

**Committee Name and Date of Committee Meeting**

Council - 03 March 2021

**Report Title**

Outcome of Standards and Ethics Sub-Committee Hearing re Alleged Breach of the Code of Conduct - Councillor Ellis

**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**

Borough-Wide

**Report Summary**

This report sets out the outcome of a Standards and Ethics Sub Committee Hearing which took place on 18<sup>th</sup> January 2021 in relation to an alleged breach of the Code of Conduct by Cllr S Ellis.

**Recommendations**

It is recommended that the Council:

1. Note the outcome of the Standards and Ethics Sub-Committee Hearing on 18<sup>th</sup> January 2021

**List of Appendices Included**

Appendix 1 Decision Notice in respect of the Hearing on 18th January 2021

**Background Papers**

None

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

Standards and Ethics Committee - 21 January 2021

**Council Approval Required**

No

**Exempt from the Press and Public**

No

## **Outcome of Standards and Ethics Sub-Committee Hearing re Alleged Breach of the Code of Conduct - Councillor Ellis**

### **1. Background**

- 1.1 A Hearing of the Standards and Ethics Committee Sub-Committee took place on 18<sup>th</sup> January 2021. The Decision Record in respect of the Hearing is at Appendix 1.
- 1.2 Two similar complaints were considered at the Hearing to the effect that Councillor Ellis had been overpaid in respect of her Chairing of the South Yorkshire Pensions Authority after she had finished in that role. The details of the complaint and Councillor Ellis' response are set out in the Decision Notice.
- 1.3 Again, as set out in the Decision Record, the Sub-Committee found that Cllr Ellis' conduct did amount to a breach of the Council's Code of Conduct under General Obligations Section 5 – "you must not conduct yourself in a manner which could reasonably be regarded as bringing your office or the Council into disrepute". However, the Sub-Committee did not find a breach of the Code of Conduct in relation to the sixth Nolan Principle - Honesty.
- 1.4 The Sub-Committee decided that the following sanctions should be applied to Cllr Ellis:
  - 1.4.1 The Member shall be censured
  - 1.4.2 The formal decision notice setting out the findings of the Sub-Committee shall be published on agenda of the next meeting of the Standards and Ethics Committee
  - 1.4.3 That the findings in respect of the Subject Member's conduct should be published on the Council's website.
  - 1.4.4 That the findings should be reported to full Council for information.

- 1.5 Members are asked to note the Decision of the Sub-Committee.

### **2. Key Issues**

- 2.1 The key issues are set out above.

### **3. Options considered and recommended proposal**

- 3.1 The Sub-Committee decided that this matter should be reported to Council, and this report is in accordance with that part of their decision.

### **4. Consultation on proposal**

- 4.1 As required by the Localism Act 2011, one of the Committee's Independent Persons was consulted by the Sub-Committee during the Hearing on 18th January 2021.

### **5. Timetable and Accountability for Implementing this Decision**

- 5.1 N/A

**6. Financial and Procurement Advice and Implications**

- 6.1 The officer time in dealing with this complaint is met within existing Legal Services resources.

**7. Legal Advice and Implications**

- 7.1 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.

**8. Human Resources Advice and Implications**

- 8.1 None

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

- 9.1 None

**10. Equalities and Human Rights Advice and Implications**

- 10.1 None

**11. Implications for Partners**

- 11.1 None

**12. Risks and Mitigation**

- 12.1. None

**13. Accountable Officers**

Bal Nahal, Head of Legal Services

Approvals obtained on behalf of Statutory Officers:-

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	Sharon Kemp	N/A
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	N/A
Head of Legal Services (Monitoring Officer)	Bal Nahal	23/02/21

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