

Appendix 2: Code of Conduct Complaints Activity

20 August 2022 – 20 November 2022

Ref	Council	Received	Complainant type	Summary of Allegation(s)	Breach type	Decision Notice	Outcome/Status
COM 300 and 302	Town	15.06.20	Member of Public Councillor	That the Subject Member posted a comment on Facebook (alleging poor behaviour by some members of the public at a public event) which was motivated by racism and disrespectful of members of the community.	<ul style="list-style-type: none"> • Respect • Honesty and integrity • Disrepute 	10.11.22	No further action. Insufficient evidence to support the allegations. The balance of evidence strongly supports the Subject Member's version of events.
COM 355 and 366	Parish and County	02.06.21 and 16.07.21	Member of Public	That the Subject Member: <ol style="list-style-type: none"> 1. swore at and behaved in an intimidating manner toward the first complainant; 2. blocked the first complainant on social media; 3. does not help former councillors (including the second complainant) with issues. 4. That the Subject Member's wife behaved in a threatening manner toward the second complainant's son. 	<ul style="list-style-type: none"> • Respect • Bullying • Champion the needs of residents • Deal with people fairly 	09.11.22	No further action. <ol style="list-style-type: none"> 1. Given the differing accounts of the complainant, Subject Member and witnesses, it is unlikely that an investigation would determine what happened in relation to an incident alleged to have occurred in June 2021. 2. Members are entitled to manage their social media as they see fit. 3. There is no evidence to support the allegation that the Subject Member fails to help ex-councillors. 4. The Monitoring Officer has no jurisdiction in

							relation to the Subject Member's wife.
COM 395	Parish	03.04.22	Member of Public	<p>That 2 Subject Members (and others) have:</p> <ol style="list-style-type: none"> Failed to act with transparency in the production and availability of minutes and financial reports. Failed to achieve best value in relation to public funds, including salary awards. 	<ul style="list-style-type: none"> Behaving in accordance with legal obligations 		Ongoing.
COM 393 COM 397	Town	05.04.22 19.04.22	Officer	That the Subject Member has, in emails and on social media, been disrespectful towards fellow Councillors and an Officer of the Council.	<ul style="list-style-type: none"> Respect Bullying Failing to follow procedure / policy (member officer protocol) 		Ongoing.
418894813 418876382	Parish	29.04.22	Councillor	<p>That Subject Member 1 did not declare an interest in an item of business they had an interest in.</p> <p>That Subject Member 2 allowed two fellow councillors to be verbally attacked by a member of the public during a meeting they were chairing.</p>	<ul style="list-style-type: none"> Failing to declare an interest Respect 	03.10.22	<p>No further action.</p> <p>Complaint re declaration of interests abandoned.</p> <p>In relation to the complaint regarding the conduct of a meeting, the Governance Lawyer accepted that the Chair had acted with best intentions and tried their best to resolve the issue.</p>

							Immediately after the meeting, the Council reflected on the appropriate way to deal with such issues in the future and has changed its process.
COM 400	Town	23.05.22	Councillor	That the Subject Member sent an email to an officer which contained inflammatory, discriminatory and threatening language directed toward fellow councillors.	<ul style="list-style-type: none"> • Respect • Bullying • Disrepute 	24.08.22	Local Resolution. The Subject Member was asked to consider the tone and content of future emails sent to officers.
424679156 426608825 426993517 425508825	Parish	June 2022	Councillor	Cross-complaints by 2 Members alleging disrespectful and bullying behaviour towards one another during a Parish Council meeting and in subsequent correspondence.	<ul style="list-style-type: none"> • Respect • Bullying 	24.08.22	Local Resolution. These complaints appear to have arisen out of a misunderstanding of what was being asked/said between the 2 Subject Members during an exchange which was described by others present as being 'robust'. The Chair of the meeting has since sent an email to the Subject Members recognising their respective positions and the upset caused and inviting them to find a way to work together, acknowledging that from time to time there will be differences of opinion and approach.

							The Governance Lawyer took the view that there was insufficient evidence to substantiate an allegation of bullying and that the Chair's handling of the situation had been constructive and proportionate.
436376580	Parish and County	12.07.22	Member of Public	That the Subject Member has been abusive towards the Complainant in public.	<ul style="list-style-type: none"> • Respect 	26.08.22	<p>No further action.</p> <p>The Subject Member was not acting in their capacity as a councillor. Accordingly, the complaint does not fall within the scope of the Members Code of Conduct.</p>
COM 403	Town	28.07.22	Officer	That the Subject Member has been rude, attempted to intimidate, and spoken down to the Complainant in email correspondence.	<ul style="list-style-type: none"> • Respect • Bullying • Seeking to improperly confer an advantage or disadvantage 	30.09.22	<p>No further action.</p> <p>The Governance Lawyer has suggested to the Subject Member that they may wish to consider the tone of their emails and how it may be interpreted by others when entering into future correspondence with Officers.</p> <p>It is recommended that a Member Officer Protocol should be adopted as soon as possible to assist with clarifying the roles and responsibilities of Members and Officers and set out the general principles to establish good working relationships.</p>

COM 404 (Linked to COM 403)	Town	28.07.22	Officer	That one Subject Member, supported by a second Subject Member, has conducted a sustained campaign of bullying and harassment towards an Officer.	<ul style="list-style-type: none"> • Respect • Bullying • Seeking to improperly confer an advantage or disadvantage 	09.11.2022	<p>Local Resolution.</p> <p>The Governance Lawyer would strongly endorse the Council adopting the following recommendations as soon as possible.</p> <ul style="list-style-type: none"> • That a Member Officer Protocol is adopted. • That internal training take place to help the Council improve relationships and manage expectations between the Officer and Members. • That all officers and councillors be cognisant of the need for mutual respect and that relationships should be professional <p>In regard to recommendations 2 and 3, the Town Council would benefit from professional independent mediation between the complainant and the Subject Members.</p>
441122824	County	01.08.22	Member of Public	An employee of the Complainant mistakenly copied a local resident into an email which they were not the	<ul style="list-style-type: none"> • Fairness • Respect • Behaving in accordance 	23.08.2022	<p>No further action.</p> <p>The conduct complained of did not amount to a breach of</p>

				intended recipient of. The resident raised the issue with the Subject Member who made representations to the Complainant on their behalf. The Subject Member copied other professional organisations into their response, which the Complainant alleges was intended to cause them reputational damage.	with legal obligations		the Members Code of Conduct.
COM 405	Parish	26.08.22	Member of Public	That a Member or Members of the Council has/have: <ol style="list-style-type: none"> 1. Acted for personal reasons, and not in accordance with the Members Code of Conduct; 2. Disclosed confidential information to a member of the public; 3. Made disrespectful comments on social media; 4. Harassed the Complainant. 	<ul style="list-style-type: none"> • Behaving in accordance with legal obligations • Disclose confidential information • Respect • Bullying 		Ongoing.
448540013	Parish	01.09.22	Member of Public	That the Subject Member: <ol style="list-style-type: none"> 1. 'Liked' a social media post which was critical of a decision taken by an organisation of the which the complainant is in a position of control, thereby encouraging others to post negative comments; and 2. Shared information, such as the complainant's name and 	<ul style="list-style-type: none"> • Respect • Bullying 	14.10.22	No further action. The Governance Lawyer is satisfied that the Member was acting in their private capacity and not in their capacity as a councillor.

				personal photos, taken from their personal social media pages.			
448664948 (Linked to 448540013)	Parish	01.09.22	Member of Public	That the Subject Member 'liked' and commented on a social media post which was critical of a decision taken by an organisation of which the complainant is in a position of control. The Subject Member identifies themselves as a Parish Councillor and encourages the author of a comment to attend the next meeting of the Parish Council.	<ul style="list-style-type: none"> • Respect • Bullying 	14.10.22	No further action. The Subject Member's comments remained respectful.
450327165	Parish	08.09.22	Member of Public	That the Subject Member had been using their son's name to obtain utilities.		03.10.2022	Rejected. Member acting in their private capacity.
450547534	PCC	09.09.22	Officer	That Subject Member 1 improperly disclosed exempt and confidential information and engaged in bullying an officer for political gain, supported by 3 other Members.	<ul style="list-style-type: none"> • Behaving in accordance with legal obligations • Disclosing confidential information • Valuing colleagues and staff and engaging with them in an appropriate manner • Respect • Bullying 		Ongoing.

COM 406 and 407	Town	20.09.22	Officer	That the Subject Member has, at public meetings, repeatedly and incorrectly stated that they have not had access to reports, thereby impugning the professionalism of officers.	<ul style="list-style-type: none"> • Work constructively with employees • Valuing staff • Respect • Bullying 		Ongoing.
COM 408	Town	20.09.22	Councillor	That the Subject Member improperly used their Council email address to raise a complaint relating to their business interests and, following a subsequent meeting, behaved in a disrespectful and bullying manner towards officers and other councillors.	<ul style="list-style-type: none"> • Behaving in accordance with legal obligations, policies and procedures • Valuing colleagues and staff • Respect • Bullying 	07.11.22	<p>No further action.</p> <p>The Subject Member accepted inappropriate use of their council email address. They are a relatively new member, who did not appreciate that it was inappropriate at the time. The emails were confined to officers and fellow members and the content was not disrespectful.</p> <p>In relation to the subsequent incident, there are differing versions of events and insufficient evidence to merit further investigation.</p>
COM 409	County	22.09.22	Councillor	That the Subject Member failed to declare their membership of various council/community bodies whilst acting as a board member of an AAP sub-group.	<ul style="list-style-type: none"> • Failing to declare interests • Behaving in accordance with legal obligations and policies 	21.10.22	<p>No further action.</p> <p>In relation to 2 of the alleged interests, the Governance Lawyer was satisfied that the Subject Member no longer held those interests. In relation to the 3rd alleged interest, the Subject Member accepted that they had failed to declare this. However, they have subsequently apologised and resigned the</p>

							position in question, and the Governance Lawyer accepts that this was a genuine oversight.
454501910	Town	27.09.22	Member of Public	That the Subject Member failed to declare a spousal interest whilst sitting on the Allotment Committee.	<ul style="list-style-type: none"> • Failing to declare interests • Behaving in accordance with legal obligations and policies 	08.11.22	Local Resolution. The Governance Lawyer considers that the Subject Member may have breached the Code of Conduct relating to disclosable pecuniary interests and recommends that the Subject Member undertake Code of Conduct training with the Monitoring Officer, to be arranged within one month of the decision notice.
COM 410	County	07.10.22	Member of Public	That the Subject Member has a close association with a property developer and should not have taken part in considering a planning application submitted by that developer.	<ul style="list-style-type: none"> • Not allowing other pressures to influence • Exercising independent judgement • Behaving in accordance with legal obligations and policies • Failing to declare an interest 	18.11.22	No further action. The Governance Lawyer found no evidence of a close relationship or undeclared interest which would preclude the Subject Member from taking part in the decision, or that the Member approached the decision in question other than with an open mind.
COM 411	County	07.10.22	Member of Public	That the Subject Member failed to action a request from a member of the public relating to	<ul style="list-style-type: none"> • Failing to champion the needs of residents 	09.11.22	No further action. The Governance Lawyer is satisfied that the Subject Member appropriately raised

				the removal of a litter bin that had been set on fire.	<ul style="list-style-type: none"> Failing to deal with enquiries from residents fairly, appropriately and impartially 		<p>the issue with officers and has done their best to engage with the Complainant and deal with the issues raised fairly.</p> <p>The relevant service confirm that the bin has now been removed.</p>
459906270	Parish	21.10.22	Member of Public	That the 2 Subject Members remonstrated with a member of the public who objected to them using an access point to a field adjacent to his land.	<ul style="list-style-type: none"> Respect Bullying 	08.11.22	<p>Rejected.</p> <p>Subject Members not acting in their capacity as Councillors.</p>
460688046	County	24.10.22	Member of Public	That the Subject Member posted a comment on Facebook containing inaccurate information regarding the outcome of a police investigation into a fatal road traffic collision.	<ul style="list-style-type: none"> Respect Disrepute Disclosing confidential information 	21.11.22	<p>No further action.</p> <p>The post in question was confined to the discrete issue of whether highway infrastructure had contributed to the collision. No individuals were mentioned. Nevertheless, the post should not have been shared and was insensitive to the deceased's family. The Subject Member removed the post immediately upon realising the upset caused and apologised.</p> <p>The Governance Lawyer is satisfied that there was no intention to be disrespectful.</p>