

**NON-EXEMPT**

## **HAVANT BOROUGH COUNCIL**

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**Governance & Audit Committee**

**02 December 2015**

### **CHANGES TO THE PROCESS FOR GOVERNANCE & AUDIT SUB-COMMITTEE HEARINGS**

**Report By Monitoring Officer**

**FOR RECOMMENDATION TO COUNCIL**

**Cabinet Lead: Cllr Wilson**

**Key Decision: No**

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#### **1.0 Purpose of Report**

- 1.1 To make minor changes to the process to be followed by the Governance & Audit Sub-Committee at Hearings convened following an investigation into whether a Borough Councillor has breached the Council's Code of Conduct.

#### **2.0 Recommendation**

That: the Committee recommend to Council that the Council's Process for dealing with allegations be amended as follows:

- (i) reference to the "Governance Committee" be amended so as to read "Governance & Audit Committee"
- (ii) The procedure for hearings be amended to ensure that a separate process for hearings convened following an investigation be added as Appendix 3 to the process.

#### **3.0 Summary**

- 3.1 The making of minor amendments to the processes to be followed at a hearing of the Governance & Audit Sub-Committee is recommended in order to ensure any such hearings run efficiently and in the interests of justice.

#### **4.0 Subject of Report**

- 4.1 The current process for dealing with allegations that a Councillor has failed to comply with the Council's Code of Conduct was made

following significant changes to the law relating to the conduct of Councillors made by the Localism Act 2011.

4.2 The process sets out the procedures to be followed by the Council in the event that a complaint is made about the failure of a Councillor to comply with the Council's Code of Conduct. The proposed changes to the process gives more detail to the process to be followed in the event that the initial assessment team send a complaint for investigation. The purpose of the changes is to try to make sure that any hearing of a Sub-Committee convened following an investigation runs efficiently and is fair for all the parties.

4.3 The proposed process is attached as Appendix A

## **5.0 Implications**

5.1 Resources: None

5.2 Legal: An improved process will improve the efficiency of any hearings convened following an investigation and is therefore considered to be in the interests of justice.

5.3 Strategy: The process assists hearings convened following an allegation that a Councillor has breached the Code of Conduct.

5.4 Risks: None

5.5 Communications: The changes will be advertised on the Council's website

5.6 For the Community: Upholding the good conduct of Councillors.

## **6.0 Consultation**

Legal Services: 30 November 2015

Service Manager Finance: 30 November 2015

Cabinet Lead: 30 November 2015

**Appendices:** Appendix A attached

**Background Papers:** None

**Contact Officer:** Nick Leach  
**Job Title:** Monitoring Officer  
**Telephone:** 01730 234088  
**E-Mail:** nick.leach@easthants.gov.uk