

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.