

STANDARDS COMMITTEE

Date: Monday 5th July, 2021
Time: 10.00 am
Venue: Council Chamber

AGENDA

1. Welcome and Evacuation Procedure
2. Apologies for Absence
3. Declarations of Interest
To receive any declarations of interest.
4. Minutes - Standards Committee - 9 October 2019 3 - 4
5. Standards Complaints - Verbal Update - Director of Legal and Governance Services and Monitoring Officer
6. Any other urgent items which in the opinion of the Chair, may be considered.

Charlotte Benjamin
Director of Legal and Governance Services

Town Hall
Middlesbrough
Friday 25 June 2021

MEMBERSHIP

Councillors T Mawston (Chair), M Saunders (Vice-Chair), S Dean, S Hill, D Rooney, J Rostron, M Storey, S Walker and A Waters

Assistance in accessing information

Should you have any queries on accessing the Agenda and associated information please contact Susan Lightwing, 01642 729712, susan_lightwing@middlesbrough.gov.uk

This page is intentionally left blank

STANDARDS COMMITTEE

A meeting of the Standards Committee was held on Wednesday 9 October 2019.

PRESENT: Councillors , M Saunders (Vice-Chair), D Coupe, S Dean, J Goodchild, B Hubbard (as substitute), L Lewis (as substitute), J McTigue, M Storey and A Waters

PRESENT BY INVITATION: Councillor Rathmell

ALSO IN ATTENDANCE: G Fell, Independent Person, Councillor Hill

OFFICERS: S Bonner, Z Farrow, S Lightwing, A Perriman, S Reynolds, K Whitmore, A Wilson

APOLOGIES FOR ABSENCE: Were submitted on behalf of Councillors J Rathmell and J Rostron

19/8 **DECLARATIONS OF INTEREST**

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

19/9 **MINUTES- STANDARDS COMMITTEE - 2 JULY 2019**

The minutes of the Standards Committee meeting held on 2 July 2019 were submitted and approved as a correct record.

19/10 **ANY OTHER URGENT ITEMS WHICH IN THE OPINION OF THE CHAIR, MAY BE CONSIDERED**

None.

19/11 **EXCLUSION OF PRESS AND PUBLIC**

The Chair sought the views of the Deputy Monitoring Officer, Committee Members and Councillor Rathmell as to whether the meeting should be held in private or open session. As there were no objections, it was determined that the meeting would be held in public.

ORDERED that the meeting was held in open session.

19/12 **STANDARDS COMPLAINTS REF: MSC/001/2019, MSC/004/2019, MSC/005/2019**

The Investigating Officer presented his 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 Code of Conduct for Members thereby bringing the Council or his role as a Councillor into disrepute.

A summary of the complaints, relevant documentation, interviews, findings of fact and conclusions were presented by the Investigating Officer. The Standards Committee also viewed a video of an extract of the Council meeting dated 16 January 2019.

Three allegations had been made in respect of Councillor Rathmell's conduct during a Council meeting on 16 January 2019. The allegations related to the same set of circumstances and to one incident. It was alleged that Councillor Rathmell had breached clause 3.5 of the Code of Conduct for Members by refusing to follow the Chair's instructions.

Committee Members, the Independent Member and Councillor Rathmell were given the opportunity to question the Investigating Officer in relation to his report.

Councillor Rathmell then presented his case and Committee Members and the Independent Member were given the opportunity to ask questions.

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

On reconvening, the Chair reported the findings of the Committee. In regard to the allegations, the Committee supported the findings of the Investigating Officer's Report. The Committee concluded that Councillor Rathmell had breached clause 3.5 of the Code of Conduct for Members.

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

1. Councillor Rathmell to receive training around the Constitution and Code of Conduct, with the Monitoring Officer, and this should be completed by May 2020.
2. Councillor Rathmell to sign an undertaking agreeing to adhere to the Code of Conduct and the Constitution. To be undertaken until May 2020.
3. Councillor Rathmell to be removed as Chair to the Standards Committee with immediate effect, and, not to be eligible to be re-elected as Chair until May 2020.