

## **Summary Sheet**

### **Standards and Ethics Committee Report**

Standards and Ethics Committee Meeting 18<sup>th</sup> January 2018

**Title :** Review of the Standards and Ethics Committee Order of Proceedings for Sub-Committee Hearings

**Is this a Key Decision and has it been included on the Forward Plan?**

No

### **Strategic Director Approving Submission of the Report**

N/A

### **Report Author(s)**

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### **Ward(s) Affected**

All

### **Executive Summary**

A report to consider the Procedure used at Standards and Ethics Committee Sub-Committee hearings, in respect of allegations of breaches of the Members Code of Conduct.

### **Recommendations**

That the Committee

- i) Consider the Order of Proceedings document currently used.
- ii) Make any appropriate suggestions to improve the Order of Proceedings.

**List of Appendices Included**

Appendix 1 - Sub-Committee Hearing – Order of Proceedings

**Background Papers**

None

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**

None

**Council Approval Required**

No

**Exempt from the Press and Public**

No

**Title :** Review of the Standards and Ethics Committee Order of Proceedings for Sub-Committee Hearings

**1. Recommendations**

That the Committee

- i) Consider the Order of Proceedings document currently used.
- ii) Make any appropriate suggestions to improve the Order of Proceedings

**2. Background**

- 2.1 Members will be aware that there have recently been two Sub-Committee hearings in respect of allegations of breaches of the members Code of Conduct. The outcome of one of those hearing is reported to this meeting of the Committee and the outcome of the previous hearing was reported to the previous meeting of the Committee.
- 2.2 The procedure known as the “Order of Proceedings” used at the hearing itself is at Appendix 1. While it is considered that the hearings proceeded satisfactorily Members are asked to comment on the Order of Proceedings and suggest any improvements.
- 2.3 Clearly those members who attended the hearings referred to above will be well placed to comment on the Order of Proceedings, but comments from any Members of the Committee will be welcomed based on Members attendance at previous hearings, or Members other experiences of Procedures of a similar nature.
- 2.4 One issue that has arisen following the the most recent Sub-Committee hearing is whether it would be appropriate for the hearing process to include a formal step of asking the complainant about their desired outcome. Members views as to whether this would be beneficial are sought.

**3. Key Issues**

- 3.1 The key issues are set out above

**4. Options considered and recommended proposal**

- 4.1 Recommendations are set out above.

**5. Consultation**

- 5.1 N/A

**6. Timetable and Accountability for Implementing this Decision**

- 6.1 None at this stage

**7. Financial and Procurement Implications**

7.1 None

**8. Legal Implications**

8.1 The Council and the Standards and Ethics Committee have a statutory duty to maintain and promote ethical standards. Pursuant to the Localism Act 2011, the Council is required to adopt an appropriate Code of Conduct and arrangements for the investigation of allegations of breach of the Code of Conduct.

**9. Human Resources Implications**

9.1 None

**10. Implications for Children and Young People and Vulnerable Adults**

10.1 None

**11. Equalities and Human Rights Implications**

11.1 None

**12. Implications for Partners and Other Directorates**

12.1 None

**13. Risks and Mitigation**

13.1 None

**14. Accountable Officer(s)**

Dermot Pearson, Assistant Director, Legal Services

**Appendix 1**

Sub-Committee Hearing – Order of Proceedings