

Appendix 2: Code of Conduct Complaints Activity

30-November 2022 – 6 March 2023

Ref	Date Received	Council	Complainant type	Summary of Allegation(s)	Breach type	Decision Notice	Outcome/Status
COM 395	3-April-22	Parish	Public	That 2 Subject Members (and others) have: 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 	27-Jan-23	<p>No further action.</p> <p>No deliberate omission to make declaration on register of interest.</p> <p>Decision Notice not for publication.</p>
COM 393 COM 397	5-April-22 19-April-22	Town	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) 	6-June-22	<p>Decision Notice issued but still ongoing.</p> <p>Referred for Investigation</p>
COM 405	26-Aug-22	Parish	Public	That a Member or Members of the Council has/have: Acted for personal reasons, and not in accordance with the Members Code of Conduct; Disclosed confidential information to a member of the public; Made disrespectful comments on social media; Harassed the Complainant.	<ul style="list-style-type: none"> Behaving in accordance with legal obligations Disclose confidential information Respect Bullying 	14-Dec-22	<p>No Further Action.</p> <p>No evidence to suggest a Councillor disclosed confidential information.</p> <p>Decision Notice not for publication.</p>

FS-Case-450547534	9-Sep-22	County	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 	2-Dec-22	<p>Subject Member 1: Local Resolution.</p> <p>Subject Member 1 accepts making a media comment in respect of a confidential agenda item.</p> <p>The Governance Lawyer recommends training delivered by the Monitoring Officer focussing on duty of confidentiality.</p> <p>Subject Members 2, 3 & 4: No further action.</p> <p>The Governance Lawyer is satisfied that the Subject Members had legitimate concerns and were not seeking to bully.</p>
COM 406 and 407	20-Sep-22	Town	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 	19-Dec23	<p>Local Resolution. Recommendations:</p> <ol style="list-style-type: none"> 1. Professional independent mediation between the Subject Member and the Complainants with a focus on the Town Council's Member/Officer Protocol and; 2. Training delivered by or on behalf of the Monitoring Officer on the Member Officer Protocol for Officers and Members to help the Council improve relationships between officers and Members. This training

							should take place within 3 months of the decision notice.
Com 412	30-Nov-22	Parish	Public	Allegation that the subject member has committed an assault and battery on a child aged 12 as he believed that they were being too loud in a local park.	<ul style="list-style-type: none"> Code not engaged. 	27-Jan-23	Rejected as Member was not acting in capacity as a Councillor.
FS-Case-469486352	3-Dec-22	County	Public	The subject member was given donation of £2000 by MP during campaign to be the next candidate for ward. The member had not declared this donation within her Register of Interests.	<ul style="list-style-type: none"> Failure to disclose interests 	N/A	Rejected at Pre-assessment The sponsorship was not given to them in her capacity as a County Councillor and was instead given for their Parliamentary election Candidacy.
COM 413	12-Dec-22	Parish	Member	Various allegations including: GDPR breaches Bullying Failure to engage in Decision Notice recommendations Failing to disclose interests Failure to follow tendering processes	<ul style="list-style-type: none"> All aspects of the code of conduct 		Ongoing
FS-Case-463129036	2-Nov-22 (Customer Services) – 15-Dec-22	County	Public	Alleged misuse of the Claimant's data.	<ul style="list-style-type: none"> GDPR Disclose information given in confidence 	9-Feb-23	No Further Action - Insufficient evidence upon which it could be reasonably concluded that the subject Member misused the data
FS-Case-473718979	1-Jan-23	Parish	Public	Prior to a Parish Council meeting which was open to the public, a member of the public gave notice that she would be recording the meeting. The Member allegedly told the complainant they must stop recording as a member did not want to be recorded.	<ul style="list-style-type: none"> he/she shall not seek to improperly confer an advantage or disadvantage on any person. he/she shall use the resources of the Council in accordance with its requirements. 	21-Feb-23	No Further Action The Monitoring Officer cannot consider complaints against the Clerk. There is insufficient evidence that the Member breached the code of conduct. The Parish Council is recommended to review their existing public filming policy.

FS-Case-479253074	18-Jan-23	Parish	Member	<p>Members have given false statements during a Parish Council Meeting. Members have approved a contract on behalf of a landowner.</p>	<ul style="list-style-type: none"> • Championing the needs of residents • Dealing with enquiries fairly, appropriately, and impartially. • Not allowing pressures to deter them from pursuing the interests of the Council or the good governance of the Council in a proper manner • Exercise independent judgement • Be accountable for decisions • Contribute to making the decision process as open and transparent as possible. • Behave in accordance to legal obligations and that of the Council. • Treat people with respect. • Failure to disclose interests 		<p>Ongoing</p> <p>To be dealt with as a collective.</p> <p>The opinion of an independent person shall be sought.</p>
FS-Case-479484178	18-Jan-23	Parish	Member				
FS-Case-480006325	18/01/2023	Parish	Member				
FS-Case-479665269	18-Jan-23	Parish	Public				
FS-Case-480451746	19-Jan-23	Parish	Public				
FS-Case-482384231	30-Jan-23	Parish	Member				
Com 414	8-Feb-23	Parish	Member				
FS-Case-479732774	19-Jan-23	County	Public	<p>The Complainant states the Member had "Slated" the Parish Council and had discussed Council meeting business with residents. Additionally, the Complainant found it rude that the Member was frequently on their phone during the meeting.</p>	<ul style="list-style-type: none"> • Respect 	24/02/2023	<p>No further action.</p> <p>No evidence that the member had "slated" the Parish. No breach had occurred as the information from the meetings were available to the public. No offence had been intended through the use of the Member's mobile phone, but they are reminded of the guidance within the social media toolkit about the use of</p>

							mobile phones during meetings.
FS-Case-480150933	23-Jan-23	County	Public	The Member allegedly breached lockdown rules.	<ul style="list-style-type: none"> Code not engaged. 	N/A	Rejected as Member was not acting in capacity as a Councillor.
FS-Case-484248823	06-Feb-23	Town	Member	The Member has filmed other Councillors against their wishes and did so to intimidate a specific councillor.	<ul style="list-style-type: none"> Respect Harassment/ Bullying 	07/03/2023	No Further Action
FS-Case-480795740	30-Jan-23	County	Public	<p>The complainant has previously submitted a complaint which was heard by the Standards Committee on 6 April 2017. The Complainant maintains:</p> <ol style="list-style-type: none"> that the minutes of a Standards Committee Hearing Panel, which took place on 6 April 2017, are inaccurate because they fail to record that your barrister had written to the Committee Chair stating that the hearing was based on an “unlawful investigation”; that the matters subject of the Standards Committee Hearing 	<ul style="list-style-type: none"> Code not engaged. 	13/02/2023	Rejected – The complaint was unfounded and out of time. There is no right to appeal a decision notice.

				<p>on 6 April 2017 had been considered previously by the Standards Committee and resolved; and</p> <p>3. that the Chair of the Standards Committee Hearing Panel “behaved appallingly” by telling you to sit down and showing a lack of interest in the allegations of fraud you were making against two members of staff.</p>			
FS-Case-484622585	07-Feb-23	County	Public	The Member has written comments on social media which have been negative towards people who identify as non-binary.	<ul style="list-style-type: none"> Behave in accordance with all legal obligations, alongside any requirements contained within the Council’s policies, protocols, and procedures, including on the use of the Council’s resources Respect 		Ongoing
FS-Case-485052475	08-Feb-23	Parish	Public	The Member has told the complainant to move their car from the Member’s driveway. The complainant felt the encounter was threatening and vexatious.	<ul style="list-style-type: none"> Respect Intimidation 	N/A	Rejected as Member was not acting in capacity as a Councillor.
FS-Case-485616401	09-Feb-23	County	Officer	The Complainant is a Council Officer. The Member has disclosed confidential information on social media.	<ul style="list-style-type: none"> Disclosing confidential information Bringing role of Member of Local Authority into disrepute. 		Ongoing

FS-Case-490075768	23-Feb-23	County	Member	The Member has referred to the Labour Group using the phrase 'larcenous Labour' during a County Council Meeting. The Complainant and their party take offence at this comment and believes it to be without evidence. The Complaint has been made on behalf of the Labour Group.	<ul style="list-style-type: none"> • Respect • Engage with colleagues and staff in appropriate manners. • Not to bring role of Member of local authority into disrepute. 	06/03/23	<p>No Further Action.</p> <p>The Subject Member withdrew their comment at the request of the Chair so no further action is warranted.</p>
FS-Case-492628481	02-March-23	County	Public	Complaint regarding occupation of Councillor.	Code not engaged.	N/A	Rejected as Member was not acting in capacity as a Councillor.