

## ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

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| 1. | <b>Meeting:</b>     | Standards Committee  |
| 2. | <b>Date:</b>        | 10 <sup>th</sup> September 2015  |
| 3. | <b>Title:</b>       | Update on the Handling of Complaints of possible Breaches of the Code of Conduct for Members |
| 4. | <b>Directorate:</b> | Resources & Transformation   |

### 5. Summary

- 5.1 To update the committee with regard to the handling of complaints of breaches of the Code of Conduct.

### 6. Recommendations

- 6.1 That the committee notes the steps that have been taken to resolve the complaints

### 7. Proposals and Details

- 7.1 Since the previous committee meeting, the following steps have been taken to consider and respond to allegations that the Code of Conduct for Elected Members has been breached.

#### 7.2 Update

- 7.2.1 At the previous meeting members were informed that an investigation was to be undertaken into allegations that a parish councillor:

- Had disclosed confidential information and
- Had not treated fellow councillors with respect

- 7.2.2 These cases were referred to a Panel of the Standards Committee which met on 19th August 2015. The meeting was adjourned from July 2015 when the Parish Councillor involved did not attend.

- 7.2.3 The panel found that on both grounds the parish councillor had breached the code of conduct and imposed the following sanctions that the Standards Committee

1. Report its findings to the Parish Council for information;

2. Recommend to Rotherham MBC publication of the decision that the Councillor breached the code of conduct;
3. Recommend to Anston Parish Council that Parish Councillors formally censure the Parish Councillor through an appropriate motion;
4. Recommend to the Parish Council that the Councillor be removed from all or any of its committees or sub-committees; and
5. Recommend to the Parish Council that the Councillor be removed from all outside appointments to which he had been appointed or nominated by the Parish Council.

### **7.3 New Complaints**

The following new complaints have been received since the last meeting of the Standards Committee.

- 7.3.1 An anonymous complaint that a borough councillor had not treated a member of the public with respect.

The monitoring officer arranged for the views of the member involved to be obtained and on receiving information to the background of the matter, decided to take no further action on the matter.

- 7.3.2 A complaint by a parish councillor that a borough councillor had brought the office of councillor into disrepute.

The borough councillor has been contacted and asked for views on the complaint. The matter is still being considered.

- 7.3.3 A complaint by a member of the public that a parish councillor had brought the office of councillor into disrepute and had attempted to bully the complainant.

The monitoring officer informed the complainant that she did not intend to investigate as the facts outlined appeared to be the 'rough and tumble' of politics. The complainant was not satisfied with decision of the monitoring officer and asked that the matter be reviewed. The independent person was then consulted and he agreed with the conclusion of the monitoring officer and the complainant was informed accordingly

## **8. Finance**

Any work undertaken by the Monitoring Officer in dealing with these complaints in contained within the budget for Legal Services.

## **9. Risks and Uncertainties**

- 9.1 It is the Standards Committee's duty to enforce the code of conduct. It is the Councils duty to encourage high standards of ethical conduct. Therefore if the

standards committee does not monitor any allegations of breaches of the code the standards regime could fall into disrepute.

## **10. Policy and Performance Agenda Implications**

10.1 The council has a statutory duty to uphold ethical standards

## **11. Background Papers and Consultation**

11.1 Where appropriate, consultation has taken place with the independent person

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