out by the Investigations and Disciplinary Committee. Suspensions and particularly urgent suspensions are rare and therefore, it was not appropriate for all suspensions to be agreed by the Investigations and Disciplinary Committee. There would be a legal risk to the authority as suspensions would have to wait over 5 clear working days until the committee had met. In cases where there was a need for an urgent suspension of a chief officer, the decision to suspend the monitoring officer or S151 officer would be taken by the Chief Executive (or the power to suspend the Chief Executive would be taken by the Monitoring Officer) in consultation with the Chairman of the Investigations and Disciplinary Committee or the Leader of the council.
- Where an urgent suspension took place, it would be reported to the Investigations and Disciplinary Committee as soon as practicable.
- The Chairman of the Investigations and Disciplinary Committee would be a permanent appointment (for the municipal year).
- The number of Members on the General Purposes Committee would need to be adjusted at Full Council as appropriate in order to achieve political proportionality and allowing for a Member of Cabinet on each sub-committee.
- Deputy chief officers are Heads of Services who report to the chief officers and it was agreed that the list of roles and definitions would be added.

Councillor Campbell proposed and Councillor Dexter seconded the recommendations subject to the addition of deputy chief officers' roles being listed and the additional recommendations discussed at the meeting listed at f) and g):

- a) to create an Investigation and Disciplinary Sub-Committee and Disciplinary Appeals Sub-Committee as sub-committees of the General Purposes Committee , as set out in Annex 1;
- b) to appoint an Independent Persons Panel, agree its terms of reference, as set out in Annex 1, and agree that it should comprise three Independent Persons;
- c) to agree to pay a fee to Independent Persons appointed to the Independent Persons Panel equal to the agreed rate paid in respect of their role in advising Council on Councillor Conduct issues;
- d) to amend the Employment Rules, as set out in Annex 2;
- e) to delegate to the Committee Services Manager authority to invite and appoint members to serve on the Independent Persons Panel as set out in paragraph 5 of the report.
- f) to delegate authority to the Chief Executive (in consultation with the Leader or Chairman of the Investigation and Disciplinary Sub-Committee) to immediately suspend the Monitoring Officer or Section 151 Officer where their remaining presence at work poses a serious risk to an investigation, to the health and safety of others, or to the resources, information or reputation of the council. The General Purposes Committee shall review the suspension as soon as is practicable and in any event no later than two months following the original decision to suspend.
- g) to delegate authority to the Monitoring Officer (in consultation with the Leader or Chairman of the Investigation and Disciplinary Sub-Committee) to immediately suspend the Chief Executive, where their remaining presence at work poses a serious risk to an investigation, to the health and safety of others, or to the resources, information or reputation of the council. The General Purposes Committee shall review the suspension as soon as is practicable and in any event no later than two months following the original decision to suspend.

Upon being put to the vote, the motion was declared CARRIED.

181. LOCAL GOVERNMENT OMBUDSMAN ANNUAL REVIEW LETTER

Tim Howes, Director of Corporate Governance and Monitoring Officer presented the report.

The Standards Committee noted the report.

182. STANDARDS COMPLAINT STATISTICS

The Standards Committee noted the statistics.

Meeting concluded : 7.20pm