



Standards Committee

Date Friday 2 June 2017
Time 9.30 am
Venue Council Chamber, County Hall, Durham

Business

Part A

**Items during which the Press and Public are welcome to attend.
Members of the Public can ask questions with the Chairman's agreement.**

1. Apologies for Absence
2. Member Training - Role of Standards Committee
3. Declarations of Interest, if any
4. Minutes of the Meeting held on 3 February 2017 (Pages 3 - 4)
5. Local Government Standards - Regional Meeting of Chairs, Deputy Chairs and Independent Persons of Governance/Standards Committees (Pages 5 - 10)
6. Standards Committee Hearing Panel - Alleged Breaches of Peterlee Town Council's Code of Conduct (Pages 11 - 22)
7. Such other business as in the opinion of the Chairman of the Meeting is of sufficient urgency to warrant consideration.
8. Any resolution relating to the exclusion of the public during the discussion of items containing exempt information.

Part B

Items during which it is considered the meeting will not be open to the public (consideration of exempt or confidential information)

9. Code of Conduct Complaints (Pages 23 - 30)
10. Such other business as in the opinion of the Chairman of the Meeting is of sufficient urgency to warrant consideration.

Clare Pattinson

Interim Head of Legal and Democratic Services

County Hall
Durham
24 May 2017

To: The Members of the Standards Committee

Councillors E Bell, J Bell, J Clark, M Clarke, T Henderson, E Huntington,
B Kellett, M McGaun, M McKeon, J Nicholson and A Savory

Parish and Town Councillors T Batson and R Harrison

Contact: Jill Errington

Tel: 03000 269 703

DURHAM COUNTY COUNCIL

STANDARDS COMMITTEE

At a Meeting of **Standards Committee** held in Committee Room 1A, County Hall, Durham on **Friday 3 February 2017 at 9.30 am**

Present:

Councillor K Shaw (Chairman)

Members of the Committee:

Councillors J Clark, M Dixon, B Graham, G Holland, B Kellett (Vice-Chairman), M Nicholls and B Stephens

Co-opted Members:

Parish Councillor R Harrison and Town Councillor T Batson

1 Apologies for Absence

Apologies for absence were received from Councillors E Huntington and J Lindsay.

2 Declarations of Interest

Councillor Shaw declared an interest in item 6 on the Agenda which provided an update on Code of Conduct complaints. Councillor Shaw's interest related to complaint ref: COM 089.

3 Minutes

The Minutes of the meeting held on 23 November 2016 were agreed as a correct record and were signed by the Chairman.

4 Exclusion of the Public

Resolved:

That under Section 100A(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 1 of Schedule 12A of the Act.

5 Code of Conduct Complaints

The Committee considered a report of the Head of Legal and Democratic Services and Monitoring Officer which provided an update in respect of alleged breaches of the Code of Conduct since the last meeting (for copy see file of Minutes).

In discussing the report Members noted that the volume of complaints had increased and that some members were the subject of more than one complaint against them. Members appreciated that sanctions were limited and in some cases did not deter repeat behaviour. The Governance Solicitor informed Members that the North East Monitoring Officers Group had written to the Committee on Standards in Public Life regarding the lack of effective sanctions, and she understood that the standards regime was being kept under review.

The Governance Solicitor explained that some complaints against Councillors were petty, and that only a minority of Councils were the subject of complaints.

The suggestion was made by Town Councillor T Batson that more information on the role and responsibilities of Councillors should be available for members of the public and those who may be interested in standing as Parish or Town Councillors. He suggested that CDALC be asked to consider publishing an article in County Durham News which would raise awareness and may help to reduce the number of Code of Conduct complaints in future. Councillor Clark made the point that information was available on CDALC's webpage for those interested in standing for election.

Following a question from Councillor Dixon concerning complaints received about the use of social media, the Governance Solicitor advised that this was a difficult issue to address. Some posts had been made on personal Facebook pages and the subject Councillors had been acting in a private capacity. That said the content of a posting could potentially reflect badly on the Councillor and the Council by bringing it into disrepute. It would be useful if a provision regarding 'disrepute' could be included in the NALC Code of Conduct and it was suggested that this be raised through the Executive of CDALC. Social media would form part of the training for Parish and Town Councillors following the elections.

In response to a further question from Councillor Dixon, the Governance Solicitor confirmed that Councillors would continue to be subject to the Code of Conduct during the period of purdah before the local elections.

Members were provided with an update regarding the decision notices in respect of Code of Conduct complaints refs: COM 048, COM 057-060 and COM 070, which had recommended that it would be beneficial for the two subject Councillors and their Parish/Town Councils to undergo Code of Conduct training.

Resolved:

That the report be noted.

Standards Committee

2 June 2017

Local Government Standards – Regional Meeting of Chairs, Deputy Chairs and Independent Persons of Governance/Standards Committees



Report of Clare Pattinson, Interim Head of Legal & Democratic Services

Purpose of the Report

- 1 To inform Standards Committee of the action points arising from the regional meeting of Chairs, Deputy Chairs and Independent Persons of Governance/Standards Committees.

Background

- 2 On 3 April 2017, North Tyneside Council hosted the regional meeting of Chairs, Deputy Chairs and Independent Persons of Governance/Standards Committees. The meeting was well attended and included, the Chair and Vice Chair of the County Council's Standards Committee and the Interim Head of Legal and Democratic Services.
- 3 A number of questions were discussed in small groups before responses were fed back to the wider meeting and a summary is attached as Appendix 2.

Action Points

- 4 The following action points were developed to form the basis for a discussion by the Monitoring Officers at their regional meeting in May.
 - i. Creation of a do's and don'ts guide for social media
 - ii. Advice on when a member is a member for the purpose of the code
 - iii. Training on – social media, interaction with the press and strong chairmanship
 - iv. Development of a Standards Bulletin to include cases of interest, changes to government policy, work of the Committee on Standards in Public Life
 - v. Development and introduction of a protocol annexed to the Code of Conduct on the use of social media by members
 - vi. Programmed approach to attendance at another Authority's Standards Committee

- vii. Sharing of decisions across the region to provide benchmarking information
- viii. Arranging a presentation from an external investigator on their services.

5 Due to the report deadline for Standards Committee, a verbal update will be provided to members in relation to the action points on 2 June.

Recommendations and reasons

6 Standards Committee note the content of the report.

Contact: Clare Burrows, Governance Solicitor Tel: 03000 260548

Appendix 1: Implications

Finance – None

Staffing - None

Risk - None

Equality and Diversity / Public Sector Equality Duty - None

Accommodation - None

Crime and Disorder - None

Human Rights - None

Consultation - None

Procurement - None

Disability Issues - None

Legal Implications – None

Appendix 2: Summary of discussion at Regional Meeting

Question	Answer
<p>1</p> <p>Can you identify any themes/ regular issues raised in complaints dealt with by your Authorities? Are there any behaviours that are not covered by your Code of Conduct, which should be?</p> <p>What assistance do Members need to minimise the risk of similar complaints arising in the future?</p>	<ul style="list-style-type: none"> • Use of letterhead/"passing on" of official material/ misrepresentation of facts/ misuse of facilities or resources – sometimes accidental • Use of complaints for political purposes • Inappropriate language • Interaction with public attending meetings • "Cut and thrust" of political debate – where is the line drawn? • Overstepping the line of acceptable behaviour • Bullying/respect (in particular in parishes) • Use of social media • Political "tit for tat" (member to member) • Political group support • Increased sensitivities • Declarations of interest – public perception of interests which are registered but not declared at meetings • Which capacity – if in private capacity needs to be made clear in terms of Code of Conduct "held to account" but can be difficult to monitor as a Monitoring Officer if using in a private capacity <ul style="list-style-type: none"> • Training and actual attendance – induction, strong charring, membership, group leaders to encourage, support in general and technology for all • Guidance on dos and don'ts • Training on press reports/enquiries • Circulating topics in a bulletin of Government changes may help members on a regional basis
<p>2</p> <p>What advice, guidance and controls does your Authority have in place in relation to the use of social media by Members? See extract from the Guardian on 28 March.</p>	<ul style="list-style-type: none"> • Social media – could make members predisposed if no specific guidance – guidance across the region could help • Political groups exert discipline/control – more difficult with independent and parish councils • Use of social media to generate press stories • Lack of awareness/understanding by members leads to mistakes • Only apologise when caught • Social media protocol is difficult to enforce • Consistent approach within Authority as to acceptable and non-acceptable behaviour • Timeliness of reporting • Maintenance of confidentiality • Awareness of speed of travel/information • Perceptions raised/appearances • Regional authorities – non-adopted regional guidance, if complaints judged on this basis could benefit under Code of Conduct and could incorporate as a set of

		<p>general principles.</p> <ul style="list-style-type: none"> • Members are social media savvy but mistakes issues – are members sufficiently aware of social media guidance • Members need to appreciate they are no Joe Brown and need to use social media appropriately • Demographic of members – older members tend not to use social media – it tends to be younger members who use it • Social media is a useful tool but can be both negative and positive • Use of social media during committee meetings – it is ok so long as it does not interfere or impact on the meeting • Perception – if acting in official capacity (noted that equipment is blocked for staff use of social media but not members)
3	<p>Would reciprocal visits to committee meeting by Chairs and Deputy/Vice Chairs of Standards/Governance and other regulatory committees be useful in developing best practice and “seeing” how it is done elsewhere? If any Member has attended another Authority’s committee meetings – what feedback can they give of that experience?</p>	<ul style="list-style-type: none"> • It was suggested all standards meetings should be open and invitees welcomed as has previously been done at Newcastle on ethical governance issues. If members make it known they wish to attend they could be invited rather than attending as an observer. If attending it would be a good idea to alert the Authority to get a more inclusive approach – on a more specific agenda item • Generally felt helpful to see how other Authorities operate providing it is relevant/comparable • Useful to see how different councils follow different processes (leader/cabinet v committee structure) • Policy of open invites and dates to be circulated – suggested extend to all standard committee members • IPs in some Authorities find that reports/meetings are too long – these are subject to committee structures in place as some have a light touch and therefore complaints are dealt with quicker • Important to address succession planning for Monitoring Officers/Members on standards matters to broaden experiences. • Reciprocity in terms of investigations e.g. external investigations – some noted it could be resource pressure/issues but the arrangements have been done previously.
4	<p>What revisions could you suggest that would improve the standards regime as it currently stands?</p>	<ul style="list-style-type: none"> • Lack of effective sanctions • Parishes – often no group structure • Sanctions used can include – apology, training (individual), training (as members) or censure • Feedback on effectiveness of training as a sanction – does it make a difference to behaviour? Members do engage. • Would help to have shared checks/balances by sharing complaints decisions regionally via Monitoring Officers

	<p>Does your Authority investigate complaints internally or does your Authority appoint an external investigator?</p> <p>How do you engage with your independent persons in dealing with complaints?</p>	<p>and pre-assessment/filtering in terms of percentage go through and why some don't so to set benchmarking</p> <ul style="list-style-type: none"> • Standardisation? Would be difficult • Sanctions are too lenient some members are not daunted by any adverse PR • Need to restore ability to suspend etc. • Parish councils needs to follow Authority's decisions • Censure could be positive/negative and need to include 'suspensions' to show credibility on sanctions. • Suspension is the fall back and as a last resort <ul style="list-style-type: none"> • Investigate both internal and external • All investigations done internally due to cost and expertise – reciprocal arrangements? • Investigations mainly done internally due to cost/resources as reciprocal is time consuming on already tight resources <ul style="list-style-type: none"> • IPs – some engaged from staff and some keep their distance • IPs are generally involved in initial screening of complaints • Investigations mainly done internally due to cost/resources as reciprocal is time consuming on already tight resources • Independent chair can feel very uncomfortable in suspending an elected member • Suggestion made to invite an external investigator to a future regional standards meeting
5	<p>How are your Standards Committees/Governance Committees constituted? Are they politically balanced? Do you have a co-opted independent chair? How well do your arrangements work and would you change them?</p>	<ul style="list-style-type: none"> • Most Authorities are nominally politically balanced • No co-opted independent chairs • Standards national framework and sanctions are frustrating • Generally working well bar sanctions and below national standard • Each Authority's arrangements are working well for that Authority • Need for robustness if you enter political arena • Reduction in complaints received • Would be helpful if parish council members and independent co-opted voted (but not chair) – however non-voting co-opted members would need to have a change in law to allow them to vote • It is a strength to have an independent chair as it goes to perception.

Standards Committee

2 June 2017



Standards Committee Hearing Panel- Alleged Breaches of Peterlee Town Council's Code of Conduct

Report of Clare Pattinson, Interim Head of Legal and Democratic Services

Purpose of the Report

1. To inform Members of the outcome of a hearing to consider a series of complaints concerning the alleged conduct of Councillors Mandy Thompson and William Jeffrey of Peterlee Town Council.

Background

2. A Hearing Panel of the Standards Committee was convened on 6 April 2017 following an investigation by the Council's Governance Solicitor who had concluded that breaches of the Code of Conduct had occurred.
3. The Hearing Panel determined that Councillor Thompson had breached paragraphs 1 and 2 of Peterlee Town Council's Code of Conduct and that Councillor Jeffrey had breached paragraphs 1 and 5.
4. In light of the fact that both Councillors did not seek re-election to the Town Council at the May 2017 local government elections, the Hearing Panel concluded that no sanctions should be imposed.
5. The Decision Notices of the Standards Committee Hearing Panel are attached at Appendix 2 for information.

Recommendation

6. The Standards Committee is requested to note the outcome of the Hearing Panel.

Contact: Clare Pattinson

Telephone: 03000 269732

Appendix 1: Implications

Finance: None

Staffing: None

Risk: None

Equality and Diversity/Public Sector Equality Duty: The decision to investigate emphasised the importance attached to compliance with this duty

Accommodation: None

Crime and Disorder: None

Human Rights: None

Consultation: None

Procurement: None

Disability Discrimination Act: None

Legal Implications: As set out in the report

DURHAM COUNTY COUNCIL

STANDARDS COMMITTEE HEARING PANEL IN RELATION TO POSSIBLE BREACHES OF THE CODE OF CONDUCT

Reference Number: COM120

Name of Member: Councillor William Jeffrey

Relevant Authority concerned: Peterlee Town Council

Name of Investigating Officer: Clare Burrows

Date of Hearing: Thursday 6 April 2017

Standards Committee Hearing Panel:

Chairman: Councillor Bill Kellett
Member: Councillor John Lindsay
Member: Town Councillor Terry Batson

Name of independent person consulted: Judith Common

Legal Adviser to the Hearing Panel: Liam Henry

Clerk of the Hearing: Jill Errington

Preliminary Information

On 9th July 2015 the Deputy Monitoring Officer considered a complaint from Peterlee Town Council ("the Town Council") concerning the alleged conduct of Councillor William Jeffrey of the Town Council. A general summary of the complaint is set out below:-

The complainant alleges that Councillor Jeffrey contravened the Town Council's members' code of conduct by his involvement in conduct towards a former Clerk of the Town Council over a period of a number of months in 2013 and 2014. The alleged misconduct concerned statements and comments made at meetings of the Town Council relating to the former Clerk's terms and conditions of employment with the Town Council which it was alleged demonstrated a lack of respect, constituted bullying and harassment and involved the disclosure of confidential information, all matters pertaining directly to the former Clerk.

The complaint was referred for investigation by the Council's Governance solicitor Clare Burrows who concluded on 3rd February 2017 that breaches of the code of conduct had occurred. A Hearing Panel of the Standards Committee met on 6th April 2017 to consider the complaints where the Investigating Officer had found a breach to have occurred.

Oral and written submissions (procedural)

The Standards Committee Panel's decision on procedural matters was as follows:-

Hearing to be in public or private

Having heard from the member who expressed a desire that the meeting be held in private and from the Investigating Officer who had no objection to the press and public being excluded the Panel duly resolved to exclude the press and the public in respect of the entirety of the proceedings before the Panel.

Findings of Facts

The Chair invited Ms Burrows to present her report and address the issue of whether there had been a breach of the code of conduct.

In accordance with the Local Determination Procedure the Standards Committee Panel considered the verbal presentation of the Investigation report by the Investigating Officer; during which Ms Burrows called three witnesses. The witnesses answered questions from the Panel, the Independent Person and Councillor Jeffrey.

The Standards Committee Panel then invited verbal representations from Councillor Jeffrey in order to allow him to challenge any factual findings in the report which he disputed and to address the issue of whether there had been any breaches of the code of conduct. Councillor Jeffrey also responded to questions from the Panel but did not call any witnesses.

Having considered the evidence presented to them the Standards Committee Panel accepted the findings of fact made by the Investigating Officer.

Whether or not Councillor William Jeffrey has failed to follow the Code of Conduct

The Investigation report had explored potential breaches of paragraphs 1, 2 and 5 of the Town Council's Code of Conduct. Paragraph 1 requires members to behave in such a way that a reasonable person would regard as respectful. Paragraph 2 requires members not to act in a way which a reasonable person would regard as bullying or intimidatory and paragraph 5 prohibits the disclosure of confidential information.

The Independent Person was able to participate in the hearing, ask questions and give her views on whether the Member had failed to follow the Code of Conduct.

The Standards Committee Hearing Panel's decision on whether or not there has been a breach of the Code of Conduct

A The Panel accepted that Cllr Jeffrey behaved as he did in support of his fellow Member Councillor Thompson who was of the genuine belief that she had identified financial irregularities within the Town Council. However neither his wish to support Councillor Thompson nor his perception of the genuineness of her concerns could entirely justify or excuse his conduct and the Standards

Committee Panel were unanimous in their decision that paragraphs 1 and 5 of the Peterlee Town Council Code of Conduct had been breached in relation to the following matters:-

(i) That at a meeting of Peterlee Town Council on the 17th February 2014 in referring to a “cover up” in respect of the drafting of the minutes of the meeting of the Town Council’s Establishment Committee on the 3rd February 2014 which were under consideration at the meeting on the 17th February 2014 and the fact that the minutes would need to be rewritten Councillor Jeffrey had failed to treat the relevant officers responsible for the preparation and submission of those Minutes with respect contrary to paragraph 1 of the code of conduct.

(ii) That at a meeting of a Community Group on an unidentified date Councillor Jeffrey had, by his own admission, discussed in public, details associated with the former Clerk’s ill-health which the former Clerk had not consented to contrary to paragraph 5 of the code of conduct.

B The Standards Committee Panel were unanimous in their decision that paragraphs 1 and 2 of the Peterlee Town Council Code of Conduct had not been breached in relation to the following matters:-

(i) In relation to Councillor Jeffrey’s failure to provide any information about his part in the approval of the former Clerk’s phased return to work arrangements at a meeting of Peterlee Town Council’s Establishment Committee on the 3rd February 2014. The Panel found that while his failure in this regard was misguided it did not, of itself, constitute a breach of the code of conduct and paragraph 1 in particular.

(ii) That at the same meeting referred to in paragraph (i) immediately above where Councillor Jeffrey was supportive of critical comments made by a fellow member, Councillor Thompson, regarding a report on the review of the Town Council’s organisational structure which had been prepared by the former Clerk. These comments were found by the Panel not to demonstrate a lack of respect to the former Clerk and, therefore, not a breach of paragraph 1 of the code of conduct but rather were accepted by the Panel as a straightforward expression of Councillor Jeffrey’s genuinely held frustration at the apparent lack of progress with the item in question.

(iii) A failure, by Councillor Jeffrey, to disassociate himself from a fellow member, Councillor Thompson’s general conduct towards the former Clerk including in respect to various emails sent by his fellow member, Councillor Thompson, to the former Clerk. The Panel shared the Investigating Officer’s criticism of Councillor Jeffrey in this matter to an extent but could not find that his inaction constituted a breach of paragraph 1 of the code of conduct.

(iv) Council Jeffrey’s role in the deteriorating relationship between his fellow member, Councillor Thompson, and the former Clerk was regrettable the Panel found, but did not constitute the bullying or harassment of the former Clerk and therefore was not a breach of paragraph 2 of the code of conduct.

Sanctions

Notwithstanding the breaches of the code of conduct which had been found against Councillor Jeffrey the Panel concluded, particularly in light of the fact that he was not to seek re-election to the Town Council at the May 2017 local government elections, that no sanction should be imposed on Councillor Jeffrey.

Right of Appeal

There is no right of appeal from this decision which is final.

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Councillor B Kellett
Chairman of the Standards Committee Panel

Date:12 April 2017.....

DURHAM COUNTY COUNCIL

STANDARDS COMMITTEE HEARING PANEL IN RELATION TO POSSIBLE BREACHES OF THE CODE OF CONDUCT

Reference number: COM121

Name of member: Councillor Mandy Thompson

Relevant Authority concerned: Peterlee Town Council

Name of Investigating Officer: Clare Burrows

Date of the hearing: Thursday 6 April 2017

Standards Committee Hearing Panel:

Chairman: Councillor Bill Kellett

Member: Councillor John Lindsay

Member: Town Councillor Terry Batson

Name of independent person consulted: Judith Common

Legal Adviser to the Hearing Panel: Liam Henry

Clerk of the hearing: Jill Errington

Preliminary information

On 9th July 2015 the Deputy Monitoring Officer considered a complaint from Peterlee Town Council ("the town council") concerning the alleged conduct of Councillor Mandy Thompson of the Town Council. A general summary of the complaint is set out below:-

The complainant alleges that Councillor Thompson contravened the Town Council's members' code of conduct by her conduct towards a former Clerk of the Town Council over a period of a number of months in 2013 and 2014. The alleged misconduct concerned statements and comments made at meetings of the Town Council, and in emails and otherwise, relating to the former Clerk's terms and conditions of employment with the Town Council which it was alleged demonstrated a lack of respect, constituted bullying and harassment and involved the disclosure of confidential information, all matters pertaining directly to the former Clerk.

The complaint was referred for investigation by the Council's Governance solicitor Clare Burrows who concluded on 3rd February 2017 that breaches of the code of conduct had occurred. A Hearing Panel of the Standards Committee met on 6th April 2017 to consider the complaints where the Investigating Officer had found a breach to have occurred.

Oral and written submissions (procedural)

The Standards Committee Panel's decision on procedural matters was as follows:

Hearing to be in public or private

Having heard from the member who expressed a desire that the meeting be held in private and from the Investigating Officer who had no objection to the press and public being excluded the Panel duly resolved to exclude the press and the public in respect of the entirety of the proceedings before the Panel.

Representations made by Counsel on behalf of the member

Representations had been received from Counsel on behalf of the member which, in essence, raised a number of shortcomings with both the way in which the complaint against the member had been conducted and with the content of the Investigation report.

In addition to fully considering the representations, the Panel heard from the member briefly on the matter, as well as the Investigating Officer, and having taken advice from the Legal Adviser, were satisfied that there was no reason why the hearing could not proceed. They noted in particular that the Investigation report was of an advisory nature and that any shortcomings that might be alleged, and on which they made no concession, could be addressed through the rigour of the hearing process including the need to take fully into account issues surrounding the member's right of freedom of expression.

Findings of Fact

The Chair invited Ms Burrows to present her report and address the issue whether there has been a breach of the code of conduct.

In accordance with the Local Determination Procedure the Standards Committee Panel considered the verbal presentation of the Investigation report by the Investigating Officer, during which Ms Burrows called three witnesses. The witnesses answered questions from the panel, the Independent Person and Councillor Thompson.

The Standards Committee Panel then invited verbal representations from Councillor Thompson in order to allow her to challenge any factual findings in the report which she disputed and to address the issue of whether there has been any breaches of the code of conduct. Councillor Thompson also responded to questions from the Panel but did not call any witnesses.

Having considered the evidence presented to them the Standards Committee Panel accepted the findings of fact made by the Investigating Officer.

Whether or not Councillor Mandy Thompson has failed to follow the code of Conduct

The Investigation report had explored potential breaches of paragraphs 1, 2 and 5 of the Town Council's Code of Conduct. Paragraph 1 requires members to behave in such a way that a reasonable person would regard as respectful. Paragraph 2 requires members not to act in a way which a reasonable person would regard as bullying or intimidatory and paragraph 5 prohibits the disclosure of confidential information.

The Independent Person was able to participate in the hearing, ask questions and give her views on whether the Member had failed to follow the Code of Conduct.

The Standards Committee Hearing Panel's decision on whether or not there has been a breach of the Code of Conduct

A The Panel accepted that Cllr Thompson was originally motivated to behave as she did as a result of her genuine belief that she had identified financial irregularities within the Town Council. This belief could not however justify or excuse her conduct. The Standards Committee Panel were unanimous in their decision that paragraphs 1 and 2 of the Peterlee Town Council Code of Conduct had been breached in relation to the following matters:-

- (i) That at a meeting of Peterlee Town Council's Establishment Committee on the 3rd February 2014 in calling for, in effect, an investigation into the former Clerk's return to work arrangements without first raising it through more discreet channels Councillor Thompson made a direct and unjustified attack on the former Clerk's integrity which showed a lack of respect of the former Clerk contrary to paragraph 1 of the code of conduct.
- (ii) That at the same meeting as referred to in paragraph (i) immediately above, in openly criticising the report concerning an organisational or structural review which had been prepared by the former Clerk, referring to it as "all words and no action" without any attempt to discuss her concerns in advance of the meeting with the officer Councillor Thompson again showed a lack of respect to the former Clerk contrary to paragraph 1 of the code of conduct.
- (iii) That at a meeting of Peterlee Town Council on the 17th February 2014 in referring to the minutes of the meeting of the Town Council's Establishment Committee on the 3rd February 2014 as being prepared incorrectly and being based on a lie Councillor Thompson had failed to treat relevant officers responsible for the preparation and submission of those minutes with respect contrary to paragraph 1 of the code of conduct.
- (iv) That in sending an email on the 17th March 2014 to both the former Clerk and Deputy Clerk requesting a copy of the Town Council's disciplinary policy and advising them both that there was a substantive

need for the policy Councillor Thompson showed a lack of respect to both officers contrary to paragraph 1 of the code of conduct. The Panel found that the email was threatening and inflammatory in nature and was clearly inappropriate particularly given the context of the former Clerk's phased return to work.

- (v) That in sending an email on the 18th March 2014 to the Deputy Clerk containing a detailed Freedom of Information request regarding the former Clerk's employment and her ill health absence Councillor Thompson showed a lack of respect to the former Clerk contrary to paragraph 1 of the code of conduct. The Panel had no hesitation in agreeing with the Investigating Officer that the email was demeaning to the former Clerk and directly questioned her integrity without foundation.
- (vi) That in sending an email on the 25th March 2014 to the Deputy Clerk regarding the former Clerk with a clear implication of wrongdoing on her part for which she had no evidence Councillor Thompson showed a lack of respect to the former Clerk contrary to paragraph 1 of the code of conduct.
- (vii) That in sending an email on the 1st April 2014 to the former Clerk in an exchange of emails concerning her request for items to be added to a meeting agenda that Councillor Thompson showed a lack of respect to the former Clerk contrary to paragraph 1 of the code of conduct in the use of her language within that email which the Panel found to be rude and intemperate.
- (viii) That in the totality of her behaviour generally towards the former Clerk as detailed in the paragraphs above Councillor Thompson had bullied and intimidated the former Clerk contrary to paragraph 2 of the code of conduct with the Panel finding that the sequence of events for which Councillor Thompson was responsible had been designed to undermine the former Clerk at a time when the former Clerk had only just returned to work following a serious illness.

B The Standards Committee Panel were unanimous in their decision that paragraphs 5 of the Peterlee Town Council Code of Conduct had not been breached in relation to the following matter:-

- (i) in relation to Councillor Thompson's exchange with a member of the public when she had advised the person concerned that the former Clerk was "poorly" and had not yet returned to work the Panel found that there had been no substantive breach of paragraph 5 of the code of conduct.

Sanctions

Notwithstanding the breaches of the code of conduct which had been found against Councillor Thompson the Panel concluded, particularly in light of the fact that she was not to seek re-election to the Town Council at the May 2017 local government elections, that no sanction should be imposed on Councillor Thompson.

Right of Appeal

There is no right of appeal from this decision which is final.

.....
Councillor B Kellett
Chairman of the Standards Committee Panel

Date: ...12 April 2017.....

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of the Local Government Act 1972.

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