

APPENDIX 2

**Code of Conduct Complaints - Update
7 June 2018**

Ref No:	Subject Member	Date received and complainant	Allegations	Paragraphs of Code	Date of Decision Notice	Outcome
COM 134	County Councillor	4 December 2017 Local Resident	<p>The complainant complained that the County Councillor had failed to complete his register of interests within 28 days of election, and when published on 6 December 2017 the complainant noted that it was undated and that the Councillor had not declared that he owned a farm, which he had stated as part of an ongoing planning inquiry.</p> <p>In addition it was noted by the Solicitor with conduct of the planning inquiry that the Councillor's representations at the Inquiry were critical of Council Officers and their actions.</p>	Part 1 paragraphs 4 and 6, Part 2 paragraph 11 and potentially paragraph 15	29 January 2018 and 29 March 2018	The complaint was referred to the Police to consider the Councillor's alleged failure to declare his disclosable pecuniary interest within 28 days of election and/or in a farm that he owns. The Police determined not to take further action and in accordance with the Decision Notice issued on 29 March 2018 an Investigation is being undertaken.

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COM 136	County Councillor	14 December 2017 Anonymous	It is alleged that the Councillor posted notices in his shop window which contained derogatory comments about Durham County Council and that he failed to declare his business in the Register of Member Interests.	Part 1 paragraph 4 and Part 2 paragraph 11	5 April 2018	Investigation ongoing.
COM 137	Town	25 January 2018 Town Councillor	The complainant complains that the Councillor in his capacity as Chairman has signed a lease Agreement that was dated 1 January 2017. The complainant asserts that on that date he was neither a Councillor nor an authorised signatory to the Agreement. The complainant asserts that the Agreement has since been used to support eviction proceedings. He complains that the Agreement has been backdated without lawful authority. He further complains that the Council's Standing Orders require such an agreement to be made under seal, and that this did not happen.	3 and 4	16 February 2018	Investigation ongoing.
COM 138	Town	1 February 2018 Town Councillor	The complainant complains that in October 2017 the Councillor argued aggressively with him in a public house about a council decision. He also complains that on 25 January 2018 he was with 2 constituents when the Councillor interrupted him to accuse him of corruption. He complains of a pattern of aggressive behaviour by the Councillor at Council meetings	1 and 2	19 April 2018	Local Resolution – mediation between the complainant and subject Member, and Code of Conduct training for all members.

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COM 140	Town	14 February 2018 Town Councillor	The complainant alleges that the Councillor verbally attacked him at a meeting of the Town Council Allotments Sub-Committee on 6 February 2018, after losing a vote on a motion. It is said that around 30 members of the public were in attendance. It is alleged that the Councillor said that the complainant hated him and his family in an outburst that nobody present could understand. The complainant alleges that this is the third attack on him by the Councillor and that "this last outburst is a step too far".	3.1(i) and 3.2(ii)	25 April 2018	No Further Action.
COM 141, COM 143-145	Town	14 February 2018 Town Councillor 2 March 2018 Town Councillor	<p>Complaint Ref: COM 141</p> <p>It is alleged that on 15 November 2017 a meeting was taking place in the Chamber when the Councillor entered the Chamber before a Corporate Governance Meeting that was due to take place. The Chair of the meeting then going on apparently asked him to leave. It is said that he refused to do so, and expressed himself aggressively. He is alleged to have repeatedly shouted at the Chair of that meeting to "shut up" whilst pointing and shaking his finger. The complainant then alleges that he asked the Councillor to cease shouting, to which he reacted by grabbing the complainant by the lower arm and screaming that he had 'had enough' of him before then letting go and sitting down.</p> <p>Complaint Ref: COM 143</p> <p>It is alleged that on 15 November 2017 a meeting was taking place in the Chamber when the Councillor entered the Chamber before a Corporate Governance Meeting that was due to take place. The complainant apparently asked him to leave and it is said that he refused to do so, and expressed himself aggressively. He is alleged to have repeatedly</p>	1, 2, 4 and 6	25 April 2018	Local Resolution – training session for members of the Town Council to cover the Member Code of Conduct and the roles and responsibility of the Chair, Councillors and the Clerk to the Council.

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			<p>shouted at the complainant to “shut up” whilst pointing and shaking his finger.</p> <p>The complainant then alleges that the Vice-Chair asked the Councillor to stop shouting, to which he reacted by grabbing him by the arm and screaming that he had ‘had enough’ of him before then letting go and sitting down.</p> <p>Complaint Ref: COM 144</p> <p>The complainant alleges that during a meeting of the Town Council on 13 December 2017 the Councillor refused to allow any explanation or discussion on the accuracy of the Minutes of the meeting held on 15 November 2017, and said that he would sign them off as a true record and make a note that they were not accepted, even though the Council had resolved that they were not accurate.</p> <p>Complaint Ref: COM 145</p> <p>The complainant alleges that the Councillor informed Durham County Council that the Town Council had decided not to require polling cards to be distributed for two by-elections to be held in March 2018. It is alleged that he lacked proper authority to communicate this to DCC, because there had been no Town Council decision on the matter.</p>			
COM 142	County	26 February 2018 Local resident	The complainant complains that whilst he was out canvassing on 16 February 2018 in a secluded area of the ward, the subject Councillor shouted at him, approached him and called him a liar. The Councillor is alleged to have told the complainant that he had	1 and 4	4 April 2018	No Further Action

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			'had his chance' to be an Independent candidate. He is then said to have claimed that the complainant was potentially breaching electoral rules. The complainant claims that the Councillor made attacks against him on Facebook, was very aggressive and that the incident gave him concerns for his welfare.			
COM 147	Town	22 March 2018 Member of the public	The complainant alleges an incident of fraud and that the Councillor distributed a candidate's election leaflet which contained false information.	6		The complaint had been referred by the complainant to the Police. The Police determined not to take action and the complaint is now being considered in accordance with the Local Assessment Procedure.
COM 148	Town	3 April 2018 Member of the public	The complainant alleges that on 31 March 2018 the Councillor contacted a local business via social media asking them not to promote the complainant's organisation and questioning their qualifications.	1 and 3	23 April 2018	No Further Action.
COM 149	Town	19 April 2018 Member of the public	The complainant complains that at a meeting of the Town Council held on 18 April 2018 the Councillor refused to allow a vote on the matter because an appeal had been brought against the decision of a	1 and 2	24 May 2018	No Further Action.

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			<p>Complaints Panel, and could not be heard pending the appeal. This was challenged by the Vice-Chair of the Complaints Panel and when the complainant supported this the Councillor demanded that he be removed from the room, despite an apology from him, causing him to feel visibly upset, shaken and embarrassed.</p>			
COM 150	County	30 April 2018 Member of the public	<p>The Complainant alleges that the Councillor sent e-mails seeking information about two candidates in a recent by-election, and whether or not selection criterion relating to the length of Party membership had been met.</p> <p>The correspondence culminates in a request from the subject Councillor for the relevant information "under the Freedom of Information Act". The Complainant says that she is not subject to the Freedom of Information Act. It applies only to public authorities.</p>	1, 2, 4 and 5		<p>Subject Councillor requested to speak to Independent Person. Currently being considered by the Governance Solicitor.</p>
COM 151	Town	2 May 2018 Town Councillor	<p>The complainant alleges that the Councillor has not openly disclosed an emerging relationship with an employee, thereby potentially bringing the Council, or office as a member of the Council into disrepute.</p>	4		Complaint withdrawn.

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COM 152	Town	2 May 2018 Member of the public	The complainant alleges that the subject Councillor attended a community event, at which he voiced an opinion in the presence of a trustee of a charity as well as of two Councillors. It is said that the Councillor stated that people who suffer from mental health conditions are paedophiles, murderers and convicted criminals, and that people who attend the charity are therefore a danger to the public, especially children.	1 and 3		Currently being considered by the Governance Solicitor.
COM 153	County	14 May 2018 Town Councillor	The complainant alleges that the Councillor's recent conduct towards her on social media amounts to bullying and harassment.	2		Subject Councillor requested to speak to Independent Person. Currently being considered by the Governance Solicitor.
COM 154	Town	18 May 2018 Member of the public	The Complainant complains that, following correspondence with a local newsletter, the Councillor visited him at home and was extremely rude to him and his wife. This culminated, it is alleged, in the Councillor telling the Complainant that as a tenant his opinion did not matter, and that he would not treat him like other people. The Complainant complains that he is not impartial in his dealings with him.	1		Response awaited from subject Councillor