

**SWALE BOROUGH COUNCIL**  
**STANDARDS CONSIDERATION SUB-COMMITTEE**

**21 APRIL 2010**

**REPORT OF DIRECTOR OF CORPORATE SERVICES / MONITORING OFFICER**

**COMPLAINT OF MISCONDUCT SBC.0004.09**

**Introduction**

The Standards Assessment Sub-Committee referred a complaint about a possible breach of the Code of Conduct to the Director of Corporate Services / Monitoring Officer for investigation. The Monitoring Officer has arranged for this matter to be investigated and the Investigators report is attached as an exempt appendix to this report. Members will see that the Investigating Officer's conclusion is that there is no breach of the Code of Conduct.

**Considerations**

The Sub-Committee should consider the Investigating Officer's report and make one of the following findings:

- (a) That it accepts the Investigating Officer's report that there is no breach of the Code of Conduct by the member in question;
- (b) That it believes there is a case to answer and the matter should be considered at a hearing of the Determination Sub-Committee; or
- (c) That the matter be referred to the First Tier Tribunal (Local Government Standards in England) for determination.

**Recommendation**

It is recommended that members consider the Investigating Officer's report into the allegations of misconduct and decide whether, based on the facts in the report, it agrees with her report that there is no breach of the Code of Conduct, or if it believes that there is a case to answer, or whether the matter should be referred to the First Tier Tribunal (Local Government Standards in England) for determination.

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**Mark Radford**  
**Director of Corporate Services / Monitoring Officer**

Exempt Appendix – Investigating Officer's Report