

Bath & North East Somerset Council		
MEETING:	Standards Committee	
MEETING DATE:	24 th March 2011	AGENDA ITEM NUMBER
TITLE:	Reference to Committee of Investigating Officer's Report concerning an allegation of a breach of the code of conduct by a Parish Councillor	
WARD:	ALL	
LIKELY TO BE TAKEN IN EXEMPT SESSION		
List of attachments to this report:		
<ol style="list-style-type: none"> 1. Appendix 1 – Access to Information Arrangements – Public Interest Test 2. Appendix 2 – Exempt - Investigating Officer's report into complaint concerning Cllr X – 19-10 B&NES 		

1 THE ISSUE

- 1.1 The Committee is asked to consider the Investigating Officer's Report and decide whether it agrees with the Investigating Officer's finding that there has not been a breach of the Code of Conduct.

2 RECOMMENDATION

That the Committee considers the Investigating Officer's Report and decides whether:-

- 2.1 it accepts the Investigating Officer's finding that there has not been a breach of the Code of Conduct, or;
- 2.2 it believes that there is a case to answer.

3 FINANCIAL IMPLICATIONS

- 3.1 Irrelevant

4 THE REPORT

- 4.1 This report is presented by the Council's Monitoring Officer to enable the Committee to consider the Investigating Officer's Report which is attached at Appendix 1.

- 4.2 The investigation has been carried out in accordance with the Council's approved procedure. A copy of the Investigating Officer's Report, and the agenda for this meeting has been sent to the Councillor against whom the allegation was made, the person who made the complaint and the Clerk to the relevant Parish Council.
- 4.3 The Committee's role at this stage is to decide whether, based on the facts set out in the report, it agrees with the Investigating Officer's finding that there has been no breach of the Code or believes there is a case to answer. The Committee should simply consider the report; it should not seek to interview witnesses or take representations from the parties.
- 4.4 If the Committee agrees that the Code of Conduct has not been breached, arrangements will be made for a notice to be published. The notice will state the Committee's findings and give reasons for it. The councillor involved is entitled to ask that the notice not be passed to local newspapers.
- 4.5 If the Committee decides that there is case to answer, it will be necessary to hold a hearing to make the final determination on whether the Code of Conduct was breached.

5 RISK MANAGEMENT

5.1 Not applicable.

6 EQUALITIES

It is intended that any hearings conducted will be conducted in accordance with the principles of fairness and natural justice.

Contact person	<i>Vernon Hitchman Monitoring Officer (01225) 395171</i>
Background papers	<i>Standards Board Guidance</i>
Please contact the report author if you need to access this report in an alternative format	