

WAVERLEY BOROUGH COUNCIL

COUNCIL

19 JULY 2022

Title:

THE STANDARDS PANEL, 28 JUNE 2022 - DECISION

A Meeting of the Standards Panel was held on Tuesday 28 June 2022 to consider the External Investigator's report on a complaint against Waverley Borough Councillor Jerry Hyman.

The decision of the Panel is set out below and, in accordance with Waverley's arrangements, is reported to Council for noting.

CONFIRMATION OF PANEL DECISION

The Panel heard evidence from the subject member (Cllr Jerry Hyman), the Monitoring Officer (Mr Robin Taylor), the External investigator (Mr Richard Lingard), and the Independent Person (Mr William Donnelly).

Cllr Hyman set out in detail his views on various issues. The Chairman pointed out on a number of occasions that the issue for consideration was whether the manner in which Cllr Hyman conducted himself when challenging officers breached the Council's Member Code of Conduct. In the course of the hearing Cllr Hyman apologised for the words he had used which had led to the complaint.

The Panel considered all the facts of the complaint, the report of the External investigator and the verbal evidence of Cllr Hyman and it was the unanimous view of the Panel that Cllr Hyman had breached the Code of Conduct as set out in the External investigator's report at paragraph 8.1. The Panel noted the apology given verbally in the hearing by Cllr Hyman but felt that this did not absolve him of the breach.

The Panel considered what actions should be taken as a result of its findings that a breach of the Waverley Code of Conduct had occurred. The Panel took into account the verbal apology received in the hearing. Actions 8.1 and 8.2, as set out in the Council's Arrangements for complaints against Members (the publication of the Council's findings; and reporting those findings to the Council for information) would take place in any event. The Panel did not recommend bespoke training as it was aware that Cllr Hyman had already received such training; and in any event all Councillors are provided with Standards training. The Panel did not propose to take any further action.

The Panel resolved to:

- i) publish its findings in respect of Cllr Hyman's conduct, in accordance with paragraph 8.1 of the Council's Arrangements for Dealing with complaints against Members; and
- ii) report its findings to Council for information, in accordance with paragraph 8.2 of the Council's Arrangements for dealing with complaints against Members.

NOTE: If Cllr Hyman chooses, within 14 days, to appeal against the decision of the Standards Panel, the decision will be reviewed by another three members of the Standards and General Purposes Committee who have not been involved.

Recommendation

That Council notes the decision of the Standards Panel held on 28 June 2022.
Background Papers

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There are no background papers, as defined by Section 100D(5) of the Local Government Act 1972).

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