

Minutes of a meeting of the Member Conduct Panel held at County Hall, Glenfield on Wednesday, 6 December 2017.

PRESENT

Mr. D. Jennings CC  
Mr. J. Kaufman CC  
Ms. Betty Newton CC

Mr. T. J. Pendleton CC  
Mrs. C. M. Radford CC

1. Election of Chairman.

It was proposed and seconded that Mr D. Jennings CC be appointed Chairman. There were no other nominations.

Mr D. Jennings CC in the Chair

2. Urgent items.

There were no urgent items of business.

3. Declarations of interest.

There were no declarations of interest.

In response to questions raised the Deputy Monitoring Officer advised the Panel that although they may be known to the member who was the subject of the complaint, possibly for a number of years, this did not preclude them from sitting on the Panel unless they felt they could not consider the complaint objectively. He confirmed that it was accepted practice that complaints against elected members would be considered by a Panel of their peers.

4. Exclusion of the Press and Public

It was moved by the Chairman, seconded and carried:-

“That under Section 100A of the Local Government Act 1972 the public be excluded from the meeting during consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 4 of Part I of Schedule 12(A) of the Local Government Act 1972”.

5. Complaint under the Members' Code of Conduct against an elected Member of the County Council.

The Panel considered an exempt report of the Monitoring Officer regarding the outcome of an early assessment undertaken by her in respect of a complaint made about the conduct of an elected member. A copy of the report is filed with these minutes.

The Deputy Monitoring Officer, as adviser to the Panel, confirmed that:

- The Member who was the subject of the complaint (the Member) had been invited to the meeting but had confirmed that they would not be attending. The Member had not made any representations for the Panel to consider.
- The complaints related to allegations made by the Member questioning the independence of two of the independent persons appointed by the County Council in 2016 to support the standards complaints process and who had recently sat on the County Council's Independent Remuneration Panel. In light of this, it was considered appropriate for an external independent person to be appointed to provide a view on this particular complaint.
- The Member had been notified of the details of the external independent person appointed and advised of the right to contact her to seek her views regarding the complaints made against them.

The Chairman welcomed Natalie Ainscough, the external appointed independent person, to the meeting.

The Monitoring Officer set out her findings following her early assessment of the complaint in line with the County Council's Procedures for dealing with allegations of a breach of the Members' Code of Conduct. In response to questions raised, the Monitoring Officer confirmed that the Member had not at any stage in the process so far, engaged with her to address the comments made by them, or to respond to the complaints made about this.

Upon request by the Panel, Ms Ainscough as the independent person gave her views on the complaint and outlined her two key concerns:

- i. That the allegations made by the Member at a public meeting had been made against the conservative group and the independent persons on the County Council's Independent Remuneration Panel. Whilst members of the conservative group were present at that meeting and therefore could respond, the independent persons were not.
- ii. The allegations had been made at a public meeting which was broadcast live via the Council's webcast.

The Panel deliberated and expressed concern that the allegations made by the Member had been made in public, were so far unsubstantiated by evidence and that those accused had not had an opportunity to respond. Members agreed that without further investigation, such allegations would continue to stand undealt with which was unfair to all those involved.

RESOLVED:

- (a) That the early assessment report of the Monitoring Officer be accepted;
- (b) That the complaints received against the elected member be referred for investigation.

REASONS:

The Panel felt it was appropriate for an investigation to be undertaken in light of the serious nature of the issues raised by the complaints together with the fact that the

persons against whom the allegations had been made had not had an opportunity to rebut or otherwise comment on them; the panel felt it was not appropriate for the allegations to be left unsubstantiated and unresolved.

10.00 - 11.00 am  
06 December 2017

CHAIRMAN