

# **AUDIT AND GOVERNANCE COMMITTEE – 13 March 2024**

## **Member Code of Conduct – Decision Notice**

### **Report by the Monitoring Officer**

#### **RECOMMENDATION**

1. The Committee is asked to note the decision of the Monitoring Officer regarding a Members' Code of Conduct Complaint concerning Councillor Sally Povolotsky.

#### **Executive Summary**

2. On 20 September 2022, the Monitoring Officer received a complaint about the conduct of Councillor Sally Povolotsky, which highlighted instances of concerns that Councillor Povolotsky may have failed to comply with the Council's Code of Conduct (the Code).
3. This was investigated and the Members' Advisory Panel convened on 30 November 2023 to consider allegations of breach of the code of conduct against the Subject Councillor.
4. Under the Arrangements for Dealing with Complaints Against Members (the Arrangements), a Members' Advisory Panel (the Panel) was formed from three councillor members of this Committee, one from each of the political groups on the Council.
5. The current Arrangements are clear that the purpose of the Panel is to advise the Monitoring Officer whether, in their view, the Code has been breached and if so to offer a view on any appropriate remedy. The final decision is that of the Monitoring Officer.
6. This report confirms the Monitoring Officer's decision and fulfils the requirement set out in the Arrangements that this Committee be informed of the outcome. This is appropriate given the Committee's overview of member ethical standards and because a Panel is drawn from its membership.

#### **The Decision Notice**

7. The Arrangements for Dealing with Complaints Against Members require the Monitoring Officer to issue a Decision Notice on a Code of Conduct complaint, following a Members' Advisory Panel. The Decision Notice is annexed to this report.

8. The Monitoring Officer's decision that there was a single breach of the Code of Conduct at the lowest end of the scale in terms of seriousness of breach was reached on advice from the Members' Advisory Panel and having taken a view from the Independent Person.
9. The recommendation from the Panel and the decision of the Monitoring Officer was that the Subject Councillor would be invited to attend a suitable course of training. That training has been completed.
10. As envisaged by the Arrangements, the decision notice has been provided to the Subject Councillor and the complainant.

## **Conclusion**

11. The Committee is asked to note the decision of the Monitoring Officer.

## **Financial Implications**

12. There are no financial implications.

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## **Legal Implications**

13. Considering, the legal framework and statutory guidance regarding openness and transparency in local government, the circumstances of the subject councillor, and the advice of the Panel, the Monitoring Officer has taken the decision to publish the decision notice. The matters have been considered in accordance with the requirements set out in the Localism Act 2011 Part 1 Chapter 7 Sections 26-37

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