



Full Council	Tuesday, 31 July 2018	Matter for Information
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Report Title: **Breach of the Code of Conduct by Councillor Ravendra H Thakor**

Report Author(s): **David Gill (Head of Law & Governance / Monitoring Officer)**

Purpose of Report:	To advise Members of the outcome of a Determination Sub-Committee held on 12 June 2018 into an alleged breach of the Code of Conduct by Councillor Ravendra H Thakor ("Cllr Thakor").
Report Summary:	Cllr Thakor was found to have breached the Code of Conduct and sanctions were imposed, as set out in the report, by the Determination Sub-Committee.
Recommendation(s):	That the contents of the report be noted by Council.
Responsible Strategic Director, Head of Service and Officer Contact(s):	Anne Court (Interim Chief Executive) (0116) 257 2602 anne.court1@oadby-wigston.gov.uk David Gill (Head of Law & Governance / Monitoring Officer) (0116) 257 2262 david.gill@oadby-wigston.gov.uk
Corporate Priorities:	Not applicable.
Vision and Values:	Accountability (V1) Respect (V2)
Report Implications:-	
Legal:	The implications are as set out in the report.
Financial:	There are no implications directly arising from this report.
Corporate Risk Management:	Political Dynamics (CR3) Reputation Damage (CR4)
Equalities and Equalities Assessment (EA):	There are no implications arising from this report. EA not applicable.
Human Rights:	There are no implications arising from this report.
Statutory Officers' Comments:-	
Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	The report is satisfactory.
Monitoring Officer:	As the author, the report is satisfactory
Consultees:	None.

Background Papers:	Agenda (Exempt) and Minutes from the Hearing of the Assessment Sub-Committee held on 10 November 2018 Agenda (Exempt) and Minutes from the Hearing of the Determination Sub-Committee held on 12 June 2018
Appendices:	None.

1. Background

- 1.1 On 01 November 2017, an Assessment Sub-Committee convened to consider an allegation that Cllr Thakor may have breached the Code of Conduct by releasing confidential information (an e-mail) that had come into his possession in his capacity as a Councillor and as a result of the release of that information, he had brought the Council into disrepute.
- 1.2 Having considered the information placed before them, the Members of the Assessment Sub-Committee resolved that the allegation was to be referred to the then Deputy Monitoring Officer (now the substantive Monitoring Officer) for investigation.
- 1.3 The Monitoring Officer determined that the investigation was best dealt with externally and, on 13 March 2018, instructed Mr Alex Lawrence, a solicitor employed by Anthony Collins Solicitors, to undertake an investigation on his behalf.

2. Investigation

- 2.1 Mr Lawrence completed his investigation on 29 May 2018.
- 2.2 Mr Lawrence found that, on the balance of probabilities, Cllr Thakor was:
 - 2.2.1 Acting in his capacity as a Councillor when he received the e-mail, and by extension, continued in that capacity when deciding how to use the information he had so obtained as a Councillor and that therefore, the Code applied.
 - 2.2.2. In breach of Rule 3.3 (Confidentiality) of the Code by leaking the e-mail.
 - 2.2.3. In breach of Rule 3.1 (Respect) by leaking the e-mail.
 - 2.2.4. In breach of Rule 3.5 (Reputation of the Authority) by leaking the e-mail.

3. Determination Sub-Committee

- 3.1 On 12 June 2018, the Monitoring Officer convened a Determination Sub-Committee meeting - comprising of Councillors Mrs L M Broadley (Chair), Dr T K Khong and M L Darr - to consider Mr Lawrence's report. Cllr Thakor failed to attend the hearing.
- 3.2 Having considered the report and the advice of the appointed Independent Person, Members of that Determination Sub-Committee unanimously accepted the report's findings and went on to consider what sanctions to impose, and determined that:
 - 3.2.1 Cllr Thakor be censured;
 - 3.2.2 The findings of the Determination Sub-Committee be reported to Full Council and published on the Council's website; and
 - 3.2.3 The Leader of the Oadby and Wigston Conservative Group be informed that the Sub-Committee recommends that Cllr Thakor be removed from Committees.

- 3.3 The Monitoring Officer wrote to Cllr Thakor on 19 June 2018, setting out the findings of the Determination Sub-Committee and enclosing a letter of censure from Cllr Broadley, as Chair, on behalf of the Council. The correspondence was copied to the Conservative Group Leader, Councillor B Dave. Notification of the breach of the Code was also published on the Council's website the same day.
- 3.4 On 26 June 2018, Cllr Dave advised the Monitoring Officer that he had considered the recommendation of the Determination Sub-Committee and advised Cllr Thakor that his committee appointments on behalf of the Conservative Group had been withdrawn until further notice.