

**MINUTES OF A MEETING OF THE  
ADJUDICATION & REVIEW COMMITTEE (STANDARDS - ASSESSMENT SUB  
COMMITTEE)  
Havering Town Hall  
18 October 2012 (7.00 - 7.20 pm)**

**Present:**

**COUNCILLORS**

**Conservative Group**            Barry Oddy

**Residents' Group**            John Mylod

**Labour Group**                Denis O'Flynn

The Chairman reminded Members of the action to be taken in an emergency.

**1      CHAIRMAN'S ANNOUNCEMENTS**

The Chairman gave details of the action required in case of fire or other event requiring the evacuation of the meeting room.

**2      APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS**

There were no apologies received.

**3      DISCLOSURE OF PECUNIARY INTERESTS**

There were no disclosures of interest.

**4      EXCLUSION OF THE PUBLIC**

The Panel resolved that the public should now be excluded from the remainder of the meeting on the grounds that it was likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public were present during these items there would be disclosure to them of exempt information within the meaning of paragraph 1 of Schedule 12A to the Local Government Act 1972; and it was therefore decided to exclude the public on these grounds.

**5      CONSIDERATION OF AN ALLEGATION OF A BREACH OF THE MEMBERS' CODE OF CONDUCT**

The Panel heard that the complaint related to remarks made by Councillor A at a meeting of full Council where he had questioned the award of a reablement tender and stated that, in his view, the successful tenderer must

have employed workers of Asian origin who would work for lower wages and not be aware of their rights.

The advice of the Monitoring Officer was that the new Code of Conduct, introduced in July 2012, was relevant to this case. The only sections of the Code that would apply directly to this case were as follows:

- Valuing colleagues and staff and engaging them in an appropriate manner and one that underpins the mutual respect between Members and Staff that is essential to good local government.
- Always treating people with respect, including the organisations and public they engage with and work alongside.

In discussion, the Panel noted the Monitoring Officer's view that Councillor A was not casting aspersions on any one individual and in fact supported the overall views made by the complainants. The Panel agreed that Councillor A's remarks were not disrespectful but remained concerned that Councillor A should consider what he says more carefully in future.

The Sub-Committee was reminded that it was required to reach one of the following decisions on a complaint about a Member's actions in relation to the Code of Conduct:

- Require the Monitoring Officer to seek further clarification of the person making the allegation and adjourn to reconvene when that clarification is to hand.
- Dismiss the allegation as showing no, or insufficient, evidence of a breach warranting further investigation.
- Require the Monitoring Officer formally to investigate the allegation and, upon completion of the investigation to report thereon to a hearings panel.

### **Decision**

The Panel AGREED to ask the Monitoring Officer to meet Councillor A, make him aware of the Committee's concerns and seek to persuade Councillor A to send a written apology for his remarks to the complainants.

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**Chairman**