

PT7.

PRIVATE AND CONFIDENTIAL

**REPORT OF DEPUTY MONITORING OFFICER – J BLOTT – STRATEGIC
DIRECTOR TRANSFORMATION AND RESOURCES**

Details of an investigation commissioned by the Deputy Monitoring Officer of Wirral Metropolitan Borough Council and conducted by Peter McKay, acting as Investigating Officer, into a Code of Conduct issue concerning Councillor George Davies, a member of Wirral Metropolitan Borough Council

September 2013

The Report into the above has identified that there has been a breach of Wirral Council's Code of Conduct as follows:-

Failed to comply with paragraph 1.1 of the Council's Code of Conduct.

Failed to comply with paragraph 1.2 of the Council's Code of Conduct.

Our Improvement Plan is explicit in that it expects the culture and relationship between officers and members be improved:-

Trust and respect needs to be developed between politicians and senior management. There is a requirement for strong strategic leadership and oversight of delivery. Development needs for Members and management should be identified and addressed. Addressing these key areas of focus will support the establishment of a strong corporate culture and a sense of organisational cohesiveness

Furthermore, it states that appropriate standards need to be developed and maintained:-

The new values will act as guiding principles for the standards we should work to and the way we should treat customers and staff.

It is therefore clear that in finding two breaches of the Code of Conduct, appropriate and proportionate action needs to be considered in this case.

Options for Action

There is no initiating complaint determining this investigation, therefore the routes to conclusion are slightly different than would necessarily be the case had there been.

Option One – note the report and take no further action

Option Two – Share with CEX and Leader only

Option Three – Take to Leaders' Board for action

Option Four – Take to formal meeting of Standards Board

Option Five – Take to private session of Standards Board

Outcomes Sought

Outcome One – Councillor GD to apologise to [REDACTED] and both be offered conciliation as necessary

Outcome Two – Councillor GD to apologise to [REDACTED] and both be offered conciliation as necessary and to receive formal caution as to future conduct

Outcome Three - Councillor GD to apologise to [REDACTED] and both be offered conciliation as necessary and Party Leader to determine any appropriate sanction

Reason for Recommendation

It is my view that no complaint exists about this matter however I was made aware of the existence of a recording therefore I felt there was an overriding responsibility to investigate, even in the absence of a complaint.

In reaching the decision I did, I was mindful that both Councillor George Davies and [REDACTED] wished there to be a local solution to the investigation and in so doing, I made reference to paragraph 7.9 of Members Code of Conduct – Protocol, that being:-

If the Subject Member(s) agrees to offer an apology or undertake other remedial action, and duly does so, the Standards Complaint shall not be progressed any further. In such circumstances there shall be no reporting of the Standards Complaint and/or its outcome to the Council or any Committee of Council other than as part of a periodic anonymous summary to the Standards Committee for monitoring and review purposes.

I also took account of the fact that alternative courses of action could have been damaging to a member of staff [REDACTED] and, with the full support of that individual, I reached my conclusion and subsequent recommendation.

Recommendation

That Option Two and Outcome Three be actioned

Joe Blott

Strategic Director Transformation and Resources – Deputy Monitoring Officer

October 2013