

OXFORD CITY COUNCIL

STANDARDS COMMITTEE

ASSESSMENT PANEL

Members:

Chris Ballinger
Martin Gardner
Councillor Clark Brundin

Friday 12th June 2009

DECISION NOTICE - Councillor Bance – Case Reference 703/4/16

1. ALLEGATION AND FUNCTION OF PANEL

That Councillor Antonia Bance (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 Bance had failed to comply with the Members' Code of Conduct, specifically in that she failed to treat others with respect contrary to paragraph 3(1) of the Code; and that she had conducted herself in a manner such as to bring her office or authority into disrepute contrary to paragraph 5 of the Code. The allegations related to remarks made by Councillor Bance, the delivery of those remarks and the general manner of chairing a committee meeting said by the complainant to have been made and to have occurred at a meeting of the South East Area Committee on 2nd March 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 Bance was acting in her 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 there was no evidence to show that Councillor Bance's alleged comments and manner represented anything other than a particular style of firm but fair chairing of a committee meeting. In other words the Panel found no evidence to indicate that Councillor Bance had failed, as Chair, to treat others respectfully.

On paragraph 5 of the Code (bringing her office or authority into disrepute), given the Panel's conclusion on the allegation of a breach of paragraph 3(1), the Panel considered, on the evidence before it, that the manner of chairing the meeting did not overstep the bounds of firm but fair chairing. The Panel did not therefore consider that Councillor Bance had brought the office of councillor or the authority into disrepute.

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.