

OXFORD CITY COUNCIL

STANDARDS COMMITTEE

ASSESSMENT PANEL

Members:

**Chris Ballinger
Martin Gardner
Councillor Clark Brundin**

Friday 12th June 2009

DECISION NOTICE - Councillor Price – Case Reference 703/4/15

1. ALLEGATION AND FUNCTION OF PANEL

That Councillor Robert Price (a member of Oxford City Council) failed to comply with the Members' Code of Conduct. The function of the Assessment Panel is to decide if the allegations of breaches of the Members' Code of Conduct merit investigation.

2. DECISION

The Assessment Panel decided that no action needed to be taken on the complaint.

3. SUMMARY OF COMPLAINT

The complainant alleged that Councillor Price had failed to comply with the Members' Code of Conduct, specifically in that he failed to treat others with respect contrary to paragraph 3(1) of the Code; and that he had conducted himself in a manner such as to bring his office or authority into disrepute contrary to paragraph 5 of the Code. The allegations related to remarks contained in a letter dated 1st April 2009 from Councillor Price to the complainant by which the councillor was considered by the complainant to have been less than sympathetic to the complainant's concerns about the chairing by another councillor of the Council's South East Area Committee on 2nd April 2009.

4. REASONS FOR DECISION

The Assessment Panel considered that paragraphs 3(1) and 5 of the Code were potentially engaged by the complaint in that at the time Councillor Price was acting in his capacity as an elected member. On the evidence available the Panel did not consider that the conduct complained of constituted a breach of the parts of the Code referred to, or any other part of the Code.

On paragraph 3(1) of the Code (failure to treat others with respect) the Panel considered that the letter of 1st April 2009 did not represent an unreasonable response to the complainant's letter to Councillor Price of 5th March. The letter indicated that Councillor Price had discussed the matter with the Committee Chair and had passed on the complainant's concerns to her. The Panel did not accept the interpretation put upon the response letter expressed by the complainant. In other words the Panel found no evidence to indicate that the response letter had been disrespectful.

On paragraph 5 of the Code (bringing his office or authority into disrepute), given the Panel's conclusion on the allegation of a breach of paragraph 3(1), the Panel did not consider that evidence had been supplied that revealed a potential breach of paragraph 5.

Signed *Martin Gardner* **Date** 26th June 2009

Martin Gardner
Chair of the Standards Committee Assessment Panel

Authority under which the decision is made

The Local Government and Public Involvement in Health Act 2007 amends the Local Government Act 2000 which now provides for the local assessment of complaints that members of relevant authorities may have breached the Code of Conduct. The Standards Committee (England) Regulations 2008 relate to the conduct of authority members and the requirements for dealing with this.

The regulations set out a framework for the operation of a locally based system for the assessment, referral and investigation of complaints of misconduct by members of authorities. They amend and re-enact existing provisions in both the Relevant Authorities (Standards Committees) Regulations 2000, as amended, and the Local Authorities (Code of Conduct) (Local Determination) Regulations 2003 as amended.