

STANDARDS COMMITTEE - HEARING SUB-COMMITTEE

11th April 2011

Present: Mrs. Christine Davenport MBE in the Chair;
Councillors Berry and Denham.

Officers:

**Representing the Corporate Director (Commissioning,
Customer Service and Communication)**

Mrs. A. Perry, Committee Administrator

1 Item Involving the Disclosure of Exempt Information

RESOLVED: That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of information as defined in Schedule 12A of the said Act:

Consideration of report of Independent Investigator into a Complaint

The Sub-Committee accepted the report and recommendations of the Independent Investigator and agreed that no further action be taken.

2 Consideration of Report of Independent Investigator into a Complaint

The Sub-Committee received the investigation report of the Independent Investigator commissioned to carry out the investigation into the complaint against Councillor David Tibbutt by Mr. Neville Sheldrick that Councillor Tibbutt had breached the Code of Conduct in his working relationship with Mr. Sheldrick in the following way:-

- (a) humiliated him and treated him with disrespect having no regard for his professional knowledge or position;
- (b) by his words and actions bullied him;
- (c) attempted to compromise the impartiality of officers who work for the authority; and
- (d) by the manner of his conduct has brought his office into disrepute.

The Sub-Committee commended the thorough investigation and the comprehensive report of the Investigator which set out in detail the processes and findings.

The Sub-Committee commented that it was appropriate for Portfolio Holders to have the right of political oversight of the service areas for which he/she was responsible, and accepted the Investigator's findings of no reasons to substantiate the allegations in the complaint.

The Sub-Committee recommended that as part of the forthcoming review of the Constitution, the Protocol for Member/Officer Relationship should be checked to ensure that there was appropriate guidance for Portfolio Holders about contact with officers. This was not to say there was any misconduct in this case, but would avoid the potential for a future situation where a less senior officer felt it inappropriate to have to deal with the Portfolio Holder. The Standards Committee could usefully be included in any future briefing sessions on conduct towards Officers.

RESOLVED: That the Hearing Sub-Committee accept the report and recommendation of the Independent Investigator into the complaint against Councillor David Tibbutt by Mr. Neville Sheldrick, agreeing that no further action be taken.

Duration of the meeting: 4.30 p.m. to 4.50 p.m.

Chairman at the meeting on
11th April 2011