

Committee: STANDARDS

Agenda Item

Date: 11 June 2015

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**Title: REPORT CONCERNING AN ALLEGATION
OF A BREACH OF THE CODE OF
CONDUCT**

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Item for decision

Summary

1. This report is to inform members of the outcome of an investigation into an allegation that Cllr David Watson of Saffron Walden Town Council had breached that council's Code of Conduct.

Recommendations

2. Members determine whether to accept the findings of the Monitoring Officer and if so what sanction (if any) to impose with regard to the breach which has been found.

Financial Implications

3. None.

Background Papers

4. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author.
 - Report of Monitoring Officer and documents referred to therein (attached).

Impact

- 5.

Communication/Consultation	None
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None

Sustainability	None
Ward-specific impacts	Saffron Walden only.
Workforce/Workplace	None

Situation

6. Following a complaint that Cllr Watson had breached the Code of Conduct of Saffron Walden Town Council by failing to treat the parish clerk with respect, a decision was made that the allegations warranted an investigation.
7. An investigation was carried out by the Monitoring Officer whose report is attached for members' consideration.
8. Members are not bound by the Monitoring Officer's findings but should they decide to depart from them then clear reasons for doing so should be given.
9. If members conclude that there has been a breach of the Code of Conduct then the options are:
 - a. To take no further action
 - b. To recommend that the member issue an apology
 - c. To recommend that the member undergoes training
 - d. To recommend that the member engage in mediation
 - e. To censure the member

Risk Analysis

10.

Risk	Likelihood	Impact	Mitigating actions
The person dissatisfied with the decision may seek judicial review	1, given the practical effects of a finding of a breach of the Code it is unlikely that someone would embark on this course	2, the council is likely to win any application for a judicial review with a costs award in its favour but some resources would be required in its defence and	None.

		some expense would not be covered by an award of costs.	
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1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.