

Item 5

ITEM No. 6

**REPORT TO STANDARDS
COMMITTEE**

4TH NOVEMBER 2003

**REPORT OF THE
MONITORING OFFICER**

MEDIA PROTOCOL FOR STANDARDS COMMITTEE MEMBERS

1. INTRODUCTION

- 1.1 The Standards Committee is established under the provisions of the Local Government Act 2000 and exists to provide training and guidance on members' conduct and to maintain an overview of the Members' Code of Conduct and other Protocols.
- 1.2 This Protocol has been prepared for the guidance of the Standards Committee and affects all members serving on the Committee, including independent and Parish Council representatives, on the appropriate procedures for dealing with the media in respect of complaints and investigations considered by the Committee.

2. THE NEED FOR A PROTOCOL

- 2.1 The purpose of this Protocol is to ensure a consistent approach and equality of treatment for any member who is the subject of a complaint or investigation.
- 2.2 It is also designed to ensure consistency with existing Protocols and compliance with relevant Acts and Codes of Practice.

3. KEY PRINCIPLES FOR DEALING WITH THE MEDIA

- 3.1 In order to ensure a consistent approach, all press releases and media statements regarding Committee business should be issued through the Press and Public Relations Officer in accordance with the procedure detailed below.
- 3.2 All press releases/media statements must be authorised by the Monitoring Officer in consultation with the Committee Chair.
- 3.3 The appropriate spokesperson to be quoted in any press release/statement will normally be the Committee Chair who will comment on behalf of all members of the Committee.

4. NATURE OF MEDIA ACTIVITY

4.1 The underlying principle of the Standards Committee media Protocol is to ensure the adherence with policies of open government and accountability. In order to ensure fair and consistent treatment in all cases and a properly controlled release of information, the Committee shall adhere to the following procedure.

5. PROCEDURE

5.1 The procedure for issuing a Standards Committee press release is as follows:-

- (i) On either receiving a report from the Standard Board, upholding a complaint or upon receiving a complaint the Standards Committee, through the Committee Clerk, will alert the Press and Public Relations Officer (PRO), so that he/she is aware of the background and is able to offer advice throughout the proceedings.
- (ii) It may be necessary to prepare a “holding” statement for issue in the event of a media inquiry regarding the ongoing investigation.
- (iii) This should be prepared by the PRO, in consultation with the Monitoring Officer and approved by the Chair. In the case of a matter which may have wider repercussions for the Council, the Council Leader and the Chief Executive shall also be consulted. Once agreed the release would then be ready for issue in the event of a media enquiry being received. It should confirm only the nature of the complaint and the fact that an investigation is underway.
- (iv) Where a complaint is upheld and action taken the Committee shall, immediately after the complaint hearing, consider the outline of the press release. The elected member, subject of the investigation, should be informed that a press release will be issued in respect of the decision taken.
- (v) Immediately after a complaint hearing, the Monitoring Officer should notify the PRO who will prepare a press release or statement on the lines agreed by the Committee. The release should be approved by the Monitoring Officer and the Chair.
- (vi) Any release should be issued to the relevant media as soon as practicably possible after the conclusion of the hearing.
- (vii) Releases and statements should be copied to all members of the Committee for information and to the member subject of the investigation.

- (viii) Any subsequent or ad hoc press enquiries received will be responded to by the PRO, in consultation with the Monitoring Officer and/or the Chair of the Committee as appropriate. However, it is recognised that on occasions the Leader or the Chief Executive Officer may need to respond to press or media enquiries.
- (ix) Should any members of the Committee be approached direct by the media with enquiries relating to Committee business, they should be referred to the Council's PRO to ensure a consistent response. The Committee member should endeavour to forewarn the PRO that they have received such an approach so that the enquiry can be anticipated.

6. BREACHES OF THE PROTOCOL

- 6.1 The workings of this Protocol will be monitored by the Committee, the Monitoring Officer and the PRO on an ongoing basis.
- 6.2 If it is considered that a member has breached this Protocol, that breach in itself could be regarded as misconduct and could be subject to investigation by the Standards Committee.
- 6.3 If it is alleged that an officer has breached this Protocol, the matter would be referred to their appropriate Chief Officer for disciplinary investigation.
- 6.4 Members of the Committee should also be aware that, under the Members' Code of Conduct, it is a breach of that code to disclose confidential information without appropriate consent.

7. RECOMMENDATION

- 7.1 That the report be approved and recommend that it be adopted by Council as an addition to the Council's Constitution.

Contact Officer: D.A.Hall
Telephone No. (01388) 816166 Ext 4268
Email Address: dahall@sedgefield.gov.uk

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