

Norwich City Council
STANDARDS COMMITTEE

Item

6

REPORT for meeting to be held on 18 June 2010

Case Study; Issues Arising from Suspension of a Councillor

Purpose

To enable the Standards Committee to consider the attached case study and any actions taken as a consequence.

Recommendations

That the Standards Committee agrees:

- 1 that the chair of the standards committee and the monitoring officer produce an article that raises the profile and promote the role of the standards committee in the council outlining the aims of the committee for the coming 12 month period
- 2 to approve the development of a press policy in line with the principles explored in the report and that a draft policy document based on these principles be brought before the next meeting of the Standards Committee in September for further comment as necessary and approval

Financial Consequences

There are no financial consequences to this report.

Strategic Priority and Outcome/Service Priorities

Contributes to maintaining and improving the council's reputation because the effective use of the media enables the council to keep residents and the wider public informed about the authority's work to promote and raise ethical standards.

Risk

There are no perceived risks.

Background Documents

None

Contact Officers

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1. Background

- 1.1 At the last meeting of the Norwich City Council Standards Committee, for training and awareness purposes it was decided that members receive a series of case studies regarding member ethics, standards and conduct at future meetings of the Committee. The following case study of a hearing and following action at Rossendale District Council offers an opportunity to explore issues the Committee discussed in February with regard to member conduct and how to develop a way of working with the communications team and the media.
- 1.2 The Standards Board for England recommends that standards committees develop a robust, consistent press policy that sets out what sort of information will and will not be given to the media in relation to code of conduct cases.
- 1.3 At the end of January 2009, a standards hearing was scheduled to determine a complaint made against one of Rossendale's councillors. The allegations related to the circulation of an email making inappropriate and unsubstantiated comments about the probity of the council's planning department.
- 1.4 Although this was not the first standards hearing in Rossendale, it was the first where there was the potential for a councillor to be suspended as a result of the standards process.

2. What did they do?

- 2.1 The council's communications manager worked closely with the standards committee independent chair, the monitoring officer and the committee and member services manager to identify an appropriate media strategy and to discuss key messages to be used with the local media.
- 2.2 The member concerned was made aware that press enquiries were being received about the hearing, what action was being taken and that a statement would be issued afterwards, if he was found to have breached the code of conduct.
- 2.3 Following the hearing the councillor was suspended for a period of three weeks.
- 2.4 The team drafted a media release which provided factual details about the case including:
 - the date the standards committee panel met
 - who the allegations had been made against
 - the nature of the breach of the code of conduct
 - the specific paragraphs that had been breached
 - the conclusions of the hearing – that the member's actions had failed to treat others with respect and brought the council into disrepute

- 2.5 The media release also included details about the panel's decision to suspend the councillor and the training that he would be required to do when resuming his duties as a councillor. It also provided links to a full copy of the model code of conduct.

3. Putting the Case into Context

- 3.1 Having provided information about the factual outcomes of the hearing, the team felt it was important to be able to communicate some of the council's key messages about standards and to be able to put the member's suspension into context.
- 3.2 The chair of the standards committee reiterated the council's key messages in the comments that were issued. The independence of the chair meant that journalists would perceive him as a credible source.
- 3.3 The key messages included:
- a reminder that all councillors should maintain the highest possible standards at all time and that this is what the council and public expect.
 - reiterating that Rosendale has a robust system for identifying and investigating the conduct of councillors and that the standards committee was willing to use the powers available to them, including suspension
 - reassurance that a thorough investigation had taken place and that the standards hearing had been fair and had taken into account all the oral and written evidence submitted
 - highlight that this was the first time the standards committee had taken action to suspend a councillor
 - putting the suspension into context and saying that standards generally in Rossendale are very high
 - demonstrating that by suspending the councillor, the standards committee took breaches of the code of conduct seriously
 - justification that the sanctions taken were consistent with the seriousness of the breach of the code

4. The Outcome

- 4.1 The media reporting that followed the hearing was generally factual and accurate and the council felt that it had succeeded in getting across the majority of its messages about the hearing, the suspension and most importantly the overall context for standards issues in Rossendale.

5. Next Steps – Developing a Media Protocol

- 5.1 Prior to the standards committee panel hearing, work had already been underway on drawing up a media protocol for handling all future media enquiries about standards complaints, investigations and hearings. This was available in draft format when the hearing took place but had not been formally adopted by the council and the standards committee.
- 5.2 The council had already identified the need for close and effective working between the communications team, the monitoring officer and the chair of the standards committee to ensure that standards issues

were communicated effectively internally and externally, and considerable progress had already been made.

- 5.3 Nevertheless, the first standards hearing which has resulted in a councillor being suspended, has acted as a catalyst to ensure that regular meetings between the communications team, the monitoring officer and the chair of the standards committee become embedded and that the media protocol is agreed as quickly as possible.
- 5.4 The council's general approach with the local media is constructive and it proactively seeks opportunities to raise awareness of standards issues. The council generally handles difficult and tricky issues in an open and honest way, acknowledging fault where it is justified, and seeking to explain the actions it has taken. This approach is the starting point for the media protocol that has been developed. However, the protocol also has to recognise and respect the rights of any councillors who face a standards investigation and has to ensure that the right to a fair hearing is not compromised.
- 5.5 A key area of work resulting from the new media protocol will be to proactively raise awareness about standards issues and processes in general with local journalists, so that they have a greater appreciation of the process the standards committee follows from initial complaint, through to investigation, hearing and any sanctions taken. This will assist the council in handling any future media enquiries relating to standards issues.
- 5.6 This case study and outcome supports the views expressed by the Norwich City Council standards committee at its last meeting. Work has already been undertaken to give ethics and standards a higher profile on the council's own web – pages. This will be strengthened with every communication and development that takes place.
- 5.7 Also the monitoring officer has had preliminary discussions around developing a relationship with the communications team and using the local media to promote ethical and standards issues. Work now needs to move on especially towards raising the profile of the chair of the standards committee and the monitoring officer. Member input at this stage would assist the monitoring officer to further this.