

EAST HERTS COUNCIL

STANDARDS SUB-COMMITTEE - 30 MARCH 2015

REPORT BY THE MONITORING OFFICER

COMPLAINT IN RESPECT OF A COUNCILLOR

WARD(S) AFFECTED: NONE

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**Purpose/Summary of Report**

- *The Sub-Committee at its meeting on 19<sup>th</sup> February 2015 resolved that for those matters where the Investigating Officer had concluded that Councillor Ashley has breached the Authority's Code of Conduct in relation to the matters identified, a hearing meeting of the Standards Sub-Committee be held to determine whether or not that Member had failed to comply with the Code and if so what action should be taken as a consequence.*

1.0 Background

1.1 The Investigating officer has now produced a report on the investigation. The report is contained in **Essential Reference Paper 'B'**.

2.0 Report

2.1 The Council has agreed a procedure for considering complaints

2.2 The Sub-Committee will consider the report and decide what action to take.

3.0 Investigating Officer's Report

3.1 An investigation officer was appointed to carry out an investigation. Following the investigation, the Investigation Officer concluded that, in all the circumstances of this case, there has been a failure to comply with the Members' Code of Conduct.

3.2 The Investigating Officer concludes that Councillor Ashley's conduct fell short of reasonable expectation as to how he should

treat his colleagues and that he was using his position as Councillor to pursue that correspondence.

3.3 Accordingly, the Investigation Officer finds Councillor Ashley to be in breach of the Code of Conduct in relation to that correspondence, in that he did not value colleagues and staff, did not engage with them in an appropriate manner and failed to treat them with respect.

3.4 In so far the report makes a finding of breach in, after a hearing, that finding is upheld by the Standards Sub-Committee, the Sub-Committee will consider the following actions:

- A formal letter to the Councillor found to have breached the code;
- Formal censure by motion;
- Removal by the authority of the Member from Committee(s) subject to statutory and constitutional requirements;
- Press release or other appropriate publicity;
- Request an apology by the Member

### 3.0 Implications/Consultations

3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

### Background Papers

Complaints Procedure 'ERP C'

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