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<b>REPORT TO:</b>	<b>STANDARDS COMMITTEE</b>	<b>AGENDA ITEM:</b>
<b>DATE OF MEETING:</b>	<b>31ST MARCH 2009</b>	<b>CATEGORY: DELEGATED</b>
<b>REPORT FROM:</b>	<b>HEAD OF LEGAL &amp; DEMOCRATIC SERVICES</b>	<b>OPEN</b>
<b>MEMBERS' CONTACT POINT:</b>	<b>ANDREA McCASKIE (EXT. 5831)</b>	<b>DOC:U:\JAYNE\Commtee\COMM REP\Standards Press Policy.doc</b>
<b>SUBJECT:</b>	<b>STANDARDS COMMITTEE PRESS POLICY</b>	<b>REF: AGM/JB</b>
<b>WARD(S) AFFECTED:</b>	<b>ALL</b>	

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## **1.0 Recommendation**

- 1.1 To approve a press policy based on the principles set out in the report.

## **2.0 Purpose of Report**

- 2.1 The Standards Board for England ("SBE") 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".

## **3.0 Background**

- 3.1 The SBE has produced a "Press Toolkit – Guide for Authorities" to help Press Officers to respond to media enquiries about the work of Standards Committees in connection with the local assessment and determination of complaints. The toolkit has been prepared using the SBE's experience of handling media enquiries since 2002.
- 3.2 Media enquiries to South Derbyshire District Council are handled by the Council's Communications Team and this will apply equally to the business of the Standards Committee in processing complaints.
- 3.3 The toolkit recommends the following as part of a checklist for press officers. The key points the Committee should be aware of are as follows:
- (1) The Communications Officer should be the first point of contact for all media interest.
  - (2) A press policy should be developed setting out what sort of information will or will not be given to the media in relation to Code of Conduct cases.
  - (3) Consideration should be given to the ways in which the outcomes of cases will be made available to the public, in addition to the legal requirement, e.g. press releases of case outcomes.

3.4 There are some matters that the Committee needs to decide, which will then form the agreed press policy. The issues for the Committee to consider are:

(1) When to confirm to the media that a complaint has been received. It is suggested that this should not be until the Member has been informed by the Monitoring Officer. Under Section 57C(2) of the Local Government Act 2000 (as amended), only the Sub-Committee has the power to give a written summary of the allegation to the subject Member. The subject Member is not informed that a complaint has been submitted until the Sub-Committee has met and made an assessment decision. The SBE state that they would confirm:

- the Member's name;
- the date the complaint was received;
- the date of the assessment decision;
- the type of person who has complained, but not their name; and
- the part of the Code that is engaged

It would seem the SBE would also at this stage confirm whether or not the complaint was referred for investigation. However, it is open to the Committee to decide that it would not release the subject Member's name following the assessment decision.

- (2) The SBE do not give any specific information while an investigation is ongoing. The Committee is recommended to adopt a similar policy.
- (3) Once the report of the investigation has been completed, there may be a determination hearing which may or may not be open to the press and public. Public notice of the hearing must be given and therefore it is recommended that the date can be confirmed to the media once it is known and all the interested parties have been informed.
- (4) In addition to the public notices that have to be given on the conclusion of a determination hearing, unless a subject Member has been found not to have breached the Code and asks for a notice not to be published, there is a further option of issuing a press release with a summary of the case to the media. The Committee is asked to consider whether a press release should be issued. The issue of press releases would help to inform the public of the role of the Committee and the action being taken to uphold standards of conduct.
- (5) When the Assessment Sub-Committee decides to refer an allegation for "other action", there is no requirement to publicise this, except to the extent that the summary under Regulation 8 does so. The SBE advise that where a Parish or Town Council is involved, they should be consulted on any publicity. It is considered appropriate to have a general policy not to publicise other action decisions.

#### **4.0 Financial Implications**

4.1 None directly arising from the report.

## **5.0 Corporate Implications**

- 5.1 The Standards Committee is required to operate in accordance with the Local Government Act 2000, the Regulations made under the Act and the guidance provided by the Standards Board for England.

## **6.0 Community Implications**

- 6.1 The issue of press releases would help to inform the public of the role of the Committee and the actions being taken to uphold standards of conduct throughout the District.

## **7.0 Background Papers**

The Press Toolkit issued by the Standards Board for England.