

COMMENTS RECEIVED FROM COUNCILLOR WILLMOTT ON PROPOSED NEW STANDARDS REGIME

- There should be a standards regime at the city Council and it should be flexible and proportionate.
- It should be based on the Nolan principles
- It should include all members and the Elected Mayor
- The major issue with the current scheme is that it treats all complaints in the same way regardless of the seriousness, or potential seriousness.
- We need a system that is more proportionate and resolves matters much more rapidly.
- it needs to encompass officers of the council as a means of triggering the council's disciplinary procedure

I suggest that complaints about members are subject to a filtering process at the initial stage. This could be that all complaints have to be in writing. They are considered by the Chair and one other member of the Standards Committee. They can then proceed through one of three routes:

1. Be dismissed as not conforming to the rules/criteria or be considered to be vexatious. In which case the Chair would write giving reasons
2. A hearing in front of 3 members of the committee where both parties are requested to present their case, rather as in an employment appeal. Judgement and findings can be agreed at the time or it can be referred to stage 3. This process should be conducted swiftly, as it seems that many cases are about what one person says about another, or alleges they have been wronged, they do are not always about issues of fact, more of interpretation of standards of behaviour.
3. An independent investigation is carried out because the matter is so serious, or the facts so in doubt that more information is required before a judgement can be arrived at.

Reports of cases can be made to the main committee, and if it was felt that there should be a right of appeal/review this could go to the main committee.

I am not wedded to this particular process, but I do think we should bring both parties together as early as possible to state and defend their positions. The current process is shrouded in secrecy, and complaints get investigated without those being investigated having the opportunity to challenge/refute what has been alleged. I consider this to be contrary to natural justice. Any new system needs to ensure we comply with natural justice.