

STANDARDS ASSESSMENT SUB-COMMITTEE
21/06/2018 at 4.30 pm



Present: Councillor
Councillors Chauhan and Williamson

Independent Members: Charles Bourne

Also in Attendance:

Paul Entwistle

Director of Legal Services

Lori Hughes

Constitutional Services

1 **ELECTION OF CHAIR**

RESOLVED that Councillor Chauhan be elected Chair for the duration of the meeting.

2 **APOLOGIES FOR ABSENCE**

There were no apologies for absence received.

3 **EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED that, in accordance with Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they contain exempt information under paragraph 1 of Part 1 of Schedule 12A of the Act, and it would not, on balance, be in the public interest to disclose the reports.

4 **ASSESSMENT OF STANDARDS COMPLAINTS**

Complaint 1

Consideration was given to a report of the Director of Legal Services which required assessment of a complaint in relation to a Parish Councillor which said that he had breach the Council's Members Code of Conduct. The Director of Legal Services set out the complaint, as detailed in the report, and outlined the criteria to be used by the sub-committee for deciding whether a complaint should be accepted for investigation, dealt with informally or rejected.

The criteria considered in relation to the complaints was:

- Whether a substantially similar allegation had previously been made by the complainant to Standards for England or the Standards Committee, or the complaint has been the subject of an investigation by another regulatory authority;
- Whether the complaint was about something that happened so long ago that those involved were unlikely to remember it clearly enough to provide credible evidence, or where the lapse of time meant there would be little benefit or point in taking action now;
- Whether the allegation was anonymous;
- Whether the allegation discloses a potential breach of the Code of Conduct, but the complaint was not serious enough to merit any action; and

- The resources needed to investigate and determine the complaint was wholly disproportionate to the allegations; and
- Whether in all the circumstances there was no overriding public benefit in carrying out an investigation.
- Whether the complaint appeared to be malicious, vexatious, politically motivated or tit for tat;
- Whether the complaint suggests that there was a wider problem throughout the Authority; or
- Whether it was apparent that the subject of the allegation was relatively inexperienced as a Member or has admitted to making an error and the matter would not warrant a more serious sanctions.

Members gave consideration to the details of the complaints contained within the report and the options available to them.

RESOLVED that the complaint be progressed to an external investigation.

Complaint 2

Consideration was given to a report of the Director of Legal Services which required assessment of a complaint in relation to a Parish Councillor which said that he had breach the Council's Members Code of Conduct. The Director of Legal Services set out the complaint, as detailed in the report, and outlined the criteria to be used by the sub-committee for deciding whether a complaint should be accepted for investigation, dealt with informally or rejected.

The criteria considered in relation to the complaint was:

- Whether a substantially similar allegation had previously been made by the complainant to Standards for England or the Standards Committee, or the complaint has been the subject of an investigation by another regulatory authority;
- Whether the complaint was about something that happened so long ago that those involved were unlikely to remember it clearly enough to provide credible evidence, or where the lapse of time meant there would be little benefit or point in taking action now;
- Whether the allegation was anonymous;
- Whether the allegation discloses a potential breach of the Code of Conduct, but the complaint was not serious enough to merit any action; and
 - The resources needed to investigate and determine the complaint was wholly disproportionate to the allegations; and
 - Whether in all the circumstances there was no overriding public benefit in carrying out an investigation.
- Whether the complaint appeared to be malicious, vexatious, politically motivated or tit for tat;

- Whether the complaint suggests that there was a wider problem throughout the Authority; or
- Whether it was apparent that the subject of the allegation was relatively inexperienced as a Member or has admitted to making an error and the matter would not warrant a more serious sanctions.

Members gave consideration to the details of the complaints contained within the report and the options available to them.

RESOLVED that the complaint be dismissed on the grounds that no evidence was found to support the complaint.

Complaint 3

Consideration was given to a report of the Director of Legal Services which required assessment of a complaint in relation to a Borough Councillor which said that he had breach the Council's Members Code of Conduct. The Director of Legal Services set out the complaint, as detailed in the report, and outlined the criteria to be used by the sub-committee for deciding whether a complaint should be accepted for investigation, dealt with informally or rejected.

The criteria considered in relation to the complaints was:

- Whether a substantially similar allegation had previously been made by the complainant to Standards for England or the Standards Committee, or the complaint has been the subject of an investigation by another regulatory authority;
- Whether the complaint was about something that happened so long ago that those involved were unlikely to remember it clearly enough to provide credible evidence, or where the lapse of time meant there would be little benefit or point in taking action now;
- Whether the allegation was anonymous;
- Whether the allegation discloses a potential breach of the Code of Conduct, but the complaint was not serious enough to merit any action; and
 - The resources needed to investigate and determine the complaint was wholly disproportionate to the allegations; and
 - Whether in all the circumstances there was no overriding public benefit in carrying out an investigation.
- Whether the complaint appeared to be malicious, vexatious, politically motivated or tit for tat;
- Whether the complaint suggests that there was a wider problem throughout the Authority; or
- Whether it was apparent that the subject of the allegation was relatively inexperienced as a Member or has admitted to making an error and the matter would not warrant a more serious sanctions.

Members gave consideration to the details of the complaint contained within the report and the options available to them.



RESOLVED that further information be obtained related to the complaint before a decision was taken to proceed by the Sub-Committee at a future meeting.

Complaint 4

Consideration was given to a report of the Director of Legal Services which required assessment of a complaint in relation to a Parish Councillor which said that he had breach the Council's Members Code of Conduct. The Director of Legal Services set out the complaint, as detailed in the report, and outlined the criteria to be used by the sub-committee for deciding whether a complaint should be accepted for investigation, dealt with informally or rejected.

The criteria considered in relation to the complaint was:

- Whether a substantially similar allegation had previously been made by the complainant to Standards for England or the Standards Committee, or the complaint has been the subject of an investigation by another regulatory authority;
- Whether the complaint was about something that happened so long ago that those involved were unlikely to remember it clearly enough to provide credible evidence, or where the lapse of time meant there would be little benefit or point in taking action now;
- Whether the allegation was anonymous;
- Whether the allegation discloses a potential breach of the Code of Conduct, but the complaint was not serious enough to merit any action; and
 - The resources needed to investigate and determine the complaint was wholly disproportionate to the allegations; and
 - Whether in all the circumstances there was no overriding public benefit in carrying out an investigation.
- Whether the complaint appeared to be malicious, vexatious, politically motivated or tit for tat;
- Whether the complaint suggests that there was a wider problem throughout the Authority; or
- Whether it was apparent that the subject of the allegation was relatively inexperienced as a Member or has admitted to making an error and the matter would not warrant a more serious sanctions.

Members gave consideration to the details of the complaint contained within the report and the options available to them.

RESOLVED that further information be obtained related to the complaint before a decision was taken to proceed by the Sub-Committee at a future meeting.

The meeting started at 4.45 pm and ended at 5.20 pm

