

Standards Committee : 7 December 2010
Title of report: Recent Work Undertaken by Standards Committee Sub-Committees

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	N/A
Is it in the Council's Forward Plan?	N/A
Is it eligible for "call in" by Scrutiny?	N/A
Cabinet member portfolio	Corporate

Electoral wards affected and ward councillors consulted: All

Public or private: Public

1. Purpose of Report

To brief Standards Committee on recent decisions by its sub-committees when assessing and reviewing complaints about member conduct and in holding consideration and determination hearings.

2. Key Points

Since the last Standards Committee on 12 October 2010 the following sub-committees have met:

Local Assessment Sub-Committee

The Local Assessment Sub-Committee met on 12 November 2010 to consider complaints references 2010-037 and 2010-038.

Complaint reference 2010-037 concerned allegations about the response sent by a Kirklees councillor to an email sent to them by a member of the public. The decision of the sub-committee was that no further action should be taken on the basis that the allegations were not serious enough to warrant further action.

Complaint reference 2010-038 concerned allegations about the conduct of a Kirklees councillor at a meeting with allotment holders. The decision of the sub-committee was that no further action should be taken because the councillor was not acting in an official capacity at the material time.

A further meeting of the Local Assessment Sub-Committee has been arranged on 30 November 2010 to consider complaints references 2010-039 and 2010-040.

Review Sub-Committee

There have been no meetings of the Review Sub-Committee since the last Standards Committee meeting.

Consideration Hearings

The Hearings Sub-Committee met on 10 September 2010 to hold consideration hearings for complaints references 2008-011, 2008-018/019/020 and 2009-022. In all three cases the Monitoring Officer's report made findings that there had been breaches of the Code of Conduct and the decision to be made by the Sub-Committee was whether the final hearings for these complaints should be heard by the Hearings Sub-Committee or referred to the First Tier Tribunal (Local Government Standards in England). In all three cases the decision was to refer the complaints to a hearing of the Hearings Sub-Committee. In the case of complaint reference 2008-018/019/020 the Sub-Committee also accepted the Monitoring Officer's finding that there had been no breach of the Code of Conduct in respect of bringing the office of councillor or the authority into disrepute.

A consideration hearing is to be arranged for complaint reference 2008-012. The subject member has raised issues about the investigating officer's report which are being considered.

Determination Hearings

The Hearings Sub-Committee will be holding determination hearings for complaint reference 2009-022 on 6 December 2010 and complaint reference 2008-011 on 15 December 2010. It had been hoped to hold determination hearing for complaint reference 2008-018/019/020 on 14 December 2010 but this is now being rearranged.

3. Implications for the Council

The role of the Standards Committee Sub-Committees is an important part of the process of handling complaints about member conduct and retaining

confidence among members and the public that complaints are being dealt with in a timely and efficient manner.

4. Consultees and their opinions

N/a

5. Officer recommendations and reasons

It is recommended that the contents of this report be noted.

6. Cabinet portfolio holder recommendation

N/a

7. Next steps

To hold the sub-committee meetings referred to above.

8. Contact officer and relevant papers

Dermot Pearson
Senior Legal Officer

Telephone: 01484 221437
Internal: 860 1437
E-mail: Dermot.pearson@kirklees.gov.uk

Background Papers:

Decision summaries for complaints references 2010-037 and 2010-038.