

Minute Extract Standards Committee

12 February 2019

12/18 Procedure for the Assessment and Review of Allegations of Breaches of the Members' Code of Conduct

The Committee received a report of the Strategic Director of Corporate Resources on Procedure for the Assessment and Review of Allegations of Breaches of the Members' Code of Conduct. The report was presented by the Interim Director of Legal, Procurement and Democratic Services and Monitoring Officer.

It was reported that the Standards Committee considered the Procedures for the Assessment and Review of Allegations of Breaches of the Members' Code of Conduct at its last meeting, on 10 July 2018 and that the procedures had been previously approved by Council on 23 May 2018.

It was also reported that the Committee had wished to see a change to the procedure in relation to issues raised by the Monitoring Officer for information, which did not arise from a complaint.

Members noted that this was the first opportunity for the Committee to consider the revision since that meeting.

It was reported that most breaches, or alleged breaches, of the Code of Conduct were reported to the Standards Committee following a process initiated through a complaint being submitted. It was also reported that without a complaint being submitted, the Committee did not have any power to issue sanctions against a Councillor for a breach.

It was noted that there were occasions, however, when the Committee was alerted to potential breaches that had come to the attention of the Monitoring Officer. It was also noted that one such circumstance was through the log of councillors who become involved in licensing matters.

It was reported that previous experience had shown that it would be inappropriate for the Committee to make a ruling, or issue sanctions, based on the submission of this information alone. It was also reported that on that basis, the existing Paragraph 26 of the procedure stipulated that the Committee would have no power beyond noting in those circumstances.

It was reported that at the last meeting, the Committee had felt there needed to be a mechanism where instances of a potential breach arising in such circumstances could be considered in the same way as a complaint would, without the necessity for a complaint having been received. Members noted that the proposed amendment to Paragraph 26 and addition of Paragraph 27 provided a mechanism for the

Committee to return any such matter to the Independent Person Advisory Committee for consideration.

Members considered paragraphs 26 and 27 and agreed further minor changes to the wording at paragraphs 26 and 27.

Resolved to recommend to Council that the procedure be amended by the proposed change to paragraph 26 and addition of paragraph 27 (shown in Appendix 1, in red), subject to the amendments as outlined at the meeting (shown in Appendix 1, in blue).