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| Full Council | Tuesday, 16 April 2019 | Matter for Information |
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Report Title: **Member Conduct Update (April 2019)**

Report Author(s): **Steve Tucker (Democratic & Electoral Services
Manager / Deputy Monitoring Officer)**

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| Purpose of Report: | To inform the Council of the outcome of a Determination Sub-Committee meeting held on Wednesday 20 February 2019, which adjudicated on an alleged breach of the Member Code of Conduct by Councillor Ravendra H Thakor ("Cllr Thakor"). |
| Report Summary: | Cllr Thakor was found to have breached the Member 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 and appendix be noted. |
| Responsible Strategic Director, Head of Service and Officer Contact(s): | <p>Anne Court (Chief Executive) (0116) 257 2602 anne.court1@oadby-wigston.gov.uk</p> <p>David Gill (Head of Law & Governance / Monitoring Officer) (0116) 257 2626 david.gill@oadby-wigston.gov.uk</p> <p>Steven Tucker (Democratic & Electoral Services Manager) (0116) 257 2605 steven.tucker@oadby-wigston.gov.uk</p> |
| Corporate Objectives: | 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 arising directly 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. |
| Health and Safety: | There are no implications arising from this report. |
| Statutory Officers' Comments:- | |

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| Head of Paid Service: | The report is satisfactory. |
| Chief Finance Officer: | The report is satisfactory. |
| Monitoring Officer: | The report is satisfactory. |
| Consultees: | None. |
| Background Papers: | Agenda (Exempt) and Minutes from the Hearing of the Assessment Sub-Committee held on 29 November 2018 Agenda and Minutes from the Hearing of the Determination Sub-Committee held on 20 February 2019 Common Code of Conduct for Leicestershire |
| Appendices: | 1. Formal Letter of Censure (22 February 2019) |

1. Background

- 1.1 On 29 November 2018, an Assessment Sub-Committee convened to consider an allegation that Cllr Thakor may have breached the Member Code of Conduct by sending an email to Ms Veronika Quintyne, the Community Engagement Officer, in September 2018 which contained a number of derogatory and disrespectful comments towards the Chair of Oadby Residents Forum, a number of Liberal Democrat Councillors, and Ms Quintyne herself.
- 1.2 Having considered the information before them, the Assessment Sub-Committee were satisfied that Councillor Thakor's actions represented a prima facie breach of the Code of Conduct, and resolved that the matter should be referred to a Determination Sub-Committee for adjudication. The Assessment Sub-Committee also resolved however that if Councillor Thakor were to issue a satisfactory written apology for his actions before the date on which the Determination Sub-Committee was scheduled to meet, the Determination Sub-Committee hearing would be cancelled.
- 1.3 In light of Cllr Thakor's failure to issue a written apology by the required deadline, a Determination Sub-Committee was convened on 20 February 2019 to adjudicate on the alleged breach.

2. Determination Sub-Committee

- 2.1 The Determination Sub-Committee, consisting of Councillors Mrs L M Broadley (Chair), E R Barr and R F Eaton, gave consideration to the Deputy Monitoring Officer's report and the advice of the appointed Independent Person. Councillor Thakor failed to attend the hearing and did not offer any representations.
- 2.2 The Sub-Committee unanimously agreed that the complaint regarding Councillor Thakor's alleged breach of the Code of Conduct should be upheld. Specifically, it was found that the derogatory comments made by Councillor Thakor towards fellow Councillors were in breach of Rule 3.1 of the Code, which requires that "you must treat others with respect and strive to establish respectful and courteous relationships with everyone you come into contact with as a Member".
- 2.3 In addition, the Sub-Committee found that Councillor Thakor had made unreasonable demands towards Ms Quintyne which demonstrated a lack of respect and understanding in regards to her role in providing impartial administrative support to Oadby Residents Forum, thus breaching Rule 3.2.4 of the Code, which requires that "you must not do anything which compromises or is likely to compromise the impartiality of those who work for, or on

behalf of, the Authority”.

- 2.4 To appropriately address the breaches of the Code, the Sub-Committee unanimously resolved to apply the following sanctions:
- (i) A formal letter of Censure be sent to Cllr Thakor;
 - (ii) The findings of the Sub-Committee be reported to Full Council and published on the Council’s website;
 - (iii) Cllr Thakor be excluded from Council premises other than Council meeting rooms when necessary for the attendance at Council/Committee meetings;
 - (iv) Cllr Thakor’s entitlement to a Council-supplied iPad be withdrawn;
 - (v) A recommendation be made that Cllr Thakor should not attend Oadby Residents Forum, until such time as a satisfactory apology has been made to the Chair and Ms Quintyne; and
 - (vi) The Leader of the Oadby & Wigston Conservative Group be informed that the Sub-Committee recommend that Cllr Thakor be removed from Committees.
- 2.5 A formal letter of Censure from Councillor Broadley, as Chair of the Sub-Committee, was posted to Cllr Thakor on Friday 22 February 2019. The letter has been published on the Council’s website as part of the agenda pack for this meeting and is attached at **Appendix 1** to this report. The letter was also copied to the Oadby & Wigston Conservative Group Leader, Councillor B Dave.
- 2.6 Cllr Thakor’s Council iPad has been recovered by Democratic Services, whilst the findings of the Determination Sub-Committee have been published on the Council’s website within the minutes of the meeting.
- 2.7 Cllr Thakor is currently long-term absent and has sent apologies for all Committees until further notice. It has also been confirmed that he will not be seeking re-election after his current term of office expires in May 2019. On that basis, the recommendation of the Sub-Committee that Cllr Thakor be removed from Committees cannot be implemented.