

Report – Standards Appeals Committee

Recommendation of the Standards Appeals Sub Committee

To be presented on Thursday, 5th March 2020

*To the Right Honourable The Lord Mayor, Aldermen and Commons
of the City of London in Common Council assembled.*

SUMMARY

This report presents to the Court of Common Council the outcome of an Appeal made by John Chapman against the findings of a Hearing Sub (Standards) Committee that he had breached the Code of Conduct. As the appointing body for the Standards Appeals Committee, it is now for the Court to note the sanction that was imposed in relation to this Committee and to determine whether or not they feel it appropriate to discharge John Chapman from his membership of it for a period of not less than twelve months.

RECOMMENDATION

That the Court of Common Council notes the sanction imposed and determines whether or not they feel it appropriate to discharge John Chapman from his membership of the Standards Appeals Committee for a period of not less than twelve months.

MAIN REPORT

1. On 11 September 2019, the Town Clerk received a letter from Mr Chapman outlining his intention to appeal decisions taken by the Hearing Sub (Standards) Committee and his grounds for doing so. The Hearing Sub Committee meeting was held on 26 July 2019 and, in response to a complaint received from two Senior Officers of the City Corporation, had concluded unanimously that there had been breaches of the Code of Conduct on the part of Mr Chapman.
2. Accordingly, a Panel was convened, drawn from the Standards Appeals Committee, to hear the appeal.
3. The Appeal Sub Committee met on 16 December 2019, formally received Mr Chapman's written grounds for appeal and determined the procedure the Appeal should follow. Having carefully considered the grounds of appeal raised by Mr Chapman, the Appeal Sub Committee unanimously concluded, the Independent Person being in agreement, that the appeal against the finding that there had been a breach of the Code of Conduct should be dismissed.

4. Having decided to dismiss the grounds for appeal, the Appeal Sub Committee then considered the sanctions originally imposed by the Hearing Sub Committee and the appropriateness of these.
5. In summary, the Appeal Sub Committee quashed the sanction of censure and quashed the requirement for a written apology imposed by the Hearing Sub Committee on the basis that they did not feel that the Hearing had the power, under the Complaints Procedure, to direct this. Instead, the Panel recommended that the subject member be removed from any Standards Appeal Committee as well as the Property Investment Board for a period to be determined by the relevant appointing bodies. The Appeal Sub Committee recommended that the subject member be removed from both bodies for a period of no less than 12 months. The Appeal Sub Committee also concluded that the outcome of this appeal should be set out in public minutes and reported to the Standards Committee, which happened on 24 January 2020. They requested that a notice also be placed on the Members' Notice Board and this too has already been actioned.
6. It is important to note that this is not an opportunity to redetermine the appeal as that process has now been exhausted. However, the implementation of the sanctions recommended by the appeal process are now, essentially, in the determination of the relevant appointing bodies – the Court of Common Council in the case of the Standards Appeals Committee and the Investment Committee in the case of the Property Investment Board.
7. As the appointing body for the Standards Appeals Committee, the Court of Common Council is therefore now invited to consider the sanction relating specifically to this and to decide whether or not they feel it is appropriate to discharge John Chapman from his membership of this body for a period of no less than twelve months at the recommendation of both the Standards Appeal Committee and the Hearing Sub Committee before it.

All of which we submit to the judgement of this Honourable Court.

DATED this 16th December 2019.

SIGNED on behalf of the Sub Committee.

Alderman Timothy Hailes
Chairman, Standards Appeal Sub Committee