

## **Minutes of Members' Code of Conduct Committee Panel**

**11 May 2021**

### **Present:**

I. Winter  
Dylan Price  
Councillor S.M. Doran  
Councillor R.D. Dunn  
Councillor R.W. Sider BEM

**Apologies:** There were none

### **128/21 Disclosures of Interest**

There were none.

### **129/21 Exclusion of Press and Public**

The Panel considered whether the press and public should be excluded from the meeting during consideration of the following matter on the grounds that it was likely to involve the disclosure of exempt information as defined in Paragraph 2 of Part 1 of Schedule 12A of the Local Government Act.

The Panel in making its decision had regard to all circumstances and was satisfied that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

**RESOLVED** that in the interest of having a frank and open discussion about the matter, the press and public are excluded from the meeting.

### **130/21 Exempt Complaint Assessment Report against Councillor A**

The Panel considered the report of the Monitoring Officer setting out an allegation by way of a complaint about Councillor A.

The Monitoring Officer presented detailed information about the nature of the complaint, the political background and preliminary enquiries and discussion with the Independent Person consulted by way of background to the current complaint.

The Panel went on to consider the complaint having regard to the Assessment Criteria. It identified that there appeared to be a potential breach of the Members' Code of Conduct under paragraphs 4, 5 and 7:

4. *"You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office."*

5. *“You must be as open as possible about your decisions and actions and the decisions and actions of your authority and should be prepared to give reasons for those decisions and actions.”*

7. *“You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example.”*

The Panel then went on to consider the options open to it:

- (a) the Panel is able to ask the Monitoring Officer to direct that the complaint is investigated;
- (b) to direct the Monitoring Officer to take other appropriate action short of a formal investigation, for instance trying to secure an apology;
- (c) alternatively the Panel can decide to take no action in respect of the complaint; this may be where the complaint appears to be trivial, vexatious, malicious, politically motivated or tit-for-tat.

The Panel also had regard to advice from the Independent Person, who considered that there had been a possible breach of the code of conduct.

The Panel considered option (c), to take no action, but decided this was not appropriate. Whilst the complaint could have been politically motivated, the Panel was concerned that some of the evidence was contradictory but sufficiently substantial and serious to warrant further investigation. It agreed that further action was necessary.

The Panel considered option (b), to direct the Monitoring Officer to promote an informal resolution at this stage, but decided that the current political situation made this unlikely and a more detailed investigation was required to establish the facts.

In considering option (a), to direct that the complaint is investigated, the Panel considered that if the allegation was substantiated, Councillor A was potentially acting in their capacity as a councillor, that there potentially had been a breach of the Members' Code of Conduct and the nature of the complaint was serious enough to warrant a full investigation to ensure the Council's reputation was not damaged.

**Resolved:**

1. To direct the Monitoring Officer to arrange an investigation of the complaint.
2. To reconvene a further Assessment Sub-Committee to consider the investigation's preliminary findings.