



Isle of Wight Council

Case no.	SBE21324.08
Member:	Councillor Margaret Webster
Authority:	Isle of Wight Council
Date received:	21 Feb 2008
Date completed:	16 Sep 2008

Allegation:

The member failed to declare a personal interest and failed to withdraw from a meeting in which she had a prejudicial interest.

Standards Board outcome:

The ethical standards officer found no evidence of any failure to comply with the Code of Conduct.

The complainant alleged that Councillor Margaret Webster failed to declare a personal and prejudicial interest in a matter at an Isle of Wight Council meeting on 20 February 2008. The matter in question was a consultation on the proposed reorganisation and possible closure of some of the council's schools. The complainant alleged that Councillor Webster spoke and voted on the matter despite her daughter being head of a council primary school.

The council undertook the consultation as part of a plan to review school education on the Isle of Wight. The consultation document set out three options. The document made it clear that whichever option was chosen, all the island's schools would effectively close, but while some would remain closed, others would re-open, possibly on new sites, and some new schools would be built.

Councillor Webster's daughter was a headteacher at one Isle of Wight primary school and was then seconded to another. Both schools were scheduled for closure under all three options in the consultation document.

At the council meeting on 20 February the complainant called for the council to abandon the current consultation and to secure from officers plans for a new consultation that would not result in schools being closed.

Councillor Webster stated that she did not declare a personal interest in this matter before voting against it, because the motion was to abandon the current plans for school reorganisation and did not relate to specific schools. She had checked with the Lead Member, who told her he had spoken to the council's monitoring officer and been told that it was not necessary to declare an interest.

The ethical standards officer did not consider that the motion proposed at the meeting would have impacted financially on Councillor Webster's daughter as the initial consultation process did not contain a specific commitment about the future of named individual schools. Therefore, Councillor Webster did not have a personal interest. Neither did she have a prejudicial interest, as a prejudicial interest cannot arise without a personal one.

The ethical standards officer also concluded that Councillor Webster did not, by speaking and voting on the matter, attempt to secure any advantage for her daughter. She was satisfied that Councillor Webster never intended to do so and that the effect of the motion would not have resulted in any advantage or disadvantage.

The ethical standards officer found no evidence of any failure to comply with the Code of Conduct.

Relevant paragraphs of the Code of Conduct

The allegation in this case relates to Paragraphs 9 and 12 of the Code of Conduct.

Paragraph 9 states that "a member with a personal interest in a matter who attends a meeting of the authority at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent".

Paragraph 12 states that a member with a prejudicial interest in any matter must "withdraw from the room or chamber where a meeting is being held whenever it becomes apparent that the matter is being considered at that meeting" and that he must "not seek improperly to influence a decision about that matter".



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