

**THE STUKELEYS PARISH COUNCIL –
ALLEGED BREACH OF CODE OF CONDUCT
(Report by the Director of Central Services and Monitoring Officer)**

1. INTRODUCTION

- 1.1 Members will be aware of a complaint which had been made to the Standards Board for England relating to the alleged conduct of two Parish Councillors serving on The Stukeleys Parish Council. The allegation had been referred to an Ethical Standards Officer who had subsequently passed the matter to the Monitoring Officer for investigation locally.
- 1.2 This procedure requires a report on the outcome of the investigation to be submitted to the Standards Committee in due course.

2. INVESTIGATION

- 2.1 In accordance with the guidance issued by the Standards Board for England, an investigation into the complaint has been undertaken. This has involved the inspection of Parish records and individual interviews with the complainant and his partner, with those Councillors subject to the allegations and with the Parish Clerk.
- 2.2 The final report on the case is now enclosed, appended to it are the documents which the Investigating Officer has taken into account in reaching her conclusions.
- 2.3 A copy of the Agenda for this meeting, including the final report has been sent to the complainant, to the Clerk to The Stukeleys Parish Council and to the Ethical Standards Officer.
- 2.4 The Monitoring Officer also has sent a copy of the final report to the Councillors against whom the allegations have been made. The Councillors have been advised of the conclusions of the final report and that the report has been referred to the Standards Committee.

3. NEXT STEPS

- 3.1 The Committee should consider making one of the following findings–
- (i) that it accepts the Investigating Officer's finding, that the Councillors have not failed to comply with the Code of Conduct for Members as set out in the allegation; or
 - (ii) that the matter should be considered at a hearing of the Standards Committee conducted in accordance with the District Council's adopted procedure for local determination hearings.
- 3.2 Should the Standards Committee find that there has not been a failure to comply with the Code of Conduct, the Monitoring Officer is required, as soon as practicable thereafter, to send a written note of that finding and the reasons on which it was based together with a copy of the Investigating Officer's report to the Councillors, to the

Ethical Standards Officer, to the Parish Council and to the person who made the allegation. The Councillors should be asked whether they object to the publication of a notice of the finding in the local newspaper and arrangements should be made for the publication of the notice unless the Councillors so objects.

- 3.3 If the Standards Committee decides that there is a case to answer, a hearing will be held to make a final determination on whether the Code of Conduct has been breached. The Standards Committee's decision to hold a hearing should be based on careful consideration of the information in the report of the Investigating Officer. Should the Committee wish to proceed, the Monitoring Officer is required to arrange for the matter to be considered at a hearing held in accordance with the adopted procedure.
- 3.4 The Committee will recall that they authorised the Director of Central Services and Monitoring Officer, after consultation with the Chairman of the Committee, to appoint Members to hearings as necessary and suggested that five Members should comprise the Panel, charged with undertaking a determination hearing. It was agreed that a minimum of three Members of the Standards Committee, including at least one independent Member must be present. If a case related to a Parish Councillor it was agreed that one of the Committee Members present must be a Parish Councillor.

4. CONCLUSION

- 4.1 The Committee is invited to consider the report of the Investigating Officer and to decide whether, based on the facts set out, that it agrees or otherwise with the finding and considers whether there is a case to answer.

BACKGROUND PAPERS

Local Investigations – Guidance for Monitoring Officers and Standards Committees – Standards Board for England.

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