

**MINUTES OF THE MEETING OF THE COUNCILLOR CONDUCT COMMITTEE
HELD ON THURSDAY, 5 OCTOBER 2017**

COUNCILLORS

PRESENT	Claire Stewart, Glynis Vince and Elaine Hayward Christine Chamberlain and Sarah Jewell (Independent Persons)
ABSENT	Katherine Chibah
OFFICERS:	Jayne Middleton-Albooye (Acting Assistant Director Legal and Governance) Penelope Williams (Secretary)

Also Attending: No members of the public.

**226
WELCOME AND APOLOGIES**

The Chair welcomed everyone to the meeting. Apologies for absence were received from Councillor Chibah.

**227
SUBSTITUTIONS**

There were no substitutions.

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DECLARATION OF INTERESTS**

There were no declarations of interest.

**229
UPDATE ON COMPLAINTS**

The Committee received the rolling record of complaints currently being considered by the Monitoring Officer.

Jayne Middleton-Albooye (Acting Monitoring Officer) briefed members on the current complaints as follows:

- She had five complaints which were due to be concluded soon.
- The complaint report for complaint reference number 001 had been concluded and sent to the interested parties for comment.
- A procedural breach had occurred in the investigation of complaint reference number 002 and one more interview had to take place before

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the report could be finalised. This was being arranged and the report would be completed shortly.

- This complaint had been being investigated internally by Jayne Middleton-Albooye herself. The key people involved had been interviewed and further interviews arising from the initial investigation were being arranged. It was hoped that it would be concluded next month.
- In reference to complaint 005, a comprehensive investigation had been carried out and the conclusions were due to be sent to those involved, within the next few days.
- The complaint reference number 007 had been resolved. Councillor Celebi should have included the word shadow on her signature. She had apologised for her mistake and rectified it. Her apology had been accepted.

NOTED that

1. Councillor Vince requested information on the amount of the total cost of the investigation into complaint 001.
2. Jayne Middleton-Albooye agreed to provide the information for the next meeting.

AGREED to note the information on current complaints.

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REVIEW OF CODE OF CONDUCT AND COMPLAINTS PROCESSES

The Committee received copies of the current Councillor Code of Conduct and the procedures for handling and hearing complaints against members and co-opted members.

NOTED

1. Asmat Hussain, the previous Monitoring Officer, had agreed with Christine Chamberlain, Independent Person that there were occasions where a complaint may still warrant investigation even where it had been resolved informally or was withdrawn by the complainant. They had suggested that the procedure should be changed to enable this.
2. Following discussion, the committee recommended that the following paragraph be added to the procedure after paragraph 5.1:

“Where a registered complaint is subsequently withdrawn or resolved outside the procedure, the Monitoring Officer in consultation with Independent Persons(s) has the discretion to decide if the matter has been adequately and/or proportionately resolved or whether, given the

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substance of the original complaint, it should be escalated to the Committee for further consideration/resolution”.

3. There were anomalies between the information on the complaint form and the procedure for hearing complaints. On the complaint form it stated:

“The Monitoring Officer will normally pass a copy of your complaint to the Councillor complained about so that he/she can comment. It is also in the interests of fairness and natural justice that a Councillor complained about should have the right to know who has made the complaint and what it is.

In very exceptional circumstances, the Monitoring Officer may agree to withhold your name and address. He/she would only do this if he/she has a good reason to believe that to give your name or address to the Councillor would be contrary to the public interest or would prejudice any investigation.”

In the procedure:

“The Council encourages complainants to provide their name and contact details. If the complainant asks for their identity to be protected, the Council will not disclose such details without their consent.”

4. Following discussion members agreed with the Monitoring Officer that the information on the form could be off putting and could deter people making complaints. It was therefore agreed that the form should be changed so that the information on the form matched what was written in the procedure.
5. The procedure for hearing complaints was not currently included as part of the Council Constitution. Members felt that this should be added.

AGREED that the following changes to the code of conduct procedures be recommended to Council for approval:

- To include the additional paragraph set out in 3 above after Paragraph 5.1 in the Procedure for Handling Complaints, enabling the Monitoring Officer to continue investigating a complaint if they felt it was necessary.
- To include the Procedure for Hearing Complaints in the constitution.

The next Council meeting is due to take place on Wednesday 22 November 2017.

The changes suggested above would also be made to the complaints form.

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REVIEW OF MEMBER'S EXPENSES

This item was withdrawn and would be considered at the next meeting.

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GIFTS AND HOSPITALITY

The Committee received a report from the Monitoring Officer containing the additional information on the gifts and hospitality received by members in 2016/17 as requested at the March 2017 meeting of the Councillor Conduct Committee.

NOTED

1. The additional information included more detail on the types of gifts and hospitality being recorded. These were: lunches, dinners, hospitality at sports events, conferences, drinks receptions and the Chelsea Flower Show.
2. The whips agreed to write to their group members to remind them that they should declare any gifts or hospitality, worth more than £25, received or refused.

AGREED to note the report.

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WORK PROGRAMME 2017/18

The work programme for 2017/18 was received and noted. No further items were added.

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MINUTES OF MEETING HELD ON 6 JULY 2017

The minutes of the meeting held on 6 July 2017 were agreed as a correct record with the following amendment:

- Christine Chamberlain had been present at the meeting.

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DATES OF FUTURE MEETINGS

The dates of future meetings were noted as follows:

- Thursday 7 December 2017
- Tuesday 6 March 2017