

 Standards Committee – 30th January 2014		Agenda Item No. 4
Title	Code of Conduct Complaint 5 and 5a 2012 – Councillor Mrs Bromley	
For further information about this report please contact	Andrew Jones andrew.jones@warwickdc.gov.uk 01926 456830	
Wards of the District directly affected	None	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006	No	
Date and meeting when issue was last considered and relevant minute number	N/A	
Background Papers	None	

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	No
Included within the Forward Plan? (If yes include reference number)	No

Officer/Councillor Approval		
With regard to officer approval all reports <i>must</i> be approved by the report author's Deputy Chief Executive, Finance, Legal Services and the relevant Portfolio Holder(s).		
Officer Approval	Date	Name
Chief Executive		N/A
CMT		N/A
Section 151 Officer		N/A
Monitoring officer	10 th January 2014	Andrew Jones
Portfolio Holder(s)	21 st January 2014	Councillor Mobbs
Consultation Undertaken		
Final Decision?	Yes	
Suggested next steps (if not final decision please set out below)		

1. **SUMMARY**

- 1.1 The report appraises the Standards Committee as to the failure of Councillor Mrs Bromley to provide the relevant written apologies following the Hearing Panel of 15th November 2013.

2. **RECOMMENDATION**

- 2.1 That the Standards Committee decides what action, if any, it would like to take following the failure of Councillor Mrs Bromley to comply with the Hearing Panel's decision of 15th November 2013.

3. **REASONS FOR THE RECOMMENDATION**

- 3.1 On 15th November 2013 complaints made against Councillor Mrs Bromley were heard by a Hearing Panel comprising Councillors Pratt (Chair), Mrs Falp, Mrs Syson and Independent Person Robert Meacham (non-voting).

- 3.2 The Panel unanimously decided that Councillor Mrs Bromley had failed to adhere to Warwick District Council's Code of Conduct and issued the following sanction:

"that Councillor Mrs Bromley should apologise in writing to Ms Turpin, Mr Leach, Mr Coker, the Chief Executive, Mr Elliott and the Members of Standards Committee through the Chairman."

- 3.3 Unfortunately no timescale was given for the apologies to be provided, nevertheless, on 9th December 2013 Councillor Pratt wrote to Councillor Mrs Bromley advising her that he was expecting the apologies to be forthcoming within the next seven days (see Appendix A).

- 3.4 On 10th December 2013, Councillor Mrs Bromley wrote to Councillor Pratt to advise that she would be appealing the decision of the Panel and that the Monitoring Officer would be receiving an appeal (see Appendix B). To date no appeal letter has been received, however, the Council's Code of Conduct arrangements make it clear that there is no right of appeal.

- 3.5 On 6th January 2014, the Hearing Panel reconvened in informal session to consider its next steps. It decided that it should provide Councillor Mrs Bromley with a final opportunity to comply with the decision but if this proved unsuccessful then a meeting of the Standards Committee would need to be convened to determine next steps (see Appendices C&D).

- 3.6 Members of the Standards Committee will need to determine what steps should now be taken. It is not the Committee's role to revisit the decision of the Hearing Panel. The steps that the Committee could take include but are not limited to:

- The Standards Committee has delegated powers from Council to act on behalf of Council which could include imposing some other sanction;
- The Standards Committee could report the matter to Council for its consideration;

- The Standards Committee could issue a censure.

3.7 In these circumstances the Standards Committee/Council would be considering sanctions based on the original complaints – the failure to apologise in accordance with the Hearing Panel decision would be an aggravating factor. Full details of the sanctions available will be provided at the Committee meeting.

3.8 Although it will not be possible for the case to be revisited, Councillor Bromley may wish to attend the meeting to explain why she has failed to comply with the Hearing Panel's decision.

4. **POLICY FRAMEWORK**

4.1 The Government has required all Councils to adopt a Code of Conduct and put arrangements in place to deal with Code of Conduct matters. This Council's Code of Conduct was devised by a Working Group of District, Parish and Town Councillors. Warwick District Council adopted its Code of Conduct on 27th June 2012.

5. **BUDGETARY FRAMEWORK**

5.1 This matter is being dealt with in accordance with the budgetary framework as agreed by this Council. An update on the costs of the investigation will be provided at the meeting.