

Report No. TC04917 Appendices: Li-Lii Agenda Item: 16	Council Date of Meeting: 13/09/2017
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OAKHAM TOWN COUNCIL

Report Author: Chairman	Title Cllr Brookes - Conduct complaints
Subject: Findings and recommendations of the RCC Monitoring Officer	

Background

Following a number of conduct complaints raised against Cllr Brookes regarding his conduct as an Oakham Town Council councillor, RCC's Monitoring Officer engaged an independent person to investigate and produce a report regarding these complaints.

The CC Monitoring Officer issued the following Decision Statement.

The report of the independent investigation found that:

- Cllr Brookes' actions were within the scope of the Council's code of conduct, with one exception.
- That on two occasions Cllr Brookes published confidential information on a public blog and therefore breached the code of conduct
- That in a number of incidents, Cllr Brookes failed to treat an employee of the Town Council with respect;

In assessing this complaint, I have considered the findings from the investigation as set out in section 3. I have concluded that Cllr Brookes' conduct has fallen short of that expected. I therefore consider that Cllr Brookes failed to comply with the following paragraphs of Oakham Town Council's Code of Conduct:

Paragraph 4.1.1 – A member of the Council shall behave in such a way that a reasonable person would regard as respectful

Paragraph 4.1.5 - A member shall not disclose information which is confidential or where disclosure is prohibited.

The RCC Monitoring Officer has made the following recommendation for Council's consideration:

1. A formal letter should be issued to Cllr Brookes.
2. Cllr Brookes should be formally censured.
3. The Town Council takes part in a conciliation process.

Following discussions between the Chairman and the Monitoring Officer, the Monitoring officer has stated that it is her opinion that electors have the right to know about the findings and actions taken and that this should not be treated as exempt.

At the Chairman's request, the Monitoring Officer provided a draft formal censure letter for Council's consideration.

The Chairman has requested to meet with the Independent person in relation to possible processes for implementing conciliation.

The decision notice will be displayed on the RCC web site.

Recommendations

The attached formal letter is issued to Cllr Brookes and that the letter, together with the Decision Notice, is published on OTC notice boards and web site.

The Chairman pursues the mechanism for a conciliation process with a consultant recommended by the Monitoring Officer and reports his findings to Council

Dear Cllr Brookes,

On 9 August 2017 Rutland County Council's Monitoring Officer issued a decision notice in respect of an independent investigation into complaints about your conduct.

The investigation found that you had breached the Code of Conduct as follows:

- That on two occasions you published confidential information on a public blog and therefore breached the Code of Conduct;
- That in a number of incidents, you failed to treat an employee of the Town Council with respect;

As such, the Monitoring Officer recommended sanctions to the Town Council as follows:

- That a formal letter should be issued to you
- That you should be formally censured

The Town Council considered these recommendations at its meeting on 13 September 2017 and resolved to accept them in full.

This is the formal letter setting out the breaches of the Code of Conduct and that a formal censure has been imposed.

The investigation founds breaches of the Code, which are the same breaches as were found last June. The Town Council is extremely disappointed that your conduct has once again fallen short of that expected from a Member of the Town Council and we wish to see an immediate improvement.