

Standards Sub-Committee

2 June 2014

Present: Councillors C Johnson, P Mason and L Spillard.

Also Present: Mr G Clark, North Tyneside Council Independent Person
Miss L Watson, Investigating Officer

SSC05/06/14 Appointment of Chair

Resolved that Councillor C Johnson be appointed as Chair.

SSC06/06/14 Apologies

There were no apologies submitted.

SSC07/06/14 Declarations of Interest and Dispensations

There were no declarations of interest reported.

There were no dispensations in relation to registerable personal interests reported.

SSC08/06/14 Exclusion Resolution

Resolved that under Section 100A(4) of the Local Government Act 1972 (as amended) and having applied a public interest test as defined in Part 2 of Schedule 12A of the Act, the press and public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 1 and 2 of Part 1 of Schedule 12A to the Act.

SSC09/06/14 Code of Conduct for Members – Complaint NT15/2013

The Standards Sub-Committee received a report which presented the Investigating Officer's completed investigation into Complaint NT15/2013.

The Authority's Local Arrangements for the consideration of complaints made against Members under the Code of Conduct for Members and Co-opted Members at Appendix 1 to the report required that a completed investigation report be received by the Standards Committee/Sub-Committee to determine the action to be taken with respect to the Complaint.

The report of the Investigating Officer into Complaint NT15/2013 was attached at Appendix 2 to the report. The Investigating Officer had found in her report that no breach of the Code of Conduct has occurred in relation to this Complaint. The Sub-Committee considered the Investigating Officer's report and her conclusion that the Member concerned had not breached the Code of Conduct. Members

accepted the findings of the Investigating Officer and complemented her for the thoroughness of her investigation.

Resolved that (1) the findings of the Investigating Officer that no breach of the Code of Conduct had occurred be accepted; and
(2) the Monitoring Officer be instructed to write to the Subject Member and to the Complainant to notify them both that the Sub-Committee is satisfied no further action is required and provide both with a copy of the Investigating Officer's final report.

SSC10/06/14 Code of Conduct for Members – Complaint NT01/2014

A report was received from the Monitoring Officer which requested the Standards Sub-Committee to undertake the assessment of Complaint NT01/2014 and determine the appropriate action that should be taken. A copy of the Complaint form was attached at Appendix 1 to the report.

The assessment of complaints made under the Code of Conduct for Members was usually undertaken by the Monitoring Officer in accordance with the provisions of the Authority's Constitution. The Monitoring Officer had, however, on this occasion referred these complaints to the Sub-Committee for assessment. The Monitoring Officer did not feel in the light of her role as the Authority's Returning Officer in the local elections held on 22 May 2014, that it was appropriate for her to exercise her delegated powers to assess these complaints.

The Sub-Committee considered Complaint NT01/2014 in accordance with the Authority's Local Arrangements for the consideration of complaints made against Members under the Code of Conduct for Members and Co-opted Members.

Before making an assessment decision on the complaint, the Sub-Committee consulted the Authority's Independent Persons, Mr G Clark, who was in attendance at the meeting and Mrs S Gardner who had submitted her written comments. The Sub-Committee had also taken into account the Authority's Local Assessment Criteria at Appendix 2; and the Initial Responses to the Complaint from the Subject Member at Appendix 3, in deciding what action, if any, to take in relation to a complaint that a member had failed to comply with the requirements of the Code of Conduct for Members.

The Sub-Committee concluded that the complaint if proven would constitute a failure to observe the Code of Conduct for Members and that the matter should be investigated.

Resolved that Complaint NT01/2014 be referred to the Monitoring Officer with an instruction that she arrange a formal investigation of the allegation.

SSC11/06/14 Code of Conduct for Members – Complaint NT02/2014

A report was received from the Monitoring Officer which requested the Standards Sub-Committee to undertake the assessment of Complaint NT02/2014 and determine the appropriate action that should be taken. A copy of the Complaint form was attached at Appendix 1 to the report.

The assessment of complaints made under the Code of Conduct for Members was usually undertaken by the Monitoring Officer in accordance with the provisions of the Authority's Constitution. The Monitoring Officer had, however, on this occasion referred these complaints to the Sub-Committee for assessment. The Monitoring Officer did not feel in the light of her role as the Authority's Returning Officer in the local elections held on 22 May 2014, that it was appropriate for her to exercise her delegated powers to assess these complaints.

The Sub-Committee considered Complaint NT02/2014 in accordance with the Authority's Local Arrangements for the consideration of complaints made against Members under the Code of Conduct for Members and Co-opted Members.

Before making an assessment decision on the complaint, the Sub-Committee consulted the Authority's Independent Person, Mr G Clark, who was in attendance at the meeting and Mrs S Gardner who had submitted her written comments. The Sub-Committee had also taken into account the Authority's Local Assessment Criteria at Appendix 2; and the Initial Responses to the Complaint from the Subject Member at Appendix 3, in deciding what action, if any, to take in relation to a complaint that a member had failed to comply with the requirements of the Code of Conduct for Members.

The Sub-Committee concluded that the complaint if proven would not constitute a failure to observe the Code of Conduct for Members and that the matter should not be investigated.

Resolved that no further action be taken in relation to Complaint NT02/2014.