ASSESSMENT SUB (STANDARDS) COMMITTEE

Wednesday, 16 December 2015

Minutes of the meeting of the Assessment Sub (Standards) Committee held at the Guildhall EC2 at 10.00 am

Present

Members:

Nigel Challis
Mark Greenburgh (Co-opted Member)
Edward Lord (Chairman)
Anju Sanehi (Independent Person)
Tom Sleigh

Officers:

Lorraine Brook	-	Town Clerk's Department
Sabina Johal	-	Town Clerk's Department
Michael Cogher	-	Comptroller & City Solicitor
Edward Wood	-	Comptroller & City Solicitor's Department

1. **ELECTION OF CHAIRMAN**

The Committee elected a Chairman of the Assessment Sub-Committee.

Resolved:- That Edward Lord OBE be elected as Chairman of the Assessment Sub-Committee.

2. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE ASSESSMENT SUB-COMMITTEE**

A number of questions, which were responded to by the Comptroller and City Solicitor, were raised in relation to procedural matters and clarification was sought in respect of the potential outcomes arising from the Sub-Committee's deliberations.

The Comptroller and City Solicitor reminded the Sub-Committee of the actions that were available to it following consideration of the allegations, namely:
(i) decide that no action should be taken;
(ii) refer any of the allegations to the Monitoring Officer for investigation; or
(iii) decide that whilst an investigation should not be undertaken, some other action be undertaken such as training or conciliation.

It was noted that whilst some Members of the Sub-Committee had personal knowledge of the respondent and all Members were aware of other internal disciplinary proceedings currently underway involving the complainant, this knowledge was inevitable and did not of itself constitute bias or lead to the perception of bias. The Comptroller and City Solicitor reminded those present that if there were any additional factors leading to a real danger of bias this would however exclude them from participating in the Sub-Committee's proceedings.

NOTED.

3. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
There was none.

4. **EXCLUSION OF THE PUBLIC**
Resolved – That under Section 100(A) (4) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1-3 of Part I of the Schedule 12A of the Local Government Act: -

Item Nos.	Paragraph(s) in Schedule 12A
5	1-3

5. **REPORT OF THE COMPTROLLER AND CITY SOLICITOR**
The Sub-Committee considered a report of the Comptroller and City Solicitor detailing a complaint that had been received in accordance with the procedures for managing complaints against Members; the alleged breaches of the Code of Conduct and the action required by the Assessment Sub-Committee.

The Sub-Committee reviewed the documentation that had been submitted by the complainant in respect of two main allegations. The Sub-Committee also considered the comments that had been received from the Member in response to the allegations, of which he had been informed.

Having reviewed the documentation before them and considered the current City Corporation assessment criteria, it was agreed unanimously that the complaint, if proven, would be a breach of the Code of Conduct and that the complainant had submitted enough information to satisfy them that the complaint should be referred for investigation. The Sub-Committee noted that the Member had not fully responded to all of the allegations made against him and no reason had been established under the assessment criteria for the complaint not to be investigated. Consequently, it was agreed that the matter should be referred to the Monitoring Officer for investigation so that a report could be submitted to a future meeting of the Hearing Sub-Committee, consisting of the same membership. The Sub-Committee then proceeded to identify a number of specific areas for investigation. The Sub-Committee also agreed that as the Monitoring Officer would lead the investigation into the alleged breaches of the Code of Conduct, legal and procedural advice at future meetings relating to this complaint should be provided by the Assistant City Solicitor.

Resolved:- That –
(i) the matter be referred to the Monitoring Officer for investigation so that a report could be submitted to a future meeting of the Hearing Sub-Committee;
(ii) a meeting of the Hearing Sub-Committee consisting of the same membership be scheduled to take place on 29th January 2016 to consider the report; and
(iii) the Assistant City Solicitor provide advice to the Hearing Sub-Committee in considering the report.

6. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE SUB-COMMITTEE**
   There were none.

7. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
   There was none.

The meeting closed at 10.50 am

Chairman

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