

Allerdale Borough Council

Standards Hearings Panel – 13 June 2013

The Reason for the Decision	The Standards Committee has had the function delegated to it by the Localism Act 2011 to decide complaints against members and order investigations.
Summary of options considered	Following the investigation, to consider whether there has been a breach of the Code of Conduct for members.
Recommendations	The Committee is asked to consider the allegations, the investigation report and any representations made and decide: (a) that the member who was the subject of the hearing had not failed to comply with the code of conduct of any authority concerned; (b) that the member who was the subject of the hearing had failed to comply with the code of conduct of any authority concerned but that no action needs to be taken in respect of the matters which were considered at the hearing; or (c) that the member who was the subject of the hearing had failed to comply with the code of conduct of an authority concerned and that a sanction should be imposed.
Financial / Resource Implications	None
Legal / Governance Implications	None
Community Safety Implications	None
Health and Safety and Risk Management Implications	None
Equality Duty considered / Impact Assessment completed	None

Wards Affected	None
The contribution this decision would make to the Council's priorities	High ethical standards at a local level helping to demonstrate accountability and developing greater local trust.
Is this a Key Decision	No
Portfolio Holder	N/A
Lead Officer	Alison Dennett, Head of Governance (Monitoring Officer) 01900 702703 Alison.Dennett@allerdale.gov.uk

Report Implications (Please delete where applicable).

Community Safety	N	Employment (external to the Council)	N
Financial	N	Employment (internal)	N
Legal	N	Partnership	N
Social Inclusion	N	Asset Management	N
Equality Duty	N	Health and Safety	N

Background papers

1.0 Introduction

1.1 This report advises the Committee that having received a complaint about a possible breach of the Code of Conduct the matter was referred to the Monitoring Officer for investigation. The Investigating Officer's report was considered on 7 June 2012 by the Standards Committee and the Committee decided there was a case to answer.

2.0 Recommendation

2.1 The Sub-Committee is asked to consider the allegations; the investigation report and any representations made and decide whether there has been a breach of the members' Code of Conduct. If so members are asked to decide the appropriate sanction (if appropriate).

The findings that the Committee may make are:

- a) That there has been no breach of the Code;
- b) That the Member has failed to comply with the Code of Conduct, but that no action needs to be taken;
- c) That the Member has failed to comply with the Code of Conduct and the sanction(s) should be that the Standards Committee:

- Publish its findings in respect of the Member's conduct;
- Send a formal letter to the Member;
- Report its findings to the Council or Parish Council for information;
- Recommend to the Member's Group Leader (or in the case of an ungrouped member(s), recommend to Council or Committees) that he/she be removed from any or all committees or sub-committees of the Council;
- Instruct the Monitoring Officer or recommend that the Parish Council arrange training for the member;
- Remove or recommend to the Parish Council that the member be removed from all outside appointments to which he/she has been appointed or nominated by the Council or the Parish Council;
- Withdraw or recommend to the Parish Council that it withdraws certain facilities provided to the member by the Council; or
- Exclude or recommend that the Parish Council exclude the member from Council offices or other premises, with the exception of meeting rooms as necessary for attending Council, Committees and Sub Committee meetings.

3.0 Conclusion

- 3.1 Members are asked to decide this matter taking into account the guidance contained in this report.

Alison Dennett
Head of Governance/Monitoring Officer