Councillor Code of Conduct Hearing

Councillor Graham Jeal v Councillor Tim Harrison

Report Author

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Purpose of Report

This report provides the Hearing Review Panel with information relating to a complaint by Councillor Graham Jeal against Councillor Tim Harrison which is the subject of a Hearing, in accordance with the Council's procedure for dealing with complaints against Councillors.

Information within the report has been redacted because of the likelihood information that is exempt under paragraph 1 of Schedule 12A of the Local Government Act 1972 (as amended) will be disclosed and is considered not to have passed the public interest test. This is due to contents including personal information not relevant to the case under consideration or personal information relating to other third parties. The press and public may be excluded from the meeting should any of this redacted information be referenced or relied upon as part of proceedings.

Recommendations

That the Hearing Review Panel:

1. **Determines whether or not a breach of the Councillor Code of Conduct has occurred.**

2. Determines what sanctions to impose, if any, should a breach of the Councillor Code of Conduct have occurred.

Decision Information	
Does the report contain any exempt or confidential information not for publication?	Yes
What are the relevant corporate priorities?	Effective council
Which wards are impacted?	Not applicable

1.   Background to the Report

1.1   The Council has a procedure in place for dealing with complaints against Councillors, which is included as part of the Council's Constitution at Part 5 (Codes and Protocols).

1.2   Any complaint received by the Council regarding the conduct of its Councillors will be dealt with in accordance with this procedure.

1.3   The complaint scheduled for consideration at this Hearing was submitted by Councillor Graham Jeal against Councillor Tim Harrison.

1.4   In accordance with the Council's procedure, the complaints were referred for formal investigation.

1.5   Wilkin Chapman LLP were appointed by the Monitoring Officer to conduct the formal investigation relating to three complaints submitted by Councillor Graham Jeal against Councillor Harrison. Given the similarities between the three complaints, they were amalgamated into one investigation.

1.6   The Investigating Officer has found that Councillor Tim Harrison acted in breach of the Councillor Code of Conduct in terms of treating others with respect regarding one of the three complaints.

1.7   The Monitoring Officer determined, in consultation with the Council's Independent Persons, that this finding be referred to a Hearing and that this would be heard by a Hearing Review Panel.

2. Key Considerations

2.1 The final report from the Investigating Officer at Wilkin Chapman LLP is attached to this covering report for the Hearing Review Panel's consideration at **Appendix A**. This is supported by a schedule of evidence document which is attached at **Appendix B**.

2.2 As stated under the 'purpose of report' section of this covering report, there are a number of redactions in the Investigating Officer's report and schedule of evidence. This is due to the fact that these do not relate to the specific matter that has been referred to the Hearing Review Panel or contain personal information relating to other third parties. Information relating to the two complaints where no breach was found have therefore been redacted as these elements have not been referred to a Hearing.

2.3 The procedure to be followed for this Hearing is outlined in the Council's procedure for dealing with complaints against Councillors. This is set out in **Appendix C** of this report.

3. Appendices

Appendix A – Investigating Officer's report
Appendix B – Schedule of evidence
Appendix C – Procedure for Hearing