

ASSEMBLY

13 July 2016

Title: Report of a Decision of the Standards (Hearing) Sub-Committee	
Report of the Monitoring Officer and Director of Law and Governance	
Open Report	For Decision
Wards Affected: None	Key Decision: No
Report Author: David Symonds, Democratic Services Officer	Contact Details: Tel: 020 8227 2678 E-mail: david.symonds@lbbd.gov.uk
Accountable Officer: Fiona Taylor, Monitoring Officer and Director of Law and Governance	
Summary: The Localism Act 2011 governs the Council's ethical framework. That Act requires all relevant authorities to establish a Councillors' Code of Conduct. In accordance with the Council's Procedure for making Complaints against a Councillor for an alleged breach of the Code of Conduct, a Standards (Hearing) Sub-Committee was held on 25 February 2016 to consider a complaint alleging a breach of the Councillors' Code of Conduct.	
Recommendation(s) The Assembly is recommended to note the decision of the Standards (Hearing) Sub-Committee, held on 25 February 2016.	

1. Introduction and Background

- 1.1 This report sets out a determination on 25 February 2016 by the Council's Standards (Hearing) Sub-Committee regarding a Complaint made under the London Borough of Barking and Dagenham Councillors Code of Conduct.
- 1.2 The Complaint was that Councillor Ogungbose's behaviour towards a fellow Councillor (Councillor Freeborn, the Complainant) in the Members' Room at the Town Hall, Barking, on 1 July 2015, was aggressive, rude and contrary to the Code.
- 1.3 An investigatory report was prepared by the Deputy Monitoring Officer which found that evidence supported a conclusion that there may have been a breach of the Code of Conduct. It was therefore referred to the Standards (Hearing) Sub-Committee (the "Sub-Committee") for their consideration and decision.
- 1.4 The Sub-Committee met on Thursday 25 February to determine whether the evidence supported the complaint of a contravention of the Councillors' Code of

Conduct. The Members of the Sub-Committee were Councillor Peter Chand (Chair of the meeting), Councillors Edna Fergus and Councillor Maureen Worby. The Sub-Committee were advised by Chris Pickering (Legal Services) and the Independent Person, Dr. Gurpreet Bhatia and the Presenting Officer was Dr. Paul Feild (Legal Services). Councillor Ogungbose was accompanied by Councillor Phil Waker. The complainant and Councillor Carpenter gave evidence as witnesses.

2. Decision of the Sub-Committee

- 2.1 The Sub-Committee considered the investigatory report and evidence presented and then deliberated in private with the Independent Person and the Legal Adviser.
- 2.2 The Sub-Committee decided that the Councillor was acting in his capacity as an elected Member and therefore the Code of Conduct applied.
- 2.3 The Sub-Committee was satisfied that the behaviour breached the standard set out in paragraph 5.1 xi in the Code of Conduct, that is Members shall:

“value and respect colleagues, staff partners and public, engaging with them in an appropriate manner that underpins the mutual respect between us that is essential to good local government and not to act in a manner that could be deemed as bullying, harassment and intimidation.”
- 2.4 The Sub-Committee went on to decide an appropriate sanction for this conduct and determined that:
 - The Councillor could benefit from training to deal appropriately and professionally with colleagues and the Monitoring Officer would be requested to arrange such training, and
 - A report of the Sub-Committee’s findings should be made to the Assembly.

Public Background Papers Used in the Preparation of the Report: None

List of appendices: None