

**STANDARDS (HEARINGS) SUB-COMMITTEE**

A meeting of the Standards (Hearings) Sub-Committee was held on 19 March 2018.

**PRESENT:** Councillors J Rostron, (Chair), Arundale (As Substitute), D Rooney and Storey

**OFFICERS:** S Dorchell, A Hoy, S Lightwing, S Reynolds

**APOLOGIES FOR ABSENCE** were submitted on behalf of Councillors Hubbard and J Young.

**DECLARATIONS OF INTERESTS**

There were no Declarations of Interest at this point in the meeting.

**1 MINUTES - STANDARDS (HEARINGS) SUB COMMITTEE - 16 FEBRUARY 2018**

The minutes of the meeting of the Standards (Hearings) Sub Committee held on 16 February 2018 were taken as read and approved.

**2 EXCLUSION OF PRESS AND PUBLIC**

**ORDERED** that the press and public be excluded from the meeting for the following items on the grounds that, if present, there would be disclosure to them of exempt information as defined in Paragraphs 1 and 2 of Schedule 12A of Part 1 of the Local Government Act 1972 and that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

**3 STANDARDS COMPLAINTS REF: MSC/008/2017, MSC/009/2017, MSC/019/2017**

The Investigating Officer presented her report, a copy of which had been circulated prior to the meeting, regarding an investigation which had been undertaken in accordance with the prevailing legislation and guidance in relation to allegations that Councillor Rathmell had breached the Member's Code of Conduct thereby bringing the Council or his role as a Councillor into disrepute.

A summary of the complaints, details of the relevant legislation, protocols and Members' Code of Conduct, the review process, findings of fact and conclusions were presented by the Investigating Officer.

Committee Members were given the opportunity to question the Investigating Officer in relation to her report.

Having considered the Investigating Officer's report, the supporting documentation, the Investigating Officer's comments and questioning, the Sub Committee considered the findings of fact, and based on those findings, whether Councillor Rathmell had failed to comply with the Members' Code of Conduct.

In regard to the allegations, the Sub Committee unanimously supported the findings of the Investigating Officer's Report. The Committee concluded that Councillor Rathmell had breached the Members' Code of Conduct in respect of five of the complaints. A sixth complaint was dismissed.

It was **ORDERED** that the following sanctions be imposed:

1. That within a period of 4 weeks Councillor Rathmell issues a written apology to the Officers named in the report.
2. Failure to action the above will result in a public censure.
3. Training to be undertaken by Councillor Rathmell in:
  - a. Data Protection
  - b. Social Media (appropriate use)
4. Councillor Rathmell's communication plan to be reviewed to enable access to Council IT

systems and equipment, allowing access to Council information, in Egenda, receive/send emails etc. However, all communications with the Council would be managed as is at present in order to maintain the protection of staff and all communications would still be via the Onestop/Chief Executive.

5. The Chief Executive/Monitoring Officer were delegated the power to monitor this revised communication plan for any misuse and review on a six monthly basis. The communication plan would remain in place indefinitely.

6. The Standards (Hearing) Sub-Committee recommended Councillor Rathmell, and the Officers named in the report, be invited to participate in mediation to break the cycle of distrust and restore a respectful working relationship. This would be facilitated by an external organisation.