



Date: 24 September 2013

Hinckley & Bosworth
Borough Council

A Borough to be proud of

To: **Members of the Ethical Governance and
Personnel Committee**

Mr DW Inman (Chairman)
Mrs R Camamile
Mrs WA Hall
Mr KWP Lynch
Mr JS Moore

Mr LJP O'Shea
Mrs J Richards
Mr R Ward
Ms BM Witherford

Copy to all other Members of the Council

(other recipients for information)

Dear member,

There will be a meeting of the **ETHICAL GOVERNANCE AND PERSONNEL COMMITTEE** in the on **WEDNESDAY, 2 OCTOBER 2013 at 10.30 am** and your attendance is required.

The agenda for the meeting is set out overleaf.

Yours sincerely

Helen Rishworth
Communications & Democratic Accountability Officer

ETHICAL GOVERNANCE AND PERSONNEL COMMITTEE - 2 OCTOBER 2013

A G E N D A

1. APOLOGIES AND SUBSTITUTIONS
2. MINUTES OF PREVIOUS MEETING (Pages 1 - 2)
To confirm the minutes of the previous meeting.
3. ADDITIONAL URGENT BUSINESS BY REASON OF SPECIAL CIRCUMSTANCES
To be advised of any additional items of business which the Chairman decides by reason of special circumstances shall be taken as matters of urgency at this meeting.
4. DECLARATIONS OF INTEREST
To receive verbally from members any disclosures which they are required to make in accordance with the Council's code of conduct or in pursuance of Section 106 of the Local Government Finance Act 1992. **This is in addition to the need for such disclosure to be also given when the relevant matter is reached on the agenda.**
5. QUESTIONS
To hear any questions received in accordance with Council Procedure Rule 10.
6. MATTERS FROM WHICH THE PUBLIC MAY BE EXCLUDED
To consider the passing of a resolution under Section 100A(4) of the Local Government Act 1972 excluding the public from the undermentioned items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 2 and 10 of Schedule 12A of the 1972 Act.
7. FACT FINDING REPORT 2013-02 (Pages 3 - 6)
8. FACT FINDING REPORT 2013-07 (Pages 7 - 10)
9. FACT FINDING REPORT 2013-09 (Pages 11 - 16)
10. FACT FINDING REPORT 2013-10 (Pages 17 - 20)
11. ANY OTHER ITEMS OF BUSINESS WHICH THE CHAIRMAN DECIDES HAVE TO BE DEALT WITH AS MATTERS OF URGENCY

Agenda Item 2

HINCKLEY AND BOSWORTH BOROUGH COUNCIL

ETHICAL GOVERNANCE AND PERSONNEL COMMITTEE

7 AUGUST 2013 AT 10.30 AM

PRESENT: Mr DW Inman - Chairman

Mr PR Batty (for Mr LJP O'Shea), Mrs WA Hall, Mr C Ladkin (for Mrs R Camamile), Mr KWP Lynch, Mr JS Moore, Mrs J Richards, Mr R Ward and Ms BM Witherford

Officers in attendance: Louisa Horton, Nigel Deacon and Helen Rishworth.

109 APOLOGIES AND SUBSTITUTIONS

Apologies were submitted on behalf of Councillor O'Shea, with the substitution of Councillor Batty. Apologies were also submitted from Councillor Camamile, with the substitution of Councillor Ladkin, both substitutions were authorised in accordance with Council Procedure Rule 4.1.

110 MINUTES OF PREVIOUS MEETING

On the motion of Councillor Moore, seconded by Councillor Lynch, it was

RESOLVED – the minutes of the meeting held on 10 April 2013 be approved and signed by the Chairman.

111 DECLARATIONS OF INTEREST

In the interests of openness and transparency, Councillor Batty declared an interest in agenda item 12 and Councillor Janice Richards declared an interest in agenda item 13 and both agreed to leave the room.

112 SOCIAL MEDIA POLICY

Members were presented with a draft social media policy. Discussion took place concerning the wording of item 4.6. Concern was expressed over the flexibility of the policy to fit all situations as they arise.

It was moved by Councillor Moore, seconded by Councillor Inman and

RESOLVED – a new sentence be added to the policy by the Monitoring Officer and for the entire document to be reviewed in six months.

113 EXCLUSION OF PRESS AND PUBLIC

It was

RESOLVED – in accordance with section 100A(4) of the Local Government Act 1972, the public be excluded from the following item of business on the grounds that it involves the disclosure of exempt information as defined in paragraphs 1,2 and 10 of Part I of Schedule 12A of that Act.

114 FACT FINDING REPORT 2013-03

The Monitoring Officer reported that as part of the fact-finding work she had spoken to the complainants and subject member. Members agreed that they had shared similar views on this matter as the subject Member. The subject Member listened to the residents in great detail concerning this matter and therefore it was felt that the Member had acted in the interests of the residents they represent.

RESOLVED – no breach of the code of conduct had occurred and therefore no action be taken.

115 FACT FINDING REPORT 2013-04

The Monitoring Officer advised that both parties had responded with additional information. After an informal resolution was rejected by the complainant, the complaint moved to stage two where the Monitoring Officer undertook a fact finding investigation.

It was proposed by Councillor Moore, seconded by Councillor Hall and

RESOLVED – that the Monitoring Officer should send a letter to the Councillor reminding him of the duties of public office.

116 FACT FINDING REPORT 2013-05

The Monitoring Officer advised that the complainant had asked for the complaint to be taken to stage two, as an informal resolution was not appropriate in the case. Concerns were expressed by the subject Member as to whether the complaint could be dealt with fairly, particularly where the committee considering the matter was politically balanced representing the political proportions of this council.

It was felt by Members that further investigation, by an external person; appointed by the Monitoring Officer, should be undertaken.

It was proposed by Councillor Moore, seconded by Councillor Lynch and

RESOLVED – that the Monitoring Officer appoint an external investigator and an investigation be undertaken to be considered further by the Committee.

117 FACT FINDING REPORT 2013-06

In the interests of openness and transparency, Councillor Batty declared an interest in agenda item 12 and left the room.

The Monitoring Officer presented the report after her fact finding investigation. It was moved by Councillor Lynch, seconded by Councillor Ward and

RESOLVED – no further action be taken

118 INFORMAL RESOLUTION REPORT

In the interests of openness and transparency, Councillor Richards declared an interest in agenda item 13 and left the room.

(The Meeting closed at 11.57 am)

CHAIRMAN

By virtue of paragraph(s) 2, 10 of Part 1 of Schedule 12A of the Local Government Act 1972.

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