

<b>Subject:</b>	<b>Standards Update</b>		
<b>Date of Meeting:</b>	<b>7<sup>th</sup> March 2017</b>		
<b>Report of:</b>	<b>Head of Law and Monitoring Officer</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Abraham Ghebre-Ghiorghis</b>	<b>Tel:</b> 29-1500
	<b>Email:</b>	<b>Abraham.ghebre-ghiorghis@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE****1. PURPOSE OF REPORT AND POLICY CONTEXT**

1.1 This report updates Members on Standards-related matters since the last report.

**2. RECOMMENDATIONS**

2.1 That Members note the report.

**3. CONTEXT/ BACKGROUND INFORMATION****MEMBER-RELATED COMPLAINTS**

3.1 Since the last report to the Committee in January 2017, the matters referred to as Complaints 1 and 2 have been resolved. Meanwhile two new standards complaints – referred to here as Complaints 3 & 4 respectively - have been received in.

**STANDARDS COMPLAINTS****Complaint 1**

3.2 **The allegation:** A complaint was received in alleging that a member had breached the Code of Conduct while participating on one of the Council's decision-making Committees.

3.3 That complaint was the subject of preliminary assessment by the Monitoring Officer, acting in consultation with the Independent Person. After due consideration, and having reviewed the evidence of the proceedings, it was not considered that the complaint would if proven amount to a breach of the Code of Conduct. It was moreover not considered that further action was in the public interest. On this basis, the parties were notified of the decision to take no further action and of the reasons for it.

**Complaint 2**

- 3.4 **The allegation:** A complaint was made regarding a comment made by a councillor on social media which was considered to potentially amount to a failure to behave in a way which a reasonable person would regard as respectful and/or to amount to conduct which might reasonably be regarded as bringing their office or authority into disrepute.
- 3.5 Following consultation with one of the Independent Persons, that complaint was referred for formal investigation. It has now been determined by a Standards Panel made up of members of this Committee.
- 3.6 On 6<sup>th</sup> February 2017, the Standards Panel made a determination that paragraphs 1.1 and 1.2 of the Code of Conduct had been breached in relation to the conduct which was the subject of the complaint. The Panel made no finding in relation to the councillor's conduct during the investigation. The relevant Decision Record has been published in accordance with the Council's procedures and is attached as Appendix 1.

### **Complaints 3 & 4**

- 3.7 Two new complaints were made in January 2017. Complaint 3 alleged failures by two elected members to behave in a way which a reasonable person would regard as respectful at meetings of the Council. The conduct was allegedly such as might reasonably be regarded as bringing their office or authority into disrepute.
- 3.8 Complaint 4 alleged that a comment made on social media by a member amounted to conduct which might reasonably be regarded as bringing their office or authority into disrepute.
- 3.9 At time of writing, both complaints are the subject of preliminary assessment by the Monitoring Officer, acting in consultation with the Independent Person. The outcome of those processes will be notified to a future meeting of this Committee.

## **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 The Council is obliged under the Localism Act to make arrangements for maintaining high standards of conduct among members and to make arrangements for the investigation of complaints. The current arrangements and the proposals in this report reflect this and no alternative proposals are suggested.

## **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 No need to consult with the local community has been identified.

## **6. CONCLUSION**

- 6.1 Members are asked to note the contents of this Report, which aims to assist the Committee in discharging its responsibilities for overseeing that high standards of conduct which are compliant with local requirements are maintained.

## **7. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 7.1 There are no additional financial implications arising from the recommendation in this report. All activity referred to has been, or will be, met from existing budgets.

*Finance Officer Consulted: James Hengeveld*

*Date: 15th February 2017*

### Legal Implications:

- 7.2 These are covered in the body of the report

*Lawyer Consulted: Victoria Simpson*

*Date: 31.1.17*

### Equalities Implications:

- 7.3 There are no equalities implications arising from this report

### Sustainability Implications:

- 7.4 There are no sustainability implications arising from this report

### Any Other Significant Implications:

- 7.5 None

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Appendix 1 – Decision of the Standards Panel dated 6.2.17.

### **Documents in Members' Rooms:**

None.

### **Background Documents:**

None

