

STANDARDS HEARING SUB-COMMITTEE	Agenda Item: 4
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Meeting Date	1 May 2014
Report Title	COMPLAINT OF MEMBER MISCONDUCT: SBC 01.13
Portfolio Holder	Leader
Report Lead	Mark Radford, Director of Corporate Services as Monitoring Officer
Lead Officer	Donna Price, Lawyer – Corporate (Solicitor)
Key Decision	No
Classification	Open with Restricted Appendices
Forward Plan	Reference number N/A

Recommendations	1. That the Standards Sub-Committee considers the Investigator’s report and determines whether there has been any breach, or breaches, of the Code of Conduct
	2. If the Standards Sub-Committee finds that there has been a breach, or breaches, of the Code of Conduct, that it should determine what sanction, if any, should be recommended to the Parish Council.

1. Purpose of Report and Executive Summary

1.1.1 This report concerns the Hearing of the Complaint of Member Misconduct: SBC 01.13. It presents the Investigating Officer’s report, which found that there has been a breach of the Members’ Code of Conduct. The Sub-Committee is asked to determine whether there has been any breach, or breaches, of the Code of Conduct. If it finds that there has been a breach, then to determine what sanction, if any, should be recommended to the Parish Council.

2 Background

2.1 On the 19 March 2013 the Monitoring Officer in consultation with the Independent Person considered the complaint of alleged misconduct. It was agreed that the local resolution process should be followed in the first instance. However, it was acknowledged that the complainant was not satisfied with local resolution and there was no alternative but to refer the matter to an Investigating Officer for formal investigation.

3 Proposals

- 3.1 The Investigating Officer found that there had been a breach of the Code. The Standards Hearing Sub-Committee is now being asked to hear the matter and decide whether or not there has been a breach, or breaches, of the Code of Conduct. If it determines that there has been a breach, the Sub-Committee must consider what sanction to recommend, if any.
- 3.2 The Investigating Officer's Report is attached as exempt Appendix I. Members will see from the Pre-Hearing Process Summary and form C completed by the Subject Member [Appendices II & III] that she disagrees with some of the Investigating Officer's findings of fact and denies being in breach of paragraphs 9 and 10 of the Code of Conduct.
- 3.3 The Hearing Procedure for this Sub-Committee is attached as Appendix IV.

4 Alternative Options

- 4.1 There are no alternative options.

5 Consultation Undertaken or Proposed

- 5.1 Not applicable.

6 Implications

Issue	Implications
Corporate Plan	None
Financial, Resource and Property	The cost of servicing the Council's committees will be met within existing budgets.
Legal and Statutory	The proposals in this report relate to duties imposed by the Localism Act 2011.
Crime and Disorder	None identified at this stage
Sustainability	None identified at this stage
Health and Wellbeing	None identified at this stage
Risk Management and Health and Safety	None identified at this stage

Equality and Diversity	None identified at this stage
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7 Exempt Appendices

7.1

- **APPENDIX I** – The Investigator’s report, including appendices RHI to RH12
- **APPENDIX II** – The pre-hearing process summary
- **APPENDIX III** – **Form C** Areas in dispute with comments from the Subject Member.
- **APPENDIX IV** – Hearing Procedure