

## Complaint about a councillor

### SUMMARY

- 1.1 The Standards Committee met on 5 April 2016 to consider complaints about councillors relating to the release of confidential information. .
- 1.2 The committee found that a councillor had breached the Members' Code of Conduct. Following a proposal by the Independent and Co-opted Members of the Standards Committee, it was unanimously agreed that the issues raised by the breach were of such importance that the matter warranted a report to Council.
- 1.3 The report detailing the complaint and findings contains information relating to an individual and is therefore exempt under Paragraphs 1 and 2 of Part 1 of Schedule 12a of the Local Government Act 1972.
- 1.4 This report provides the information which is not exempted from publication.

### RECOMMENDATION

- 2.1 That Council authorises the Chief Executive, following consultation with Group Leaders, to determine a definitive list of 'Mandatory Training' that councillors must undertake.
- 2.2 That Council agrees that where councillors fail to undertake that training within eight weeks of being informed of the necessity to do so, and having been given opportunity to complete it, then this will be reported to the Standards Committee for it to consider publishing a report detailing any concerns.
- 2.3 That Council authorises the Chief Executive, under exceptional circumstances, to grant extensions beyond the eight weeks detailed in paragraph 2.2.
- 2.4 That Council Procedure Rule CP70 be suspended for consideration of this item and that Council instead agrees by consensus that a recorded vote be taken for approval of recommendations 2.1, 2.2 and 2.3.

### REASONS FOR RECOMMENDATION

- 3.1 The councillor responsible for the breach had not completed any of the mandatory governance training that the council has been promoting during 2014/5 and 2015/6. It is anticipated that the steps identified in paragraphs 2.1, 2.2 and 2.3 would ensure

better compliance.

- 3.2 It is anticipated that this matter being subject to a record vote, as proposed in paragraph 2.4, will ensure the minutes of the meeting reflect a commitment from all councillors to participate in all mandatory training as required.

## **SUPPORTING INFORMATION**

- 4.1 The councillor involved was found to have been in breach of the Members' Code of Conduct on two counts, namely:
- That the councillor revealed information that was given in confidence;
  - That the councillor damaged the reputation of the authority.
- 4.2 More detail is contained within the exempt report on this matter.
- 4.3 The committee members noted that, on the date it met, the majority of councillors had commenced or completed their Information Governance training. However, 11 councillors had not started the training on Information Governance policies while all of those 11 plus a further three councillors had not started the courses on Information Governance.

## **OTHER OPTIONS CONSIDERED**

- 5.1 The committee imposed three sanctions on the councillor. These were:
- To censure the councillor; this meant the committee formally expressed its disapproval of the councillor's conduct;
  - To report its findings to Council; the deal of which is contained within the exempt report;
  - To recommend that the councillor undertake training on Information Governance.
- 5.2 A range of sanctions were available to the committee but it did not feel this were appropriate given the circumstances of the case. The other sanctions at the committee's disposal were:
- Recommending to the councillor's Group Leader that the councillor be removed from committees or sub-committees; and
  - Recommending to Council that the member be removed from outside appointments.

**This report has been approved by the following officers:**

<b>Legal officer</b> <b>Financial officer</b> <b>Human Resources officer</b> <b>Estates/Property officer</b> <b>Service Director(s)</b> <b>Other(s)</b>	Janie Berry, Director of Governance       Paul Robinson, Chief Executive
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<b>Background papers:</b>	None
<b>List of appendices:</b>	Appendix 1 – Implications

<b>IMPLICATIONS</b>
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**Financial and Value for Money**

1.1 None

**Legal**

2.1 None

**Personnel**

3.1 None

**IT**

4.1 None

**Equalities Impact**

5.1 None

**Health and Safety**

6.1 None

**Environmental Sustainability**

7.1 None

**Property and Asset Management**

8.1 None

**Risk Management**

9.1 The committee feel the authority will be better protected if its councillors commit to undertaking training that the Chief Executive, following consultation with the Group Leaders, has deemed to be mandatory. It is felt improve corporate governance should be a priority for all members.

**Corporate objectives and priorities for change**

10.1 Ensuring the highest ethical standards are maintained supports the necessity that members comply with the Principles of Public Life.

