

**STANDARDS PANEL (HEARINGS)**

A meeting of the Standards Panel (Hearings) was held on 22 May 2006.

Present: G Fell (Chair)

Councillors B Taylor, T Ward and M Williams

Officials: M Braithwaite and J Thompson

Also in Attendance: Councillor McTigue  
Mr Taylor, Solicitor for Councillor McTigue  
Mr Buley, Counsel for Standards Board England  
Mr D Morris and Ms T Widdowson, Complainants  
Councillors Ferrier, Khan and McPartland

**\*\* AN APOLOGY FOR ABSENCE** was submitted on behalf of Mrs D Middleton, Independent Member.

**\*\*DECLARATIONS OF INTEREST**

There were no declarations of interest.

**\*\* EXCLUSION OF PRESS AND PUBLIC**

The Panel received copies of the Standards Board Guidance on exclusion of the press and public from the meeting. The Panel having considered the matter and taking account of the wishes of the Councillor concerned, determined that the meeting be held in public.

**ALLEGATIONS AGAINST COUNCILLOR MCTIGUE– BREACH OF CODE OF CONDUCT**

The Panel considered an allegation against Councillor McTigue lodged by the Monitoring Officer following receipt of complaints received from two Council officers, Mr D Morris and Ms T Widdowson that Councillor McTigue had breached the Council's Code of Conduct by failing to comply with Paragraphs 2(b) and 4 of the Code.

The allegations made were that on 21 June 2005, Councillor McTigue had engaged in a heated argument with the two officers over whether they had accused her of being the person who had sent an annotated copy of newsletter to a local community centre. That she had also ordered a further officer out of a meeting room when she was speaking to one of the two other officers and, that by speaking to the officers in an angry and aggressive manner, Councillor McTigue had failed to treat the officers with respect. By her actions, Councillor McTigue also had conducted herself in a manner that could reasonably be regarded as bringing her office or that of the Council into disrepute.

Following investigation of the complaint by the Standards Board for England the complaint had been referred to the Panel for local determination.

As a preliminary stage, the Chair confirmed that the meeting was quorate and that all parties had received and were aware of the procedure for the meeting. The Chair sought the Panel's agreement that the hearing should be held in public. The Councillor indicated that she had no objections. Copies of relevant documents had been made available to the press.

The Councillor asked the Panel whether it would be in order for her to present her evidence on oath and suggested that other witnesses also be given that opportunity. The Chair, having obtained the views of other members, felt that it was not necessary to take that action.

The Principal Solicitor then outlined the purpose of the hearing as detailed in the Monitoring Officer's report circulated with papers for the meeting and, drew attention to the following paragraphs within the Ethical Standards Officer's report which were in dispute: Paragraphs 3.16, 3.30, 3.44 and 4.9.

The Chair invited Mr Buley, the representative from the Standards Board for England, to present the ESO's report following that officers investigation. He outlined the main points of the case, asked questions and addressed questions from Panel members and witnesses.

Following presentation of the report Panel members also asked the Councillor and other witnesses questions.

Having heard the evidence presented, members of the Panel, accompanied by the Members' Office representative, adjourned to consider their findings as to whether the allegations were proven.

Upon reconvening, the Chair stated that, based on the documents received and oral evidence presented, the Panel agreed that Councillor McTigue's actions had constituted a breach of the Code of Conduct, in that, she had not treated officers with respect. The Panel also felt that a sanction should be imposed for the following reasons:

The Panel felt that it was unlikely that an officer would speak to a Member of the Council in the words used unless the officer had been provoked.

The Panel then received advice from the Standards Board representative on the sanctions available to them.

The Panel, accompanied by the Members' Office representative, adjourned to consider what penalty to impose.

On reconvening the Panel **ORDERED**

1. That Councillor McTigue be required, within 14 days of the hearing, to apologise in writing to the three officers concerned and provide a copy of the letter of apology to the Monitoring Officer. In the event that there is a failure to do so (or if the Monitoring Officer concludes that they do not amount to an apology), then the Panel will be reconvened.
2. That Councillor McTigue meet with a senior officer of the Council for 1:1 training regarding relationships between Members and officers.