
Standards Committee

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne, ME10 3HT on Tuesday, 24 March 2026 from 7.00 pm - 8.17 pm.

PRESENT: Councillors Monique Bonney, Angela Harrison (Chair), James Hunt (Vice-Chair), Mark Last, Charlie Miller, Tom Nundy, Hannah Perkin, Ashley Shiel and Tony Winckless (substitute for Councillor Ashley Wise).

OFFICERS PRESENT: Robin Harris and Jo Millard.

APOLOGIES: Councillors Pete Neal, Richard Palmer and Ashley Wise.

833 **Emergency Evacuation Procedure**

The Chair outlined the emergency evacuation procedure.

834 **Minutes**

The Minutes of the Meeting held on 23 September 2025 (Minute Nos. 331 - 340) were taken as read, approved and signed by the Chair as a correct record.

835 **Declarations of Interest**

No interests were declared.

836 **Annual Update on Complaints received under the Member Code of Conduct**

In introducing the report which provided an update on complaints received under the Members' Code of Conduct for the period 1 January 2025 to 31 December 2025, the Monitoring Officer highlighted the new format and he sought and received confirmation from Members that the layout and information aligned with what they had previously asked for. Members were invited to ask questions and they raised points including:

- Sought clarification on the process of dealing with complaints and the date range;
- the layout was clear and contained exactly the information that was needed;
- drew attention and sought clarification on case 01-2-25 in the report;
- queried whether when some cases were the same complaint reported by several individuals, with no further action taken, was advice given to the accused person or complainant?;
- drew attention to one case listed with several complaints and lack of evidence, and sought more details on the evidence gathering process and whether Members needed more guidance on this;
- suggested that in cases not dealt with under the Standards regime but by an alternative authority, such as the Police, additional information that was taken by that alternative authority should be included;
- suggested categorising complaints in order to recognise patterns of complaints; and
- did the Council follow up with Parish Councils when advice had been given?

The Monitoring Officer advised that case 01-2-25 had been reported to the Police and the Standards arrangements dictated that where a matter had been reported to a

regulator or prosecuting authority, the Standards regime would take no further steps until that matter had been dealt with. There was no further update on that case at the current time.

The Monitoring Officer said part of his role was to provide advice and guidance to Members and to make complainers aware of what could and could not be done in relation to the system and the regime.

The Monitoring Officer said there were a limited number of grounds by which complaints were assessed and he could provide more detail on the particular case with insufficient evidence, at a future meeting. He added that the report had been anonymised in order that it could be considered in public, but he would provide more detail to the Chair so that a decision on how to inform all Members could be made. The Monitoring Officer also reminded Members that the complaint form had been updated so that complainants had to supply their evidence when submitting the complaint.

The Chair agreed that more context and detail around complaints dealt with outside of the Standards regime should be included in future reports.

The Monitoring Officer said there would inevitably be continued dialogue between the Parish Council and the Council when advice had been given to the Parish Council on how to deal with a complaint.

Resolved:

(1) That the update on complaints received under the Members' Code of Conduct be noted.

837 Update on DBS Checks

In providing Members with a verbal update on DBS checks, the Democratic and Electoral Services Manager advised that following the last Standards Committee meeting held in September 2025, two Members remained unwell and unable to provide DBS checks. Three Members had provided evidence of a DBS check, one Member had a DBS check undertaken as part of their employment and would be providing evidence, and the remaining Members had sought assistance with the application process. She said it was hoped the outstanding evidence would be received shortly.

The Chair welcomed the update and said the outcome of the request for Members to provide DBS checks should be reported back to a future Council meeting.

It was clarified to Members that DBS checks would ordinarily take place at the beginning of an elected term of a Member. The Chair reminded Members that in future any unitary authority would have responsibility for adult and children services and safeguarding responsibilities, and a DBS check should therefore be mandatory.

There was a discussion around making DBS checks mandatory for those elected to the new authorities and whether the Standards Committee could lobby Government on this topic and it was agreed that this would be debated under Item 7 – Strengthening the Standards and Conduct Framework for Local Authorities in England.

A Member raised that the disclosure of an offence on a DBS check would not, in itself, preclude an individual from holding office as an elected Councillor. The Monitoring Officer agreed that this would not disqualify a Councillor from sitting, but an appropriate risk assessment and controls could be put in place.

A Member raised concerns about how personal data was stored and warned against the use of certain third-party organisations, citing a previous data breach that had resulted in personal data being compromised. The Democratic and Electoral Services Manager confirmed that the organisation was not used to store the DBS information.

Resolved:

(1) That the verbal update be noted.

838 Strengthening the standards and conduct framework for local authorities in England

The Monitoring Officer reminded Members of the previous response the Committee had sent to Government on their consultation to strengthen the Standards framework, and he said that Government had now set out how they proposed to reform the system which included:

- An introduction of a mandatory code of conduct which would include a behavioural code for all local authority types and tiers;
- a requirement for all principal authorities to convene formal Standards Committees to include provisions on the constitution of Standards Committees to ensure objectivity, accountability and transparency;
- a requirement that all principal authorities offered individual support during any investigation into code of conduct allegations to both the complainant and the Councillor subject to the allegation;
- the introduction at the authority level of a right of review for both complainant and the subject Member to have the case reassessed on grounds that would be set out in legislation;
- powers for authorities to suspend elected Members for a maximum of six months for serious code of conduct breaches, with the option to withhold allowances during suspension for the most serious breaches and introduce premises and facilities bans either in addition or as standalone sanctions;
- in response to the most serious allegations involving Police investigations or where sentencing is pending, the introduction of powers to suspend elected Members on an interim basis for an initial period of three months which if extended would require regular review;
- a new disqualification criteria for any elected Member subject to the maximum period of suspension more than once within five years; and
- the creation of a new national appeals function to consider appeals from elected Members to decisions to suspend them and/or withhold allowances, and for complainants if they considered their complaint was mishandled. Any appeal would only be permitted once a complainant or elected Member had fully exercised their right of review of the local Standards Committee decision and that process had been completed.

The Monitoring Officer further explained that the package was a series of measures which tightened the Standards regime, but also safeguarded and protected Members. Members were invited to raise points which included:

- The Standards Committee should push to have DBS checks as compulsory for all elected Members nationally, after the Local Government Review (LGR);
- raised concerns about the independence of decisions and said that politics might get in the way of, for example, a suspension;
- those making decisions on Standards Committees needed additional training as it was a significant step up in responsibility; and
- DBS checks should be standard, not enhanced, and raised concern about overstepping powers to introduce powers that were not UK Law.

During a discussion on the requirement for volunteers to have a DBS check, the Chair said that information on DBS checks was not shared and could only be viewed by a limited number of officers, and those with historic spent convictions should not be put off, as had happened in the volunteer sector.

The Monitoring Officer explained that an enhanced DBS check was not just the information held on record which resulted in a conviction, warning or reprimand, but also included information held on the Police database which an officer considered relevant to the appointment being made.

With reference to the proposed bill, the Monitoring Officer said the devil was in the detail and it was not yet known what the legislation was going to look like. He questioned whether there would be a code and arrangement and what resources would be required and he reminded Members there was not yet a draft bill. The Monitoring Officer agreed that more extensive training would be required for stronger sanctions such as removing allowances, as there might be more robust challenges to those decisions.

The Chair said the Committee could write to the Minister, welcoming the changes but also proposing some amendments which should include reference to the LGR, and that this would be an opportune moment to bring in mandatory DBS checks at the start of a term for all elected Members nationally.

Councillor Tom Nundy proposed to write to the Minister and this was seconded by Councillor Ashley Shiel. On being put to the vote, Members agreed.

Resolved:

(1) That the Committee writes to the Minister welcoming the proposed changes and sought confirmation that consideration would be given to the inclusion of mandatory DBS checks for all Councillors at the commencement of their elected term, prior to Local Government Reorganisation (LGR) arrangements being agreed, and further requesting that relevant training be provided for Standards Committee Members to ensure they were appropriately equipped to consider any new or extended sanctions.

839 Recruitment of Independent Persons

The Monitoring Officer reminded the Committee that the term of the current independent persons had been extended to September 2026. He further advised that it had previously been agreed to consider widening the opportunity to other potentially interested individuals, without undertaking a potentially lengthy and unsuccessful recruitment exercise.

The Monitoring Officer said that he had approached Maidstone Borough Council's Independent Person, Mr Harrison, who had extensive experience at other authorities as Head of Legal and Monitoring Officer, and who currently acted as the Independent Person for another local authority out of the area. He advised that Mr Harrison had shown an interest in the Swale Borough Council Independent role and he sought Members' views on whether they wished to pursue this option or put forward alternative proposals.

Members were invited to make comments which included:

- Sought clarification on the experience held by Mr Harrison;
- supported an independent person with relevant experience; and
- sought clarification on the typical number of Independent Persons appointed by a local authority.

After a question from a Member, the Monitoring Officer advised that the recent advertisement on social media was for independent people to sit on the Remuneration Panel and that another option was to seek interest from those appointed to sit on that panel if Members wished to pursue that option.

There followed a debate on the process of appointing Mr Harrison and Members discussed whether it was necessary for a report to be presented to the Standards Committee as the decision would be debated at Full Council.

The Chair said that with the complexities of LGR on the horizon, an independent person with experience would be very beneficial and she proposed Mr Harrison be appointed as an Independent Person from September 2026 for three years. Councillor James Hunt seconded the proposal and on being put the vote, Members agreed.

During further debate on the re-appointment of the two existing independent persons, Members considered it would be worthwhile having three independent persons and the Monitoring Officer then advised that it would be prudent for a report to be recommended by the Standards Committee, before being determined by Full Council.

A Member raised whether there would be resource issues if all three independent persons needed to be briefed on a case. The Monitoring Officer suggested that retaining three could allow a choice for each to sit on matters to which they were best suited and that it would be wise to advise the existing independent persons in advance that they and an additional person would be recommended to Council to sit as independent persons because of the potential complexities of LGR and to give the existing independent persons the opportunity to confirm if they wished to continue in the role.

The originator of the recommendation proposed an alteration that all three individuals be recommended to be determined to sit as independent person on the Standards Committee by Full Council. The seconder and Members agreed.

Resolved:

(1) That it be recommended to Council to appoint the existing Independent Persons, Mr Christopher Webb and Mrs Patricia Richards, together with Mr Alan Harrison, as Independent Persons for a period of three years from September 2026, or until the cessation of Swale Borough Council, whichever was earlier.

Chair

Copies of this document are available on the Council website <http://www.swale.gov.uk/dso/>. If you would like hard copies or alternative versions (i.e. large print, audio, different language) we will do our best to accommodate your request please contact Swale Borough Council at Swale House, East Street, Sittingbourne, Kent, ME10 3HT or telephone the Customer Service Centre 01795 417850.

All minutes are draft until agreed at the next meeting of the Committee/Panel