

STANDARDS COMMITTEE

6.10 P.M.

13TH AUGUST 2018

PRESENT:- Councillors Tracy Brown (Chairman), Jon Barry (Vice-Chairman), Nathan Burns, Colin Hartley, Roger Mace, David Whitaker and Peter Yates

Also in attendance: Jackie Waring – (Independent Person)
Councillor Clifford (part)

Officers in attendance:-

David Brown	Interim Head of Legal and Democratic Services and Monitoring Officer
Liz Bateson	Principal Democratic Support Officer, Democratic Services

8 MINUTES

The minutes of the meeting held on 7th June 2018 were agreed as a correct record.

9 ITEMS OF URGENT BUSINESS AUTHORISED BY THE CHAIRMAN

There were no items of urgent business.

10 DECLARATIONS OF INTEREST

There were no declarations of interest.

11 COMPLAINTS PROCESS REPORT

The Monitoring Officer presented a report, which informed the Standards Committee of a proposal to amend the Complaints Process to allow for a more informal resolution process when admissions had been received. The proposed process set out in a flow chart, together the amended procedure, were appended to the report. Members noted that a number of minor amendments had been made in an attempt to give the document some longevity.

Resolved:

- (1) That the complaints process, as set out in Appendix A to the report be approved, with an amendment to the flow chart to allow for an informal resolution after a full report is received.
- (2) That the procedure for dealing with complaints, as set out in Appendix B to the report, be amended to allow for an informal resolution after a full report is received.

Councillor Barry, the Vice-Chairman took the Chair at this point.

12 EXCLUSION OF THE PRESS AND PUBLIC

That in accordance with Section 110A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it could involve the possible disclosure of exempt information as defined in Paragraph 1 of Schedule 12A of that Act.

13 COMPLAINT REPORT

The Vice-Chairman welcomed Jackie Waring, the Independent Person and Councillor Clifford, the subject of the complaint to the meeting.

The Monitoring Officer advised the meeting that Human Resources had referred the complaint to him and that he had met with Human Resources and consulted with both the previous Vice-Chairman and the Independent Person and that the procedure now required the Committee to consider the report and admissions and the views of the Independent Person.

The Monitoring Officer stressed to the meeting that the other party was not before the Committee and had a right to a private and family life and whatever the conclusions it was imperative that her identity be protected from the public domain.

Councillor Barry invited Councillor Clifford to address the Committee. Councillor Clifford admitted he had been at fault and had shown a lack of judgement. Councillor Clifford acknowledged the schedule of facts appended to the report.

Councillor Clifford left the meeting at 6.35pm.

The Committee considered the complaint and options available at some length. The complaint consisted of three elements: a) failure to disclose a relationship with an officer, b) misuse of Council equipment and email system and c) Misuse of officer time. During the course of their deliberations, Members agreed that Councillor Clifford had misused Council equipment and the email system and that it would be appropriate to remind all Councillors of the Council's IT protocol. It was also suggested that Councillors be invited to refresh their Code of Conduct training. The Committee also agreed that the councillor had misused officer time. The Committee agreed that the Constitution was not clear about the requirement to disclose officer/member relationships and this should be considered by the Constitutional Review Working Group.

Members then voted on the options outlined in the report.

Resolved:

- (1) That the report be noted.
- (2) That it be agreed that a full investigation is not required.
- (3) That the admissions be accepted and the Committee agrees that there has been a breach in Standards in Public Life and Code of Conduct with regard to the misuse of Council equipment and email system and misuse of officer time.

- (4) That the Standards Committee recognise that the councillor stated that the relationship should have been disclosed, and believe this would be good practice, although the current constitution does not appear to require this and therefore the Constitutional Working Group be requested to consider this issue.
- (5) That, in the public interest the report and schedule of facts relating to the complaint be published, with Appendix 2 remaining private.
- (6) That the exemption on report and schedule of facts (pages 15-18 only) be lifted on the publication of the minutes.

Chairman

(The meeting ended at 7.45 p.m.)

**Any queries regarding these Minutes, please contact
Liz Bateson, Democratic Services - telephone 01524 582047, or email
ebateson@lancaster.gov.uk**