

## Appendix 2: Code of Conduct Complaints Activity

Ref	Council	Date	Allegations	Breach type	Decision Notice	Outcome/Status
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"> <li>• Respect</li> <li>• Not to confer an advantage or disadvantage on any person.</li> </ul>	31.05.22	No further action The representations which were made by the Councillors were arising from concerns which had been presented to them as local members, it is essential that the member present the views of the community which were presented to the Planning Committee and appropriate weight was attached.
COM 379	County	17.12.21	The Member at planning committee failed to show respect to the Complainant and participated in an item which he had declared an interest on.	<ul style="list-style-type: none"> <li>• Respect</li> <li>• Not to confer an advantage or disadvantage on any person</li> </ul>	04.04.22	No further action On review of the planning meeting the comments made by the Chair were not considered to be contrary to the code. The Member had taken advice in respect of his interest and did not consider that he had an interest in the item considered by the committee. If the complainant considers that the members were bias or demonstrated pre determination this can only be determined by the Court on a judicial challenge.
COM 380	Parish	22.12.21	An email was sent by the Member which made comments about the	<ul style="list-style-type: none"> <li>• Respect</li> </ul>	31.03.22	Local Resolution.

			complainants. The complainants were not the intended recipients and upon learning of this the Member apologised.			The member was asked to provide an apology to the complainants within 14 days of the DN.
COM 383 (all Council)	Town	17.02.22	The Council submit a complaint relating to two Facebook posts by the Member which are said to be contrary to the Code.	<ul style="list-style-type: none"> <li>• Champion the needs of residents</li> <li>• Deal with representations or enquiries fairly</li> <li>• Listen to the interests of all parties</li> <li>• Contribute to making the Authority's decision-making processes</li> <li>• Respect</li> <li>• Disrepute.</li> </ul>	21.04.22	<p>Local Resolution</p> <p>The Member was acting in his official capacity at the time of the post and accepted that his post was an error on his part.</p> <p>It was recommended that:</p> <ol style="list-style-type: none"> <li>1. The Member is to provide written apologies to the Council and the CIC for the post of 13 January 2022 and the repetition of the original post on 18 January 2022.</li> <li>2. The Member is to undergo refresher training delivered by the Clerk on the use of social media, to review the relevant Council guidance on the use of social media and the Member Code of Conduct.</li> </ol> <p>The recommendations are to be complied with within 28 days of the decision notice and confirmed as completed to the Monitoring Officer with copies of the apologies provided.</p>

COM 385	Town	22.02.22	The Member responded to correspondence from the Complainant which included the use of the words 'Local Councillor' which the Complainant considered was used as a veiled threat or warning. Also the Complainant found the tone to be dismissive.	<ul style="list-style-type: none"> <li>• Respect</li> <li>• Disrepute</li> </ul>	19.05.22	Local Resolution The Code was engaged by the use of the word Councillor which purported to be acting in the official capacity. The Councillor was recommended to refamiliarise himself with the code of conduct and take care in his future communications including those with the public when he is acting or giving the impression of acting in his official capacity.
COM 386	Parish	April and May	The Member is said to have been aggressive in the tone of his emails to a fellow councillor and this is considered to be bullying  It is also alleged that the Member has discriminated the Member.	<ul style="list-style-type: none"> <li>• Respect</li> <li>• Bullying</li> </ul>		In progress – additional information presented in May 2022.
COM 387	County	03.03.22	During the Council meeting on 26 January the Member made a personal attack on a fellow Councillor and her political history. This behaviour is considered to be contrary to the code.	<ul style="list-style-type: none"> <li>• Respect</li> <li>• Value and engage with colleagues with respect</li> </ul>	31.05.22	No further action  The comments were political speech at a Council meeting and afforded the protection of article 10.
COM 388 and COM 390	County	February and March	It is said that the members failed to show respect at a Council meeting towards other members.	<ul style="list-style-type: none"> <li>• Respect</li> </ul>	20.04.22	No further action There was no evidence to support the allegations that members were singled out by in

						<p>interjections during speeches. The member followed the procedural rules for reminders to members including on points of order.</p> <p>In respect of Member 2, the comment was retracted at the meeting and in any event is considered to be covered by political speech, article 10 protection must be balanced to exercise democracy which includes providing challenge.</p>
COM 389	County	07.03.22	The Complainant states that the Member has abused her position as a Councillor when dealing with the moderation of a Facebook page relating to a school which she is a Trustee of the Board and there is an ongoing dispute.	<ul style="list-style-type: none"> <li>• Respect</li> <li>• Not to confer an advantage.</li> </ul>	29.03.22	<p>No further action</p> <p>Councillor was not acting in their official capacity.</p>
COM 391	Parish		It is alleged that the members have breached data protection policy and recorded meetings when requested not to do so.	<ul style="list-style-type: none"> <li>• Failure to comply with procedure.</li> </ul>	05.05.22	<p>No further action</p> <p>Referred to Parish Council to consider/determine data protection allegations as not within the scope of the Monitoring Officer (MO) to determine if data breach. If data breach then may refer back to the MO to consider a code breach. Matters relating to the police investigation are not appropriate for the MO to</p>

						consider whilst the investigation is ongoing.
COM 392	Town	27.03.22	The Member was said to have discriminated against the complainant in considering a complaint presented to the Council. It was also alleged that the Member had a conflict of interest when this matter was considered at Council and Sub-Committee.	<ul style="list-style-type: none"> <li>• Respect</li> <li>• Not to confer an advantage.</li> </ul>	31.05.22	<p>No further action</p> <p>The Member confirmed that this was not a matter which could be considered by the Council as it related to policy for the allotment association but noted regret that the policy did not match that which would have been in place with the Town Council.</p>
COM 393 and COM 397	Town	05.04.22 and 19.04.2022	It is alleged that the member has at meetings, in emails and on social media behaved in a manner which is contrary to the code towards officer and Councillors	<ul style="list-style-type: none"> <li>• Respect</li> <li>• Bullying</li> <li>• Failed to follow procedure/policy (member officer protocol)</li> </ul>	31.05.22	Referred for investigation.
COM 394	Town	01.04.22	One member shared a news article relating to the complainant on social media which resulted in comments being made about the complainant this included a comment by the other member.	<ul style="list-style-type: none"> <li>• Respect</li> </ul>	19.04.22	<p>No further action</p> <p>The post by the Councillor did not contravene the code and the comment made by others including a fellow Councillor did not give rise to a breach of the Code. The report shared was a factual news article and the comments which followed were as a result of the factual reporting of the complainant.</p>

COM 395	Parish	03.04.22	It is alleged that the Council has failed to act with transparency in the production and availability of the minutes and financial reports. The Complainant considers that the Council has failed to achieve best value for the public funds including the salary awards.	<ul style="list-style-type: none"> <li>• Behave in accordance with all legal obligations, and policies. ,</li> </ul>		In progress
COM 396	Meeting		No response from Parish Meeting	<ul style="list-style-type: none"> <li>• Not quoted</li> </ul>	Rejected 13.04.22	The complaint related to members of the Parish Meeting.
COM 398	County	28.04.22	It is alleged that the Member has revealed confidential information about the Complainant and therefore breached data protection. The complainant also raises concerns with the Members involvement in providing support to the Ukraine relief and also raises concerns about the actions of the member in respect of the housing complaints raised by the complainant.	<ul style="list-style-type: none"> <li>• Deal with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially;</li> <li>• Behave in accordance with all legal obligations, and policies. ,</li> </ul>		In progress
FS-Case-419742951	County	04.05.22	The complainant launched an appeal on social media for Ukraine. It is alleged that the Member did not follow the procedures in place for the collection and donation of items. It is also alleged that the Member has made posts on social media	<ul style="list-style-type: none"> <li>• Respect</li> <li>• Behave in accordance with all legal obligations and policies.</li> </ul>		In progress

			<p>which are misleading and inaccurate.</p> <p>Further information has been presented as part of the complaint alleging that the member has failed to register an interest.</p>			
FS-Case-418894813	Parish	29.04.22	The Member did not declare an interest in an item of business which it is said she had an interest in.	<ul style="list-style-type: none"> <li>• Not allow other pressures, including the financial interests of themselves or others connected to them, to deter them from pursuing the interests of the Council or the good governance of the Council in a proper manner.</li> <li>• Behave in accordance with all legal obligations and policies.</li> </ul>		In progress
FS-Case-418876382	Parish	29.04.22	It is alleged the Member allowed a person speaking at the meeting to influence Members and decision making in respect of a contract award. .It is also said	<ul style="list-style-type: none"> <li>• Listen to the interests of all parties.</li> <li>• Behave in accordance with</li> </ul>		In progress

			that the Member allowed two Councillors to be personally verbally attacked by the supplier who was at the meeting.	all legal obligations and policies. • Respect		
COM 399	County	16.05.22	It is alleged the Member made comments in an email sent to all Members, the comments made are alleged to be contrary to the code of conduct	• Respect		In progress
COM 400	Town	23.05.22	The Member sent an email to an officer of the Council which contained inflammatory, discriminatory and threatening language toward Councillors.	• Respect • Bullying • Disrepute		In progress