

# STANDARDS COMMITTEE

## PROTOCOL ON PUBLICITY FOR COMPLAINTS OF BREACH OF THE CODE OF CONDUCT MADE TO THE STANDARDS COMMITTEE

19th June 2008

### Report of the Monitoring Officer

#### PURPOSE OF REPORT

To recommend changes to the Publicity Protocol in the light of the new provisions for complaints to be made to the Standards Committee rather than to the Standards Board for England.

**This report is public**

#### RECOMMENDATIONS

- (1) That the Council Business Committee be recommended to approve the amended Protocol as appended to this report, for inclusion in the Council's Constitution

##### 1.0 Introduction

1.1 The Council's Constitution currently contains a Protocol on publicity for and notification of allegations of breach of the Code of Conduct made to the Standards Board. The Protocol was introduced because the Committee felt that it was inappropriate for Members to discuss an allegation in public before the Standards Board had taken a decision as to whether or not the allegation should be investigated, or, if the allegation was to be investigated, before the investigation and hearing process had been concluded.

1.2 In the light of the new provisions for complaints of alleged breach of the Code of Conduct to be made locally to the Standards Committee rather than nationally to the Standards Board for England, the current Protocol has become obsolete.

##### 2.0 Proposal Details

2.1 At its meeting on the 23rd May 2008, the Committee took the view that a member who is the subject of a complaint should not be informed of the complaint until after it has been considered by the Assessment Sub-Committee.

2.2 The Monitoring Officer has prepared an amended version of the Protocol, which reflects this, and also reflects the rationale of the existing Protocol, that Members should not make Code of Conduct complaints public, or discuss such complaints in public.

### 3.0 Consultation

3.1 The Committee requested this report at its last meeting. There has been no other consultation.

### 4.0 Options

4.1 The options open to the Committee are to recommend the Council Business Committee to approve the revised Protocol appended to this report, with or without further amendments, or to recommend the Council Business Committee not to include such a Protocol in the Constitution. The Monitoring Officer would recommend the adoption of the Protocol appended to this report.

### 5.0 Conclusion

5.1 The Committee's views are sought.

#### **CONCLUSION OF IMPACT ASSESSMENT**

**(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)**

None arising from this report.

#### **FINANCIAL IMPLICATIONS**

There are no financial implications as a result of this report.

#### **SECTION 151 OFFICER'S COMMENTS**

The Section 151 Officer has been consulted and has no further comments to add.

#### **LEGAL IMPLICATIONS**

Legal Services have been consulted and have no further comments.

#### **MONITORING OFFICER'S COMMENTS**

The report has been prepared by the Monitoring Officer in her role as adviser to the Standards Committee.

#### **BACKGROUND PAPERS**

None

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