



Standards Committee

Date Thursday 2 December 2021
Time 9.30 am
Venue Council Chamber, County Hall, Durham

Business

Part A

Items which are open to the Public and Press

1. Apologies for Absence
2. Declarations of Interest, if any
3. Minutes of the Meeting held on 3 September 2021 (Pages 3 - 6)
4. Co-Opted Members of the Standards Committee (Pages 7 - 10)
5. Standards National Picture Update (Pages 11 - 16)
6. Code of Conduct Update (Pages 17 - 26)
7. Such other business as in the opinion of the Chairman of the Meeting is of sufficient urgency to warrant consideration.

Helen Lynch

Head of Legal and Democratic Services

County Hall
Durham
24 November 2021

To: The Members of the Standards Committee

Councillor J Nicholson (Chair)
Councillor F Tinsley (Vice-Chair)

Councillors M Abley, J Atkinson, L Maddison, L Mavin, A Savory, T Smith,
D Stoker, T Stubbs and C Varty

Town and Parish Council Co-Opted Representatives:

Councillors T Batson and R Harrison

Contact: Paula Nicholson

Tel: 03000 269 710

DURHAM COUNTY COUNCIL

STANDARDS COMMITTEE

At a Meeting of **Standards Committee** held in Council Chamber, County Hall, Durham on **Friday 3 September 2021 at 9.30 am**

Present:

Councillor J Nicholson (Chair)

Members of the Committee:

Councillors J Atkinson, L Mavin, T Stubbs and C Varty

Co-opted Members:

Town Councillor T Batson and Parish Councillor R Harrison

1 Apologies for Absence

Apologies for absence were received from Councillors L Maddison, A Savory and F Tinsley.

2 Declarations of Interest

There were no declarations of interest.

3 Minutes

The Minutes of the meeting held on 25 June 2021 were agreed as a correct record and were signed by the Chair.

4 Standards National Picture Update

The Committee considered a report of the Head of Legal and Democratic Services and Monitoring Officer which informed Members of the national picture on standards issues affecting Local Government (for copy see file of Minutes).

The first matter related to a Tribunal's findings in respect of a Council's decision to withhold the views of the Independent Person, following a request from the Complainant for all correspondence relating to his complaint. The Tribunal had dismissed the appeal for the reasons set out in the report. The Head of Legal and Democratic Services noted the contrast between the Tribunal's findings and the Committee for Standards in Public Life's (CSPL) guidance that where the

Monitoring Officer sought the Independent Person's views this should be recorded in the Decision Notice along with a summary of their observations. This was the practice adopted by Durham County Council, however this case highlighted that there may be circumstances where it would be appropriate to withhold the advice.

The second matter related to a meme shared by a Councillor on Facebook where a Standards Hearing did not find a breach of the Code but recommended that guidance on the use of social media should be provided to all Members of the Council in question. Members would recall that earlier this year Durham County Council launched a social media toolkit which included guidance on this issue and was part of the member induction training following the local elections.

The third matter related to the Local Government Association's (LGA) Guidance on the Model Code of Conduct. Members would be aware that Durham County Council had not adopted the Model Code because the Council's Code of Conduct, with some minor changes, reflected the best practice guidance of CSPL. However consideration would be given to the LGA's Guidance as part of the annual review of the Code.

Members discussed the report.

Town Councillor Batson stated that he used social media and believed in freedom to express a political opinion on policies and decision making. In reply, the Head of Legal and Democratic Services referred to the case in the report which addressed freedom of expression and the enhanced protection that political speech was afforded under Article 10 of the European Convention of Human Rights.

Councillor Batson also referred to the Model Code of Conduct and considered that there should be unity across all Councils, with no grey areas which could be open to interpretation. This would ensure that all members were clear about what was expected of them.

The Head of Legal and Democratic Services responded that the LGA Model Code of Conduct was intended to address inconsistencies across the board, and although there were differences, Durham County Council's Code of Conduct was consistent with the principles of the Model Code and more importantly was consistent with the best practice recommendations of the CSPL.

Parish Councillor Ralph Harrison noted that there were variations in the Code of Conducts of individual Parish and Town Councils, and agreed with Councillor Batson that there should be a single Code for all. Following comments and questions from Councillors Batson and Harrison, the Head of Legal and Democratic Services advised that County Durham Association of Local Councils' Executive Committee had passed a resolution encouraging all Councils to adopt Durham County Council's Code and it would be useful to know which Parish and Town Councils had chosen to do so, but this was not a requirement.

There was no power in law to compel Councils to adopt a model Code. It was a recommendation of CSPL, and a Government response was awaited on this.

In view of the number of Parish and Town Councils in County Durham, it would be difficult to review the Codes of individual Councils across the County. However when a complaint was received that a Councillor had breached the Code of Conduct, that Council's Code of Conduct was referred to. In reviewing the Code any gaps or inconsistencies with best practice would be addressed as part of the complaint. Durham County Council also offered bespoke training for individual Parish and Town Councils on the Code of Conduct.

Resolved:

That the report be noted and Officers monitor the progress of the matters referred to and keep the Committee updated.

5 Code of Conduct Update

The Committee considered a report of the Head of Legal and Democratic Services and Monitoring Officer which provided an update on activity since the last meeting in respect of complaints received by Durham County Council against Councillors (for copy see file of Minutes).

Following a question from Councillor Harrison, the Governance Solicitor confirmed that complaints ref: COM 360 and COM 364 referred to the same Councillor and had been referred collectively for investigation.

Resolved:

That the contents of the report be noted.

At the close of business the Chair on behalf of the Standards Committee thanked Peter Jackson and John Dixon-Dawson whose term of office as Independent Persons would come to an end on 22 September 2021. They had provided invaluable assistance in respect of code of conduct complaints to both the Standards Committee and the Monitoring Officer, had conducted themselves with professionalism throughout and the Chair wished them well in their future ventures. The Committee looked forward to working with their successors, Kayleigh-Louise Wilkinson and Alan Fletcher.

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Standards Committee

2 December 2021

Co-Opted Members of the Standards Committee



Report of Helen Lynch, Head of Legal and Democratic Services and Monitoring Officer

Electoral division(s) affected:

None

Purpose of the Report

- 1 To update the Standards Committee on the existing nomination arrangements for the Town and Parish Council co-opted representatives and to consider a proposal to engage in a workshop to identify future arrangements.

Executive summary

- 2 In 2012, the membership and composition of the Standards Committee was agreed as 11 County Councillors and 2 non-voting co-opted Parish Councillors.
- 3 The Standards Committee as part of the work programme have agreed to review the co-opted membership and consider proposals for formalising future appointments.
- 4 The current co-opted members, Councillor Terry Batson and Councillor Ralph Harrison have served on the Standards Committee since 2012 and 2015 respectively.

Recommendation

- 5 The Standards Committee is recommended to:
 - i) hold a workshop with members of the Standards Committee and County Durham Association of Local Councils (CDALC) facilitated by the Monitoring Officer to consider arrangements for co-opted Members to the Standards Committee;
 - ii) request that the outcome of the workshop and revised arrangements are reported to a future meeting of the Standards Committee for approval.

Background

- 6 Through the Localism Act 2011 a statutory duty exists to promote and maintain high standards of conduct for elected and co-opted members. In Durham this is discharged through the Standards Committee which has the following roles and functions:-
- (a) promoting and maintaining high standards of conduct by Members and Co-opted Members of the Council and Parish and Town Council Members;
 - (b) assisting Members and Co-opted Members of the Council and Parish and Town Council Members to observe the Members' Code of Conduct and where appropriate, the Planning Code of Practice;
 - (c) advising the Council on the adoption or revision of the Members' Code of Conduct and the Planning Code of Practice;
 - (d) monitoring the operation of the Members' Code of Conduct and the Planning Code of Practice;
 - (e) advising, training or arranging to train Members and Co-opted Members of the Council and Parish and Town Council Members on matters relating to the Members' Code of Conduct and Planning Code of Practice;
 - (f) granting dispensations to Members and Co-opted Members of the Council from requirements relating to interests set out in the Members' Code of Conduct and Planning Code of Practice in circumstances where this function has not been delegated to the Monitoring Officer;
 - (g) the assessment and/or referral for investigation of allegations of misconduct on the part of Members and Co-opted Members of the Council and Parish and Town Council Members, if requested to undertake this function by the Monitoring Officer;
 - (h) the determination of allegations of misconduct on the part of Members and Co-opted Members of the Council and Parish and Town Council Members;
 - (i) dealing with any alleged breach by a Member of a Council Protocol, in accordance with procedures approved by the Committee;
 - (j) overview of the Officers' Code of Conduct;
 - (k) overview of the Protocol on Member / Officer Relations;

- 7 The membership of the Standards Committee was agreed by the Council in March 2012, consisting of 11 members with 2 non-voting co-opted members of the Parish Council.
- 8 It was agreed that Parish Council's would be invited to nominate a maximum of two Parish Councillors to be co-opted to the Standards Committee. In practice, nominations are received annually from the County Durham Association of Local Councils (CDALC).
- 9 Councillor Terry Batson and Councillor Ralph Harrison are the current co-opted members of the Standards Committee, both of which have been nominated each year by the executive of County Durham Association of Local Councils (CDALC).
- 10 Councillor Bateson was co-opted in 2012 and Councillor Harrison was co-opted in 2015 and their membership is confirmed each year following the annual council meeting.
- 11 There is no qualifying criteria for eligibility save for being a current Town or Parish Councillor within County Durham. It is expected that those nominated and who serve as co-opted members promote high ethical standards. Accordingly, the Member Code of Conduct applies to co-opted Parish Council members.

Proposals

- 12 As part of the work programme the Standards Committee have agreed to review the arrangements for co-opted Town and Parish Council members to the Standards Committee and their term of office.
- 13 It is proposed that members of the Standards Committee and representatives from CDALC participate in a workshop facilitated by the Monitoring Officer to explore the future arrangements for co-opted Town and Council members.
- 14 Officers will research the arrangements in place at other Councils and will bring this to the workshop to help facilitate the discussions.
- 15 The outcome of the workshop and proposals will be presented to a future Standards Committee for approval.

Background papers

- None

Contact: Kamila Coulson-Patel Tel: 03000 269674

Appendix 1: Implications

Legal Implications

As outlined in the report.

Finance

There are no financial implications arising out of the report.

Consultation

None.

Equality and Diversity / Public Sector Equality Duty

There are no equality and diversity implications arising out of the report.

Climate Change

There are no climate change implications arising out of the report.

Human Rights

None

Crime and Disorder

There are no crime and disorder implications arising out of the report.

Staffing

There are no staffing implications.

Accommodation

There are no accommodation implications.

Risk

None.

Procurement

There are no procurement implications.



Report of Helen Lynch, Head of Legal and Democratic Service and Monitoring Officer

Electoral division(s) affected:

None.

Purpose of the Report

- 1 To inform Members of the national picture on standards issues affecting Local Government.

Executive summary

- 2 This report is for information to update the Committee on national developments, consultations and cases which relate to the work of the Committee since the last meeting on 3 September 2021.

Recommendations

- 3 The Standards Committee is recommended to:
 - (a) note the report and request that Officers monitor the progress of the matters referred to and keep the Committee updated; and
 - (b) consider any recommendations it wishes to make arising out of the content of the report.

Background

- 4 As agreed by the Committee on 25 June 2021, as part of the Annual Work Programme, this is a standing agenda item with a quarterly update to the Committee.

Code of Conduct Complaints and Reports

- 5 Since the abolition of the Standards Board for England, national statistics and case reports are no longer collated. Any cases reported are taken from news reports and general research where Councils publish details of their conduct hearings in public.

Councillor Chrysy Morris –Maldon District Council - 6 September 2021

- 6 The Joint Standards Committee considered two investigations following a number of complaints against Councillor Chrysy Morris of Maldon District Council.
- 7 The allegations for determination were:
 - (a) On 13 August 2020 at a Planning Committee it was alleged that the Councillor made abusive, haranguing and potentially slanderous comments towards the Council's Director of Strategy, Performance and Governance and Returning Officer and the Council's Director of Service Delivery and Head of Paid Service.
 - (b) On 3 September 2020, during the meeting of the Council's Joint Standards Committee, the Councillor referred to the complainant as having diminished mental capacity.
 - (c) On 29 October 2020, the Councillor disclosed confidential information on social media relating to an investigation into the conduct of former councillor.
 - (d) On 5 February 2021, the Councillor used an aggressive and bullying tone during a private telephone conversation with another Councillor and he subsequently posted a recording of his conversation with the Councillor on Facebook without her permission.
 - (e) The Councillors behaviour towards one of the complainants during a phone call on 22 April 2021, at an extraordinary meeting

of the council held on 29 April 2021, at the annual meeting of the council on 20 May 2021 and in a Facebook post on 21 May 2021 were inappropriate.

- 8 The Committee heard from the investigating officer in determining the complaint. The investigating officer reported that the YouTube posts were published in an official capacity commenting on Council business and filming on Council premises. The aggressive, intimidating and bullying behaviour brought both the Councillor and the Authority into disrepute.
- 9 The Investigating Officer informed the Committee of the Article 10 implications, that provided enhanced protection relating to freedom of expression in the case of political speech, however, he pointed out that this did not apply here as the issue was verbal attacks on officers and those officers should be afforded a level of protection.
- 10 The Councillor made representations to the Committee, he said he had concerns that he had tried to get addressed but had not been able to do so. He also felt that the fellow Councillors complaint had no basis and that he disagreed with the reports.
- 11 As part of the procedure, the Chairman then invited the Independent Person to make any representations or give advice. The Independent Person said that his real concern was the seriousness of an entire Leadership Team submitting a complaint. The reports were well researched, contained sound evidence with serious allegations. These required the Committee's full attention and in his opinion there had been a breach of the Code of Conduct.
- 12 The Chairman read out the findings of the Committee which were agreed unanimously as follows:
 - (i) Having listened to the various speakers today the Committee unanimously agreed all the findings of the investigation reports and breaches of the code of conduct by the Councillor as set out in the reports and adopted the reasoning of the investigating officers in their reports.
 - (ii) That in terms of sanction the Committee proposed to formally censure the Councillor and restrict access to IT and email. The restriction to IT will be so that the Councillor can only contact the Council and Councillors via FreshService until 1 May 2022.

- (iii) That although the Committee had found serious breaches of the code, it noted that the Councillor does not appear to realise how he comes across to others. The Committee therefore recommend that the Councillor be provided with and accepts training on conflict management and resolving disputes.

13 It was also recommended that :

- (a) That the Councillor be removed from all Committees, Working Groups or Outside Body for the remainder of the Municipal Year.

Councillor Chrisy Morris - Maldron District Council 4 November 2021

- 14 It has been reported in national news that the police were called to a council meeting at Maldon District Council after a councillor refused to stop saying "point of order".
- 15 The Councillor was challenging the council's consideration of a report that found him to have breached the member code of conduct (as detailed in the section above).
- 16 At the Council meeting Councillors voted on sanctions against Councillor Morris in light of the Joint Standing Committee findings. The Chair of the meeting, attempted to call a vote on the sanctions however he was interrupted by Councillor Morris who was repeatedly saying "point of order".
- 17 The Chair read out the relevant Committee Procedure Rules, which says the chair may move that a "member named be not further heard" if they are disruptive. Where a Council member continues to behave irregularly, improperly, or offensively, or by wilfully obstructing the business of the council, the Chair can move that the member leave the meeting or move to adjourn the meeting altogether.
- 18 The Councillor, who during the meeting used a megaphone, responded by saying "at least I've got the testicular fortitude to sit here and speak my truth" before the Chair moved that the Councillor shall not be heard, which the majority of councillors seconded.
- 19 When the Councillor continued to disregard the motion, the chair moved to have him removed. Soon after, two police officers entered the room, and an officer told the Councillor he was breaching the peace.
- 20 The chair asked the members to rise and walk out in protest and closed the meeting.

Complaints against Police and Crime Commissioners

- 20 The Standards Committee may be aware of a review by the Home Office into the role of Police and Crime Commissioners. At the end of October 2021, the Home Office informed the Local Government Association that they were considering giving responsibility for investigating complaints about the PCC (which do not fall within the remit of the Independent Office for Police Conduct) to Local Authority Monitoring Officers.
- 21 The LGA wrote to Monitoring Officers requesting initial views in respect of the proposals. The Council's Monitoring Officer responded requesting the opportunity to be consulted properly on the proposals so that the implications can be fully understood and explained that the cost of such investigations would need to be fully funded by the Home Office Grant.
- 22 Officers will continue to monitor these proposals and will keep the Standards Committee and the Police and Crime Panel (who are responsible for hearing complaints against the PCC) informed.

Background papers

- None

Other useful documents

- <https://democracy.maldon.gov.uk/ieListDocuments.aspx?CId=148&MId=2576&Ver=4>

Author

Kamila Coulson-Patel

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Appendix 1: Implications

Legal Implications

The Council has a duty under section 27 of the Localism Act 2011 to promote and maintain high standards of conduct by its members and to adopt a code of conduct that is consistent with the Nolan Principles. Ensuring that the Standards Committee is kept up to date with national Standards issues is expected to facilitate compliance with this duty.

Finance

None.

Consultation

None.

Equality and Diversity / Public Sector Equality Duty

None.

Climate Change

None.

Human Rights

None.

Crime and Disorder

None.

Staffing

None.

Accommodation

None.

Risk

None.

Procurement

None.

Standards Committee

2 December 2021

Code of Conduct Update



Report of Helen Lynch, Head of Legal and Democratic Services and Monitoring Officer

Electoral division(s) affected:

None

Purpose of the Report

- 1 To provide the Committee with an update on activity since the last meeting in respect of complaints received by Durham County Council against Councillors.

Executive summary

- 2 The report provides an update on the complaints of alleged breaches of the Code of Conduct currently being assessed and those which have been completed. Complaints are considered in accordance with the council's Local Assessment Procedure dated May 2021.

Recommendation

- 3 The Standards Committee is recommended to note the contents of the report.

Complaints

- 4 The council has a duty under section 27 of the Localism Act 2011 to promote and maintain high standards of conduct by its members and to adopt a Code of Conduct that is consistent with the Nolan Principles. It must also have in place arrangements to consider allegations about breaches of the Codes of Conduct for Members, by the council's own members and of members of parish/town councils for which the council is the principal authority.
- 5 There have been 8 formal complaints received between 26 August 2021 and 24 November 2021. There have been 9 final decision notices issued in the last period. The outcome of each complaint shown at Appendix 2. There are 4 complex historic complaints which are expected to be concluded in advance of the Standards Committee meeting. Provided decision notices have been issued with the relevant parties, an update will be provided to the Committee on the outcome.
- 6 There have been no complaints which have been rejected at the pre initial assessment stage in the last period.
- 7 In respect of the ongoing complaints it would not be appropriate to comment on those complaints that are currently being assessed investigated but Decision Notices will be available for inspection once the decision has been communicated to the Member subject to the Complaint.
- 8 A meeting of the Standards Committee Hearing Panel took place on 23 November 2021 relating to COM 322-324 and COM 364. The Hearing Panel considered the complaint against Councillor Pete Molloy in his capacity as a Spennymoor Town Councillor. The Panel made findings that there had been breaches of the Member Code of Conduct and recommended sanctions which were:
 - (a) For the Member to issue a written apology to the two officers within 14 days of the decision and provide a copy of the apology to the Monitoring Officer.
 - (b) For the Member to undertake training on the Member Code of Conduct, Member Officer relations and Equality and Diversity within three months of the hearing.
 - (c) Mediation to take place between the Member and the officers named in the complaints, to be facilitated by the Monitoring Officer within three months of the hearing.

Training

- 9 On 3 September 2021 and 13 October 2021, members of the Standards Committee received training on the Hearing Panel Process delivered by the Governance Solicitor.
- 10 The Governance Solicitor delivered training on 10th November 2021 to the Independent Persons as part of their continuous training and development. This session built on the session on the Hearing Panels Process with a focus on the role of the Independent Person.

Conclusion

- 11 The report is intended to provide an overview of complaints handling to assist the Standards Committee to fulfil their role in promoting and maintaining high standards of conduct.

Background papers

- Local Assessment Procedure dated May 2021.
- Decision Notices.

Contact: Kamila Coulson-Patel Tel: 03000 269674

Appendix 1: Implications

Legal Implications

The council has a duty under s. 27 of the Localism Act 2011 to promote and maintain high standards of conduct by its members and to adopt a Code of Conduct that is consistent with the Nolan Principles. It must also have in place arrangements to consider allegations about breaches of the Codes of Conduct for Members, by the council's own members and of members of parish/town councils for which the council is the principal authority.

Finance

There are no financial implications arising out of the report.

Consultation

None.

Equality and Diversity / Public Sector Equality Duty

There are no equality and diversity implications arising out of the report.

Climate Change

There are no climate change implications arising out of the report.

Human Rights

None

Crime and Disorder

There are no Crime and Disorder implications arising out of the report.

Staffing

There are no staffing implications.

Accommodation

There are no accommodation implications.

Risk

None.

Procurement

There are no procurement implications.

Appendix 2: Code of Conduct Complaints Activity

Ref	Council	Date	Allegations	Breach type	Decision Notice	Outcome/Status
COM 322, 323 and 324	Town	04.01.21	<p>The Member made a post on Facebook suggesting the removal of an officer post from the Town Council. There was also a suggestion that the Member required that the officer to attend a budget workshop meeting where he sought to single out the officer.</p> <p>The Member published an email between a Member and an officer of the Council on social media which is considered to be a data breach and has been reported to the ICO.</p> <p>There have been instances since November 2019 to December 2020 where the Member has targeted the Complainant and undermined the Complainants role within the Council by making comments at meetings and on social media. It is alleged that the conduct of the Member amounts to a breach of the code as well as the social media policy and member officer protocol.</p>	<ul style="list-style-type: none"> • Respect. • Bullying or intimidatory behaviour. • Not to disclose confidential information. • Must act in accordance with all procedures. 	<p>14.05.21 (investigation referral)</p> <p>09.08.21 (standards hearing panel referral)</p> <p>23.11.21 determined by the Hearing Panel</p>	<p>Hearing Panel – Finding of a breach of the Code. The following sanctions were imposed:</p> <ol style="list-style-type: none"> 1. The Member is to issue a written apology to the two officers named in the complaint within 14 days and to provide a copy to the Monitoring Officer. 2. The Member is to undertake training on the Code of Conduct, Member Officer relations and Equality and Diversity within three months. 3. The Member is to participate in mediation with the officers named in the complaint, this is to be facilitated by the Monitoring Officer.
COM 327 and 345	Town	19.01.21	<p>An Employment Tribunal claim was brought against the Council where the Tribunal upheld two allegations, namely that the employee had been unfairly dismissed and was subject to disability</p>	<ul style="list-style-type: none"> • Respect. • Not to intimate or improperly influence. • Not to compromise the impartiality of anyone who 	18.11.2021	<p>No further action. Following a referral for an investigation on 09.03.2021, an investigation undertaken</p>

			<p>discrimination by way of a failure to make reasonable adjustment. The Complainant asserts that the conduct of the Council as recorded in the Judgement demonstrates breaches of the code.</p> <p>A further complaint was presented regarding the conduct of the members at the meeting on 15 March 2021.</p>	<p>works for or on behalf of the Council.</p> <ul style="list-style-type: none"> • Disrepute. • Comply with any Standing Orders, policies and procedures adopted by the Council . • Not to disclose confidential information. 		<p>and completed. The Monitoring Officer in consultation with the Independent Person recorded the complaint as no further action as both Councillors were not re-elected following the election.</p>
COM 346	Parish	22.04.21	<p>It is alleged that the complainant was subject to a barrage of verbal abuse at a Council meeting from those complained of.</p>	<ul style="list-style-type: none"> • Respect • Bullying or intimidatory behaviour. • Disrepute 		<p>In progress</p>
COM 354, 357, 361, 362, 365, 367,370, 372.	Parish	June - October	<p>The complaint relates allegations relating to multiple members of the council.</p>	<ul style="list-style-type: none"> • Respect • Disrepute. • Bullying or intimidatory behaviour • Not to disclose confidential information. • Must act in accordance with all procedures. 		<p>In progress.</p>
COM 342, 355 and 366	Parish and County	June - August	<p>It is alleged that the Member has not acted in accordance with the code of conduct, alleging that he has been abusive, threatening and intimidating. The allegations are made by former Councillors and members of the public.</p>	<ul style="list-style-type: none"> • Respect. • Disrepute. • Bullying or intimidatory behaviour. 		<p>In progress.</p>
COM 358	Parish	23.06.21	<p>The Complainant does not consider that the correct process was followed by the Parish Council for the co-option of the complainant which was considered on 3rd June.</p>	<ul style="list-style-type: none"> • Comply with any Standing Orders, policies and procedures adopted by the Council 		<p>In progress.</p>

COM 359	County	05.07.21	It is alleged that the Member at a planning committee: (1) made a statement about a call with the complainant which was factually incorrect; (2) the statement about the complainant it could be inferred that the complainant has lied or mislead; (3) did not have a mandate to speak on behalf of the Town Council at the meeting; and (4) the comments towards the officer regarding the accuracy of the report presented at the committee was disrespectful.	<ul style="list-style-type: none"> • Bullying or intimidatory behaviour 	20.09.2021	No further action. The Member gave his subjective account of what he considered had taken place. The Member was entitled to speak at the Planning Committee as a local member who had been asked to put forward representations on behalf of objectors. In respect of the comment to the officer, the Governance Solicitor did not consider this to be a breach as it was not stating the report was inaccurate due to a failing by the officer but rather that a site visit would have shown that the report was not as presented.
COM 360	Town	15.07.21	The Councillor posted content on social media which was said to be contrary to the code.	<ul style="list-style-type: none"> • Respect • Bullying or intimidatory behaviour. • Not seek to improperly confer an advantage or disadvantage on any person. • Comply with any Standing Orders, policies and procedures adopted by the Council 	13.08.2021 21.10.2021	Referred for investigation. No further action. Following an investigation it was determined that the member had not acted contrary to the code.
COM 364	Town	12.07.21	The Councillor posted content on social media which was said to be contrary to the code.	<ul style="list-style-type: none"> • Respect • Bullying or intimidatory behaviour. 	13.08.2021 21.10.2021	Referred for investigation. Referred for Hearing Panel

				<ul style="list-style-type: none"> • Not seek to improperly confer an advantage or disadvantage on any person. • Comply with any Standing Orders, policies and procedures adopted by the Council 	23.11.21 determined by the Hearing Panel	Hearing Panel – breach of the Code and the relevant sanctions was for the Member is to undertake training on the Code of Conduct, Member Officer relations and Equality and Diversity within three months.
COM 368	County	30.07.21 and 22.09.21	It is alleged that leaflet produced relating to the Energy Recovery Facility (ERF) contains an incorrect statement which is said to mislead the public. A further leaflet was published which contained information relating to the Complainant and said to be hostile and malicious.	<ul style="list-style-type: none"> • Value colleagues and staff. • Respect • Disrepute 	12.10.2021	No further action. The material published by the Member was considered fall within the code but had the protection of Article 10(2). The second leaflet appeared to be political campaign material produced by the party and was outside the remit of the code of conduct complaints process.
COM 369	County and Town	02.08.21	It is alleged that the Member has been abusive towards fellow Councillor and has a pattern of bullying towards the complainant.	<ul style="list-style-type: none"> • Respect • Disrepute 	12.11.2021	Local Resolution. It is recommended that the Member: <ol style="list-style-type: none"> 1. Apologises to the Complainant in writing 2. Re-familiarises himself the Member Code of Conduct in particular the sections relating to respect. 3. Re-familiarises himself in respect of Data Protection Act and GDPR and providing

						information and / or training if required.
COM 371	County and Town	20.09.21	A post was made on a local community Facebook page. The posts were made by a local business owner about relating to the complainant. One Member is the Administrator and did not remove the post. The other Member made a comment regarding the business reading ""don't let scruffs bully you."	<ul style="list-style-type: none"> • Respect • Disrepute 	23.11.2021	No further action. The Members were not acting in their official capacity and the code was not engaged.
COM 374	Town	12.10.21	<p>The Member has submitted an FOI on a public forum which included the reference "please inform me why the Town Clerk misinformed the Councillors at the P&R meeting held on Tuesday, 5th October, 2021, of when the safety footwear boots were purchased and the length of time those boots lasted?"</p> <p>The Complainant considers the use of the words misinformed suggest that she has given false or inaccurate information, this is not true. The Complainant considers that this is evidence of a continuation of the bullying, harassment and disrespect from this Member.</p>	<ul style="list-style-type: none"> • Behave in accordance with all legal obligations, alongside any requirements contained within the Councils policies, protocols and procedures, • Value colleagues and staff • Always treat people with respect, • Not to bully or harass any person 	24.11.2021	Local resolution. The conduct complained of relates to matters considered by the standards committee hearing panel in COM 322-324 and it is recommended that the outcomes of training and mediation be used to address the issues raised in the complaint.

COM 375	Town	25.10.21	Two requests had been made for information from the public. The Clerk requested information from Members to which the member replied questioning the authenticity of the request. The Clerk considers that this infers that she has lied or misled and is evidence of the continuing concerns she has expressed regarding this member.	<ul style="list-style-type: none"> Behave in accordance with all legal obligations and Council's policies, protocols and procedures. Value colleagues and staff Respect Not to bully or harass any person Disrepute 	24.11.2021	Local resolution. The conduct complained of relates to matters considered by the standards committee hearing panel in COM 322-324 and it is recommended that the outcomes of training and mediation be used to address the issues raised in the complaint.
COM 376	Town and County	26.10.21	It is said the Member blamed another political group for the collapse of a local project and that he reported the same to the local press. The comments were said to be untrue.	<ul style="list-style-type: none"> Contribute to decision making Behave in accordance with legal obligations Value colleagues Respect. 	22.11.2021	No further action The comments made by the Member were not considered a personal attack towards the Complainant and fell within the protection of Article 10.
COM 377	Parish	04.11.21	The Complainant considered that the member has failed to act in accordance with the Code, it is said he has made false statements to her to the police, acted without authority of the Council to make false statements and has facilitated derogatory and defamatory discussions within parish Council meetings.	<ul style="list-style-type: none"> To not bully or intimidate Not to bring office into disrepute. Not to confer an advantage or disadvantage on any person 		In progress.
COM 378	Parish	10.11.21	The complainant is unhappy with the representations of three Councillors in respect of a planning application.	<ul style="list-style-type: none"> Respect Not to confer an advantage or disadvantage on any person. 		Awaiting member response.