

MINUTES OF **STANDARDS COMMITTEE INITIAL ASSESSMENT**
HEARING PANEL
MEETING DATE **Wednesday, 30 August 2017**

MEMBERS PRESENT: Councillors David Bird (Chair), Colin Coulton, Susan Jones and B Parsonage (Independent Person)

OFFICERS: Dave Whelan (Legal Services Manager/Monitoring Officer) and Andy Houlker (Senior Democratic Services Officer)

OTHER MEMBERS: David Haley (Independent Person)

PUBLIC: 0

1 Apologies for Absence

None, all members were present. The chairman took this opportunity to welcome Mr Haley (recently appointed Independent Person) who had been invited to attend as an observer.

2 Declarations of Interest

There were no declarations of interest.

3 Minutes of the Last Meeting

RESOLVED: that approval of the minutes of the meeting held on 27 July 2017 be deferred for consideration at the next meeting of the Standards Committee.

4 Exclusion of Press and Public

RESOLVED: that the press and public be excluded for the following items of business on the ground that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972.

By virtue of Paragraph 1: Information relating to any individual.

5 Initial Assessment Hearing 1

The panel considered a report and background information on complaints received from members of the public and a member of the council against Councillor A and Councillor B.

The complaints centred on the leaking of some confidential information and some related information.

The purpose of the meeting was not to come to a final conclusion about whether the Code of Conduct had been breached but to decide whether – at this stage - any further action should be taken.

In considering the matter the panel was reminded of the test criteria for complaints against councillors. The panel felt the initial tests were met and both Councillor A and Councillor B had acted in their official capacity. Therefore the standards regime and the adopted Code of Conduct for Elected Members applied.

During its deliberations the panel had regard to the council's Whistle Blowing Policy. It was informed that as part of the approved action plan this document was being reviewed.

On weighing up the information and the options available to be taken, the panel felt on balance that Informal Resolution was the most appropriate action in respect of both Councillor A and Councillor B.

RESOLVED: that in respect of

1. Councillor A, the panel felt that the appropriate action was by Informal Resolution; in that Councillor A be requested to address a meeting of the council (ideally that on 27 September 2017) and publicly express and acknowledge, that with hindsight regretted aspects of their course of action; and
2. Councillor B, the panel felt that the appropriate action was by Informal Resolution; in that Councillor B be either:
 - i) requested to publicly apologise for their course of action at a meeting of the council (ideally that on 27 September 2017); or
 - ii) be requested to provide an written explanation of their conduct – following on from this the panel would meet again to consider the issue
 - iii) if the member in question failed to do either i) or ii) above within a period of two weeks the panel would have no alternative but to refer the matter for Formal Investigation.

6 Initial Assessment Hearing 2

The panel considered a report and background information on a complaint from a member of the council's staff against Councillor C.

The purpose of the meeting was not to come to a final conclusion about whether the Code of Conduct had been breached but to decide whether – at this stage - any further action should be taken.

In considering the matter the panel was reminded of the test criteria for complaints against councillors. The panel felt the initial tests were met and Councillor C had acted in their official capacity. Therefore the standards regime and the adopted Code of Conduct for Elected Members applied.

The panel understood and sympathised why in view of the circumstances at the council at that time, the member of staff had complained about the actions of Councillor C.

On weighing up the information and the options available to be taken, the panel felt on balance that Informal Resolution was the most appropriate action in respect of Councillor C.

RESOLVED: that the panel felt that the appropriate action was by Informal Resolution; in that Councillor C:

1. be requested via the Interim Monitoring Officer, to apologise to the member of staff for the course of actions within two weeks of the decision letter; and
2. if no apology was forthcoming within the two week period of the decision letter, the panel would have no alternative but to refer the matter for Formal Investigation and consideration by the Standards Committee.

Chair

Date