

At a meeting of the HAMPSHIRE FIRE AND RESCUE AUTHORITY STANDARDS & GOVERNANCE COMMITTEE HEARINGS SUB-COMMITTEE held at Hampshire County Council, 24 July 2015.

PRESENT:

Councillors: Chris Carter, Robin McIntosh and Phil Smith

**1. APOLOGIES**

All Members were in attendance.

**2. ELECTION OF A CHAIRMAN**

Councillor McIntosh was nominated and duly appointed Chairman of the Sub-Committee for the meeting.

**3. DISCLOSURES OF INTEREST**

Members were mindful of their duty to disclose at the meeting any disclosable pecuniary interest they had in any matter on the agenda for the meeting, where that interest was not already entered in the Authority's register of interests, and their ability to disclose any other pecuniary or non-pecuniary interests in any such matter that they might have wished to disclose.

Councillor Carter declared a personal and non-prejudicial interest as someone who had known an individual who was referenced in, but not the subject of the complaint.

**4. DEPUTATIONS**

No deputation requests had been received.

**5. EXCULSION OF THE PRESS AND PUBLIC**

Resolved:

That in relation to the following item the public be excluded from the meeting, as it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item there would be disclosure to them of exempt information within Paragraph 1 of Part 1 of Schedule 12A to the Local Government Act 1972, and further that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons set out in the report.

## **6. COMPLAINT: HFRA MEMBERS' CODE OF CONDUCT HEARING**

The Hearings Sub-Committee heard the views of both the investigating officer and the Subject Member (Councillor David Simpson) with regards alleged breaches of paragraph 1 (you must treat others with respect) and paragraph 8 (you must not conduct yourself in a manner which could reasonably be regarded as bringing your office or Authority into disrepute) of the HFRA Members' Code of Conduct, following referral of these matters by the Standards Consideration Sub-Committee. The Hearings Sub-Committee then addressed each matter and with regard to the options open to them, considered whether the Code of Conduct had been breached, and what (if any) sanction should be applied.

It was resolved that:

- Councillor David Simpson did fail to comply with Paragraph 1 and Paragraph 8 of the Code of Conduct and that for these breaches he would receive formal censure.
- Councillor David Simpson be requested to write to the Complainant to apologise for his behaviour.
- The Clerk of the Authority be requested to undertake a review of the Authority's Member-Officer Protocols for the handling of sensitive information for consideration at a meeting of the Authority's Governance Committee and to arrange appropriate Member training to reinforce the Member-Officer Protocols.

Councillor David Simpson failed to comply with Paragraph 1 of the Code of Conduct in that he failed to treat the Complainant with respect by virtue of the use of expletives in a telephone conversation with the Complainant on 4 February 2015.

Councillor David Simpson also failed to comply with Paragraph 8 of the Code of Conduct in that his conduct could reasonably be regarded as bringing his office into disrepute. The Subject Member had been contacted by the Complainant in his professional and political role as a Local Member, as opposed to being a member of the general public, and thus had a duty to uphold and maintain high standards of conduct, of which the use of expletives in a telephone conversation with a member of the public, was considered not, regardless of the mitigating circumstances. The Hearings Sub-Committee disapproved of Councillor David Simpson's conduct in a telephone conversation with the Complainant on 4 February 2015.

(Summary of an Exempt Minute)