

## SUMMARY OF COMPLAINTS TO STANDARDS SUB-COMMITTEES (INITIAL ASSESSMENT)

Date and Members of Sub-Committee	Subject Member	Alleged Breach(es)	Main Points Considered	Decision
<p><b>22<sup>nd</sup> October 2010</b>            Mr. D. Williams            (Chairman)            Mr. K. Overton            Cllr. Mrs. J. Mead</p>	<p>Parish Councillor</p>	<p><b>Paragraph 4</b>            You must not:-</p> <p>(a) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where:-</p> <p>(i) you have the consent of a person authorised to give it;</p> <p>(ii) you are required by law to do so;</p> <p>(iii) the disclosure is made to a third party for the purpose of obtaining</p>	<p>The complainant stated that on 25<sup>th</sup> April 2010, her husband sent a letter via email to the Secretary of the subject Trust, with a copy also being forwarded (again by email) to all Parish and local District and County Councillors, as the Parish Council was Custodian Trustees of the Trust.</p> <p>The complainant stated that on 1<sup>st</sup> May 2010, she received a “distressing, alarming and insidious” anonymous note in the post, with a copy of her husband’s letter attached. The complainant had not previously been aware of her husband’s letter or its contents. This arrived before the Parish Council Meeting at which she presumed her husband’s letter would have been discussed.</p> <p>The complainant stated that it was evident that the letter had originally been printed from a Parish Councillor’s computer and following a complaint to the Parish Council about this, she was advised by one of the Parish Councillors that the subject Member had admitted to printing off “several copies” of the letter. Whilst the complainant emphasised that she was not accusing the subject Member of sending the anonymous note, she was concerned that his actions had facilitated this.</p>	<p><b>Paragraphs 4 and 5</b>            The information provided by the complainant did not contain sufficient nor corroborative details to meet the threshold for an incident that could be regarded as a potential breach of the Code and it was therefore not intended to refer the complaint for investigation or other action.</p>

## SUMMARY OF COMPLAINTS TO STANDARDS SUB-COMMITTEES (INITIAL ASSESSMENT)

Date and Members of Sub-Committee	Subject Member	Alleged Breach(es)	Main Points Considered	Decision
		<p>professional advice provided that the third party agrees not to disclose the information to any other person; or</p> <p>(iv) the disclosure is:-</p> <p>(aa) reasonable and in the public interest; and</p> <p>(bb) made in good faith and in compliance with the reasonable requirements of the authority; or</p> <p>(b) prevent another person from gaining access to information to which that person is entitled by law.</p>		

## SUMMARY OF COMPLAINTS TO STANDARDS SUB-COMMITTEES (INITIAL ASSESSMENT)

Date and Members of Sub-Committee	Subject Member	Alleged Breach(es)	Main Points Considered	Decision
		<p><b>Paragraph 5</b> You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.</p>		
<p><b>22<sup>nd</sup> October 2010</b> Mr. D. Williams (Chairman) Mr. K. Overton Cllr. Mrs. J. Mead</p>	<p>Parish Councillor</p>	<p><b>Paragraph 3(2)(b)</b> You must not bully any person.</p> <p><b>Paragraph 3(2)(c)</b> You must not intimidate or attempt to intimidate any person who is or is likely to be (i) a complainant, (ii) a witness, or (iii) involved in the administration of any investigation or proceedings, in relation to an allegation that a Member (including yourself) has failed</p>	<p>The complainant stated that on 12<sup>th</sup> September 2010 he was visiting his son. As there were no parking spaces available on the street, he parked his vehicle in an adjacent street, partially outside the home address of the subject Member.</p> <p>As the complainant was about to walk away from his car, he alleges that the subject Member approached him in an “aggressive manner” and told him that he could not park there. There followed a verbal exchange during which the complainant alleges that the subject Member was holding a “metal object” in his right hand which “looked like a stainless steel cutlery knife”. The complainant alleged that the subject Member became “verbally abusive” and threatened him and, due to the presence of the metal object, he was fearful for his safety.</p> <p>The complainant stated that, at this stage, he phoned the Police and whilst speaking to them, the subject Member continued to be abusive and threatening in the</p>	<p><b>Paragraphs 3(2)(b), 3(2)(c), 5 and 6(a)</b> The information provided by the complainant failed to identify in what way the subject Member’s conduct was undertaken in an official capacity. In the absence of such information, a breach of the Code of Conduct could not be proven, as the incident would not be covered by the Code.</p>

## SUMMARY OF COMPLAINTS TO STANDARDS SUB-COMMITTEES (INITIAL ASSESSMENT)

Date and Members of Sub-Committee	Subject Member	Alleged Breach(es)	Main Points Considered	Decision
		<p>to comply with his or her authority's Code of Conduct.</p> <p><b>Paragraph 5</b> You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.</p> <p><b>Paragraph 6(a)</b> You must not use, or attempt to use, your position as a Member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage.</p>	<p>background. He also alleged that the subject Member continuously declared that he was a Councillor and, as such, was immune from any Police action. He also alleged that the subject Member intimated that he could use his position to take action against the complainant.</p>	<p><b>A Sub-Committee (Review) was held on 16<sup>th</sup> December 2010 which decided to refer the allegation to the Monitoring Officer for investigation. The Members were:-</b></p> <p><b>Mr. P. Dawn (Chairman)</b> <b>Mr. R. Buxton</b> <b>Cllr. N. Atkin</b></p>

## SUMMARY OF COMPLAINTS TO STANDARDS SUB-COMMITTEES (INITIAL ASSESSMENT)

Date and Members of Sub-Committee	Subject Member	Alleged Breach(es)	Main Points Considered	Decision
<p><b>24<sup>th</sup> November 2010</b>            Mr. D. Williams            (Chairman)            Mr. K. Fairbrother            Cllr. N. Atkin</p>	<p>District Councillor</p>	<p><b>Paragraph 5</b>            You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.</p>	<p>The complainants stated that an article had appeared in the October 2010 edition of a national publication, in which the subject Member was quoted as making a statement regarding the Council being practically bankrupt in 2007.</p> <p>The complainants believed that this statement was made with full knowledge that the Council had £3.5 million in its reserves in 2007 and, therefore, they believed the statement was both false and misleading.</p> <p>The complainants raised this issue at the Council's Finance &amp; Management Committee on 21<sup>st</sup> October 2010. At that meeting, when the Deputy Leader of the Council and Chairman of the Finance &amp; Management Committee was asked whether, in his opinion, the subject Member's statement was correct, his response was quoted as being "<i>obviously not</i>". In addition, Finance Officers in attendance at the meeting confirmed that there had been reserves of £3.5 million in 2007.</p> <p>The complainants contended that not only was the subject Member's statement untrue, the fact that it was published in a magazine which had a wide circulation to local authorities and elected members throughout the UK brought the District Council and its Members into disrepute. They also believed it damaged the reputation and called into question the ability and integrity of the Council Officers charged with ensuring the Council's finances were sound and that the public purse was protected.</p>	<p><b>Paragraph 5</b>            The complaint was referred to Standards for England, which subsequently decided that no action was necessary.</p>

**SUMMARY OF COMPLAINTS TO STANDARDS SUB-COMMITTEES (INITIAL ASSESSMENT)**