

Standards Assessment Sub-Committee

MINUTES OF THE STANDARDS ASSESSMENT SUB-COMMITTEE MEETING
HELD ON 5 SEPTEMBER 2024 AT KENNET ROOM - COUNTY HALL, BYTHESEA
ROAD, TROWBRIDGE, BA14 8JN.

Present:

Also Present:

- 22 Election of a Chairman for 2024/25
- 23 Election of a Vice-Chairman for 2024/25
- 24 Apologies
- 25 Minutes of the Previous Meeting

The minutes of the meeting held on xx xx 2022 were presented for consideration, and it was,

Resolved:

To approve and sign the minutes as a true and correct record.

- 26 Declarations of Interest
- 27 Meeting Procedure

The procedure and criteria were noted.

- 28 Exclusion of the Public

It was,

Resolved:

To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in **Minute Numbers 53 onwards, because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in Paragraph 1 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.**

Paragraph 1 -information relating to an individual

- 29 Assessment of Complaint: COC153376

A complaint was submitted by xx, the Complainant, regarding the conduct of Councillor xx xx, the Subject Member, of xx Town/Parish council. The complaint related to xxx

Preamble

The Sub-Committee was satisfied that the initial tests of the assessment criteria had been met, in that the Subject Member was and remains a member of xx Town/Parish Council and that a copy of the relevant Code of Conduct was provided for the assessment.

The Sub-Committee therefore had to decide whether the alleged behaviour would, if proven, amount to a breach of the Code of Conduct. If the Sub-Committee concluded that the alleged behaviour would amount to a breach, then it would have to go on to decide whether it was appropriate under the assessment criteria to refer the matter for investigation.

In reaching its decision, the Sub-Committee took into account the original complaint and supporting information, the response of the Subject Member, and the report of the Monitoring Officer.

The Sub-Committee also considered a written statement from the Subject Member, who was not in attendance, and a verbal statement from the Complainant, who was in attendance.

Discussion

The complaint involved xx

The Subject Member contends that they xx

Conclusion

The dispute between the parties had initially arisen as a result of..

In respect of xxxx, the Sub-Committee noted the differing accounts, but also that the assessment criteria required sufficient information to be provided at the initial stages to enable understanding the substance of complaint, and to justify further consideration of the complaint.

Notwithstanding this, the Sub-Committee noted that the Subject Member had provided an apology for his/her actions in respect of xxx

the Sub-Committee considered the offering of the apology, and its view on the allegations, was such that it was not in the public interest to investigate further.

In summary, the Sub-Committee therefore resolved to take no further action in respect of the complaint.

Resolved:

In accordance with the approved arrangements for resolving standards complaints adopted by Council on 9 July 2019, which came into effect on 1 January 2020, and after hearing from the Independent Person, the Assessment Sub-Committee determined to take no further action in respect of the complaint.

OR – if referred for investigation – shorter mins:

In considering the complaint, the Sub-Committee were satisfied that the initial tests of the assessment criteria had been met, including that the Subject Member was a member for the period of allegations and remains a member of xxx Town/Parish Council, that a copy of the relevant Code of Conduct was provided for the assessment, and that they were acting in their capacity as a Member during some aspects of the various alleged actions.

The Sub-Committee therefore had to decide whether the alleged behaviour would, if proven, amount to a breach of that Code of Conduct. Further, if it was felt it would be a breach, whether it was still appropriate under the assessment criteria to refer the matter for investigation.

In reaching its decision, the Sub-Committee took into account the original complaint and supporting information, the response of the Subject Member, and the report of the Monitoring Officer.

The Sub-Committee also considered a written/verbal statement from the Subject Member and a written/verbal statement from the Complainant provided at the Assessment Sub-Committee meeting.

After discussion, it was:

Resolved:

In accordance with the approved arrangements for resolving standards complaints adopted by Council on 9 July 2019, which came into effect on 1 January 2020 and after hearing from the Independent Person, the Assessment Sub-Committee determined to refer the complaint for investigation.

30 **Update on Complaint: COC150777**

A complaint was submitted by xx, the Complainant, regarding the conduct of Councillor xx xx, the Subject Member, of xx Town/Parish council. The complaint related to xxx

Preamble

The Sub-Committee was satisfied that the initial tests of the assessment criteria had been met, in that the Subject Member was and remains a member of xx Town/Parish Council and that a copy of the relevant Code of Conduct was provided for the assessment.

The Sub-Committee therefore had to decide whether the alleged behaviour would, if proven, amount to a breach of the Code of Conduct. If the Sub-Committee concluded that the alleged behaviour would amount to a breach, then it would have to go on to decide whether it was appropriate under the assessment criteria to refer the matter for investigation.

In reaching its decision, the Sub-Committee took into account the original complaint and supporting information, the response of the Subject Member, and the report of the Monitoring Officer.

The Sub-Committee also considered a written statement from the Subject Member, who was not in attendance, and a verbal statement from the Complainant, who was in attendance.

Discussion

The complaint involved xx

The Subject Member contends that they xx

Conclusion

The dispute between the parties had initially arisen as a result of..

In respect of xxxx, the Sub-Committee noted the differing accounts, but also that the assessment criteria required sufficient information to be provided at the initial stages to enable understanding the substance of complaint, and to justify further consideration of the complaint.

Notwithstanding this, the Sub-Committee noted that the Subject Member had provided an apology for his/her actions in respect of xxx

the Sub-Committee considered the offering of the apology, and its view on the allegations, was such that it was not in the public interest to investigate further.

In summary, the Sub-Committee therefore resolved to take no further action in respect of the complaint.

Resolved:

In accordance with the approved arrangements for resolving standards complaints adopted by Council on 9 July 2019, which came into effect on 1 January 2020, and after hearing from the Independent Person, the

Assessment Sub-Committee determined to take no further action in respect of the complaint.

OR – if referred for investigation – shorter mins:

In considering the complaint, the Sub-Committee were satisfied that the initial tests of the assessment criteria had been met, including that the Subject Member was a member for the period of allegations and remains a member of xxx Town/Parish Council, that a copy of the relevant Code of Conduct was provided for the assessment, and that they were acting in their capacity as a Member during some aspects of the various alleged actions.

The Sub-Committee therefore had to decide whether the alleged behaviour would, if proven, amount to a breach of that Code of Conduct. Further, if it was felt it would be a breach, whether it was still appropriate under the assessment criteria to refer the matter for investigation.

In reaching its decision, the Sub-Committee took into account the original complaint and supporting information, the response of the Subject Member, and the report of the Monitoring Officer.

The Sub-Committee also considered a written/verbal statement from the Subject Member and a written/verbal statement from the Complainant provided at the Assessment Sub-Committee meeting.

After discussion, it was:

Resolved:

In accordance with the approved arrangements for resolving standards complaints adopted by Council on 9 July 2019, which came into effect on 1 January 2020 and after hearing from the Independent Person, the Assessment Sub-Committee determined to refer the complaint for investigation.

(Duration of meeting: Times Not Specified)

The Officer who has produced these minutes is Lisa Alexander of Democratic Services, direct line 01722 434560, e-mail lisa.alexander@wiltshire.gov.uk

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