



## Hinckley & Bosworth Borough Council

Forward timetable of consultation and decision making

Council 26 November 2024

Wards affected: All wards

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### Recommendations of the Ethical Governance and Personnel Committee

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Report of Monitoring Officer

#### 1. Purpose of report

1.1 To seek approval of a recommendation of the Ethical Governance and Personnel Committee.

#### 2. Recommendation

2.1 That Council approves the recommendations of the Ethical Governance and Personnel Committee and that:

- Councillor CW Boothby be removed from his position on Planning Committee for a period of twelve months
- Councillor Boothby be censured

#### 3. Background to the report

3.1 On 21 October 2024, the Ethical Governance & Personnel Committee found that Councillor Boothby had breached the council's code of conduct by failing to treat with people with respect when he challenged a school teacher and coach driver as they were making arrangements to escort children onto coaches for a school trip. A copy of the decision notice is attached.

3.2 The Ethical Governance and Personnel Committee agreed the following sanctions:

- (i) Formal apology to be written by Councillor Boothby to the teacher/school
- (ii) Additional training on the code of conduct be undertaken by Councillor Boothby

- (iii) A formal letter be written to Councillor Boothby concerned highlighting the failings in their conduct
- (iv) A recommendation be put to council to remove Councillor Boothby from Planning Committee for 12 months
- (v) A press release be issued on the nature of the complaint and the committee's decision and the same information be published on the council's website
- (vi) A recommendation be put to Council that Councillor Boothby be censured

3.3 Four of the above sanctions are within the remit of the committee, however (iv and vi) require a resolution of Council. This report is therefore laid before Council for their consideration.

3.4 Since the meeting of the Ethical Governance and Personnel Committee representations have been received from Ratby Parish Council and "Rise for Ratby" claiming that removing Councillor Boothby from Planning Committee would be unlawful and will prevent their views being heard at a time they are objecting to development. In response, they have been advised and reassured that appointments to Planning Committee are not on a ward by ward basis, it is entirely lawful and Councillor Boothby would still be able to represent them and speak at Planning Committee meetings as their ward councillor.

3.5 At the time of writing this report Councillor Boothby had refused to apologise to the teacher as requested as he feels the whole complaint was politically motivated.

#### **4. Exemptions in accordance with the Access to Information procedure rules**

4.1 This report is to be taken in public session as all information relating to the decision is in the public domain.

#### **5. Financial implications [IB]**

5.1 None.

#### **6. Legal implications [ST]**

6.1 As set out within the body of this report, a resolution is required by Council in accordance with the proposed recommendation. This is the sole matter that is required to be determined, and in accordance with the Council's constitution, this decision is reserved for Council.

#### **7. Corporate Plan implications**

7.1 The recommendations within this report do not have corporate plan implications.

## **8. Consultation**

8.1 This report results from a decision of the Ethical Governance & Personnel Committee and as such, no consultation is necessary.

## **9. Risk implications**

9.1 It is the council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

9.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

9.3 The following significant risks associated with this report / decisions were identified from this assessment:

### Management of significant (Net Red) risks

Risk description	Mitigating actions	Owner
Reputational risk to the authority of not taking action where necessary	Ensure action is taken to address conduct issues	Julie Kenny

## **10. Knowing your community – equality and rural implications**

10.1 This decision does not impact any particular parishes, communities or groups.

## **11. Climate implications**

11.1 The recommendations within this report do not have climate plan implications.

## **12. Corporate implications**

12.1 By submitting this report, the report author has taken the following into account:

- Community safety implications
  - Environmental implications
  - ICT implications
  - Asset management implications
  - Procurement implications
  - Human resources implications
  - Planning implications
  - Data protection implications
  - Voluntary sector
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Background papers: Minutes of the Ethical Governance and Personnel  
Committee meetings.

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