

STANDARDS ASSESSMENT SUB-COMMITTEE
11/11/2020 at 1.30 pm



Present: Councillor Byrne (Chair)
Councillors Williamson

Independent Members: Ghazala Koosar

Also in Attendance:
Colin Brittain – Assistant Borough Solicitor

1 **ELECTION OF CHAIR**

The meeting was opened and adjourned until 5pm 12th November 2020 to allow full representation on the committee due to apologies received.

RECONVENED MEETING
12/11/2020 at 5pm

RESOLVED – That Councillor Byrne be elected Chair for the duration of the meeting.

2 **APOLOGIES FOR ABSENCE**

There were no apologies for absence received.

3 **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

4 **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 paragraphs 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.

5 **CONSIDERATION OF A STANDARDS COMPLAINT**

Consideration was given to the report of the Director of Legal Services which required assessment of 4 complaints in relation to a Councillor which stated that the Councillor had breached the Council's Members Code of Conduct. The Assistant Borough Solicitor set out the complaints, 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.

Members gave thorough consideration to the agenda pack which included the complaint form and the response provided by the elected member.

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 had 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 that 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 actions; and
 - The resources needed to investigate and determine the complaint was wholly disproportionate to the allegations; and
 - Whether in all the circumstances there was not 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 suggested 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 had admitted to making an error and the matter would not warrant a more serious sanction.

Members applied the facts to the criteria adopted to assess complaints, considered the complaint form and the response supplied.

RESOLVED -

1. Complaint 1 - With having regard to the criteria, the members felt the complaint did not warrant further action in terms of a formal investigation.
2. Complaint 2 - With having regard to the criteria, the members felt the complaint warranted further information to be supplied by the complainant.
3. Complaint 3 – With having regard to the criteria the members felt that the complaint warranted a formal investigation.
4. Complaint 4 - With having regard to the criteria, the members felt the complaint did not warrant further action in terms of a formal investigation.

The meeting started at 5pm and ended at 7.03pm