

CONDUCT COMMITTEE



12 FEBRUARY 2015 - 2:30 PM

PRESENT: Councillor Miss S Hoy(Chairman), Councillor M J Humphrey, Councillor R Skoulding, Councillor W Sutton, Councillor D Mason, Councillor N Russell, Ms A Hay.

APOLOGIES: Councillor F H Yeulett

Officers in attendance: Carol Pilson (Corporate Director & Monitoring Officer), Tom Lewis (Deputy Monitoring Officer), Jane Webb (Member Services & Governance)

CND22/13 TO SIGN AND CONFIRM THE MINUTES OF THE MEETING OF 11 JULY 2014.

Councillor Hoy welcomed everyone and asked Members if they were happy to invite Anne Hay, Independent Member, to the table to which they confirmed they were happy.

The minutes of the meeting of 11 July 2015 were confirmed and signed.

CND23/13 MATTERS ARISING

Carol Pilson updated Members:

- The complaint lodged by Mr Murat has been on hold due to an ongoing employment tribunal; this has now been finalised and Mr Murat has contacted the Council stating that he wishes to continue with his complaint therefore there will be a requirement for Conduct Committee to schedule a further meeting.

CND24/13 INITIAL CONSIDERATION OF A MEMBER CONDUCT COMPLAINT – COUNCILLOR TICKNER

Members considered a complaint under the Member Code of Conduct against Councillor Patricia Tickner of Benwick Parish Council.

Carol Pilson outlined the complaint stating that an informal resolution had been attempted but no apology had been forthcoming from Councillor Tickner therefore Councillor Chapman wished to take his complaint to a formal stage.

Councillor Hoy asked Members for their views:

- Councillor Skoulding stated that Alan Pain, the previous Monitoring Officer, had tried hard for an informal solution and it was a pity this could not have happened;
- Councillor Mason stated that Councillor Tickner had expressed she would do the same thing again to which he remarked that it was unfortunate that this could have not been resolved earlier but it did now need looking into;
- Councillor Humphrey stated that there was no doubt that Councillor Tickner accepted that the incident had happened, therefore an investigation would be worthless and there was clearly an underlying animosity from a previous complaint. Councillor Humphrey explained that if Councillor Chapman had been treated with disrespect then there was clearly a breach

in the Code of Conduct and it was a shame that no resolution had been reached; he suggested an apology should be made;

- Councillor Russell agreed and stated it was a great shame this could not have been resolved as he thought it was "tit for tat" and a pity the complaint had to come as far as Conduct Committee incurring cost and time in order to resolve a petty dispute;
- Anne Hay stated that the complaint could not be doubted as Councillor Tickner had admitted to it and that if the same thing had happened to her then she would be extremely upset therefore this was a valid complaint and it was a pity Councillor Tickner could not see this and see fit to apologise;
- Councillor Hoy stated that from Members' remarks then the committee did not feel it would want to reject the complaint;
- Councillor Sutton stated he felt the same as other Members in the fact that a decision did not need to be made as to whether the incident took place but a way forward was needed as clearly there is conflict between them and he could not understand why they could not resolve this between themselves. This was a difficult position as there has been an attack on the Chairman's integrity and therefore this should be recognised and suggested the committee recommends that Councillor Tickner make an apology and then close the complaint;
- Councillor Humphrey asked what the committee's scope was regarding this; was there a simple way forward;
- Carol Pilson stated that if the Committee believed there had been a breach of the Code of Conduct and felt that they had all the information they required to make a decision then they could recommend a course of action;
- Councillor Humphrey suggested that Councillor Tickner is asked to apologise to the Chairman at the next Parish council meeting;
- Councillor Hoy stated she thought the Code of Conduct had been breached;
- Anne Hay asked if it would be recorded at the Benwick Parish Council meeting that it has been recommended the Councillor Tickner make an apology to which Carol Pilson stated that both parties would be informed of the outcome of this meeting;
- Councillor Hoy suggested that a letter be written to Councillor Chapman explaining that the Committee understood why he felt the need to lodge a complaint and supported him to which Members agreed.

It was DECIDED that a Formal Letter be sent to Councillor Tickner requesting an apology be made to Councillor Chapman at the next Benwick Parish Council.

(Councillor Sutton declared a Non-Pecuniary Interest in this item, by virtue of his brother being a member of Benwick Parish Council.)

CND25/13 HANDLING OF INITIAL COMPLAINTS

Councillor Hoy invited Claire Hawden-Beal to the table for this item and all Members agreed.

Councillor Hoy presented the report and stated that currently all complaints not resolved at the informal stage must come before committee. By introducing an extra stage in the process, this would prevent complaints which are deemed vexatious, tit for tat or trivial from having to come forward to the Committee where there had been no breach of the Code of Conduct. These complaints could be dismissed by the Chairman, Independent Person and Deputy Independent Person. If it was deemed any complaint breached the Code of Conduct then it would still be considered by the Conduct Committee. Councillor Hoy explained if this report was approved by the Committee then it would need to go to Full Council for final approval.

The recommendation was proposed by Councillor Sutton and seconded by Councillor Skoulding.

It was AGREED that:

- **A change to the current process was required;**
- **The revised process as set out in the report be endorsed;**
- **The changes be recommended to Council to allow the appropriate constitutional changes to be made.**

2.40pm

Chairman