

COUNCIL – 26 APRIL 2007

AGENDA ITEM 10 - MEMBER CONTRACT AND TOOLKIT

REVISED RECOMMENDATIONS

(1) Breach of Codes/Protocol Procedure

That the following local procedure be agreed and included in the Member Toolkit, to be followed where there are potential breaches of the Code of Conduct and other protocols:

- If a complaint is made to the Chief Executive or Monitoring Officer about the behaviour of a Member that Member will receive a written invitation from the Chief Executive and/or Monitoring Officer to attend a meeting to discuss the issue. The Member's relevant group leader will also be invited to attend the meeting and the Chairman of the Standards Committee may also be invited to attend. If the complaint is deemed to be a valid complaint following initial investigation by the Chief Executive and/or Monitoring Officer, the Member will be asked to apologise, where appropriate, or receive a written warning that such behaviour is not welcome at the Council and asking that there be no recurrences. The Member will be warned at this stage that if the type of behaviour happens again then it will be recommended that a complaint be made to the Standards Board for England.
- If the Chief Executive or Monitoring Officer, following an initial investigation of the facts, deems that a complaint against a Member is likely to be upheld and that under the SBE system the conduct is of a type likely to attract a penalty (other than censure or a recommendation for training) then such a complaint would be referred directly to the SBE.
- If a Member has previously been found to have breached the Code of Conduct (either by the Council or the SBE) and a similar complaint is made again (*and the Chief Executive or Monitoring Officer, following an initial investigation of the facts, deems that a complaint against a Member is likely to be upheld*) such a complaint will also be referred directly to the SBE.

If, following an initial investigation, the Chief Executive or Monitoring Officer is unable to ascertain the facts at issue in a complaint against a Member and it concerns a possible breach of the Code of Conduct then it will be recommended that a referral is made to the SBE so that a full investigation can take place.

(2) Member Undertaking

That the following Member undertaking be approved for signing at the Annual Meeting of Council, at which Members will be issued with their copies of the Member Toolkit:

"I acknowledge the need to establish a culture of high ethical standards within South Cambridgeshire District Council and understand that by signing this undertaking I am demonstrating my commitment to achieving this.

I agree to abide by and respect the rules, procedures, policies, protocols and guidance set out in the Member Toolkit as follows:

- Letter to all Members introducing Member Toolkit from the Chairman of Council, Leader of Council & Chief Executive
- Breach of code/protocols procedure
- 10 General Principles of Conduct (Statutory Instrument 2001/1401)
- SCDC Code of Conduct (2007)
- Statutory guidance issued on the revised Code of Conduct
- Councillor's Guide to Pre-Determination & Bias
- Gifts & Hospitality – additional guidance for Councillors
- Procedural Guidance for Planning & Licensing Committees
- Whistleblowing Policy
- Member/Officer Relations Protocol
- Member Role Descriptions
- Skills Framework for Elected Members (IDeA)
- Protocol on the Use of IT by Members
- A Councillor's Guide (IDeA)

Signed

.....
 District Councillor

Dated.....”

(3) That the contents of the Member Toolkit be approved, subject to the agreement of (1) and (2) above.