

Time Commenced – 14.15pm
Time Finished – 15.40pm

**STANDARDS COMMITTEE
12 OCTOBER 2007**

Present: Reverend Canon R B Blowers – Chair
Mrs C McDowall, Mr P Sunderland
Councillors Jackson, Skelton and Wood

Officers in Attendance: Michael Foote - Corporate Director - Corporate and
Adult Services
Alison Jones - IT Security/Data Protection Officer

20/07 Apologies for Absence

There were no apologies for absence.

21/07 Late Items Introduced by the Chair

There were no late items.

22/07 Declarations of Interest

There were no declarations of interest.

23/07 Minutes

The minutes of the meeting held on 18 September 2007 were confirmed as a correct record, and signed by the Chair, subject to the following amendment:

To correct the spelling of Mrs Cynthia McDowell to Mrs Cynthia McDowall.

24/07 Exclusion of Press and Public

The Committee considered whether to pass the following resolution to exclude the press and public:

“That under Section 100(A) of the Local Government Act 1972, the press and public be excluded from the meeting during discussion of the following item on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 3, 4 and 9 of Part 1 of Schedule 12A of the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information”

Resolved to not exclude the press and public.

25/07 Councillor Harbon's Non-Attendance

The Committee considered Councillor Harbon's non-attendance at the hearing and noted that Councillor Harbon had attended an Overview and Scrutiny Commission meeting on 11 July 2007 and Full Council on 12 September 2007.

Resolved to proceed with the hearing in Councillor Harbon's absence as she had failed to:

- **reply to any of the four letters from Michael Foote**
- **complete the interview with the investigating officer**
- **attend the pre-meeting of the Committee**
- **provide a medical certificate supporting her failure to attend the meeting**
- **engage adequately in the local determination process.**

26/07 Investigation Relating to a Complaint Against a Councillor

The Committee considered a report from the Director of Corporate and Adult Services / Monitoring Officer, setting out the findings of the investigating officer into a complaint that Councillor Wendy Harbon had broken the Members' Code of Conduct by allowing her partner to use the Council's email and IT systems.

The following evidence was considered by the Committee:

- An email sent by Councillor Harbon, dated 15 March 2007
- The letter from Councillor Allen to Councillor Harbon dated 27 November 2006
- Within the email of 15 March 2007 it is clearly stated that the email is from David M C Hughes
- The email came from Wendy Harbon's Council email account.

Resolved that after considering the evidence to make the following findings of fact:

- a. Councillor Harbon allowed David M C Hughes to use the Council's email and IT systems.**
- b. Councillor Harbon ignored a warning given by Councillor Hilary Jones that she was in breach of the rules relating to the use of IT facilities**
- c. Councillor Harbon allowed a non elected member to have privileged access to information they are not entitled to**
- d. Councillor Harbon allowed an email to be sent from her email account purporting to be from an elected member**

Resolved that Councillor Harbon had breached the Local Government Code of Conduct by:

- a. allowing David M C Hughes to use her Council email account for his own purposes in a manner which brought her office into disrepute; and**
- b. failing to act in accordance with the Council's requirements when using or authorising the use by others of the resources of the Council.**

It was further resolved to suspend Councillor Wendy Harbon for three months from being a member of Derby City Council. The suspension to end immediately if Councillor Harbon sends a letter of apology to the Mayor:

- a. accepting she has broken the Code of Conduct by bringing the office of Councillor into disrepute and failing to use the resources of the Council in accordance with the Council's requirements, and**
- b. confirming she will not allow any other person to use the computer equipment supplied by the Council for their own personal use, and**
- c. accepting that she will undertake further training on the Code of Conduct within fourteen days.**

27/07 Complaints and Investigations Monitoring

The Committee received details of recent referrals of complaints to the Standards Board for England.

Resolved to note the reports.

28/07 Date of Next Meeting

The Committee noted that the next meeting of the Standards Committee would take place on Monday 29 October 2007 at 10am.

MINUTES END