

Standards Committee

Annex 2 - Code of Conduct complaints update 1st January 2020 to 31st December 2020.

* indicates case which has been updated since the update was last presented.

Case #	TC/PC or EDDC member	Relevant paragraphs in Code of Conduct it is alleged has been breached and nature of complaint	Monitoring Officer assessment and outcomes following consultation with Independent Person
2020/C01 12.2.2020	TC	<p>Alleged that subject member accused the complainant of personal agendas to undermine proper process and accusation of cover ups to protect staff.</p> <p>4. You must -</p> <p>(a) treat others with courtesy and respect including fellow council members, staff and members of the public.</p>	<p>Independently investigated.</p> <p>Complaint not upheld.</p> <p>Case closed.</p>
2020/C02 28.2.2020	EDDC	<p>Alleged that the subject member has been disrespectful towards and about council officer showing a lack of courtesy and respect. Alleges that the Cllrs behaviour is insulting offensive and humiliating and brings the council into disrepute.</p> <p>Breach of the Code:</p> <p>4(a) You <u>must</u> - Treat others with respect and</p> <p>5(c) You <u>must not</u> – Bully any person</p>	<p>Referred for independent investigation.</p> <p>Breach found that subject member had failed to comply with paragraphs 4(a), 5(c) and 5(h).</p> <p>Not accepted and unable to resolve.</p> <p>Standards Hearing Sub-Committee concluded; Breach of paragraphs 4(a) (courtesy and respect) and 5(h) (bringing office into disrepute). No breach of paragraph 5(c) (bullying).</p> <p>Sanctions imposed;</p>

		5(h) You <u>must not</u> – conduct yourself in a manner to give the impression that the office or council has been brought into disrepute.	<p>Training in relation to member / officer relations including mentoring; Given seriousness of breach a suitably worded apology to the Chief Executive with wording to be approved by the Chair of Standards Committee and the Monitoring Officer.</p> <p>Sanctions compliance Apology given. Mentoring being undertaken.</p>
2020/C03 28.2.2020	EDDC	<p>Alleged that the subject member sent an email to other Cllrs that described the complainant as being homophobic.</p> <p>Breach of Code: 1.2 - You should have regard to the Principles of Public Life. 4(a) You <u>must</u> - Treat others with respect and 5(c) You <u>must not</u> – Bully any person</p>	<p>Referred for independent investigation.</p> <p>Breach found that subject member had failed to comply with paragraphs 4(a) and 5(c).</p> <p>Subject member agreed to and gave formal apology.</p> <p>Case closed.</p>
2020/C04 2.3.2020	EDDC	<p>Alleged that the subject member openly accused the complainant in a public meeting that he had not declared an interest that he should have done. The subject member did not treat complainant with courtesy and respect and brought his integrity into dispute.</p> <p>Breach of Code: 4(a) You <u>must</u> - Treat others with respect and courtesy</p>	<p>Complaint withdrawn.</p>

2020/C05 3.3.2020	EDDC	<p>Alleged that the subject member was disrespectful when referring to the complainant in an email to other members.</p> <p>Breach of Code: 4(a) You <u>must</u> - Treat others with respect and courtesy 5(c) You <u>must not</u> – Bully any person</p>	<p>Referred for independent investigation.</p> <p>Complaint not upheld.</p> <p>Case closed.</p>
2020/C06 6.3.2020	EDDC	<p>Alleges that the subject member distributed a personal and confidential document in an email to other Cllrs. The document was clearly marked private and confidential with the instruction that it should not be shown to anyone else.</p> <p>Breach of Code: 5(f) You <u>must not</u> - 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.</p>	<p>Referred for independent investigation.</p> <p>Breach found that subject member had failed to comply with paragraph 5(f).</p> <p>Subject member agreed to and gave formal apology.</p> <p>Case closed.</p>
2020/C07 22.6.2020	EDDC	<p>Alleges that at a meeting of East Devon District Council the subject member failed to treat a fellow councillor with courtesy and respect.</p> <p>Breach of Code: 4(a) You <u>must</u> - Treat others with respect and courtesy</p>	<p>Complaint not upheld.</p> <p>Case closed.</p>

<p>2020/C08 4.6.2020</p>	<p>EDDC</p>	<p>Complaint that two subject members put pressure on the complainant to withdraw a complaint against another Cllr.</p> <p>Breach of Code 5(d)(i) You <u>Must not</u> intimidate or attempt to intimidate any person who is or is likely to be – (i) a complainant;</p> <p>in relation to an allegation that any Member has failed to comply with the Council's Code of Conduct</p>	<p>Complainant has not engaged in the process after initial complaint made.</p> <p>Case closed.</p>
<p>2020/C09 9.6.2020</p>	<p>EDDC</p>	<p>Complaint that the subject member was disrespectful in an email chain that attacked another Councillor's character</p> <p>Breach of Code: 4(a) You <u>must</u> - Treat others with respect and courtesy</p>	<p>Complaint withdrawn in preference to an informal resolution.</p>
<p>2020/C10* 11.6.2020</p>	<p>TC</p>	<p>Complaint that the language used by the subject member in an email circulated to other members deliberately meant to criticise the competence of another Cllr.</p> <p>Breach of Code: 4(a) You <u>must</u> – treat others with courtesy and respect including fellow council members, staff and members of the public</p>	<p>Referred for independent investigation.</p> <p>Breach found that subject member had failed to comply with paragraphs 4(a).</p> <p>Not accepted and unable to resolve.</p> <p>This complaint is progressing to Standards Hearing (together with C11, C19)</p> <p>Standards Hearing (C10, C11 & C19) found a breach of paragraph 4(a) (courtesy and respect) and 5(c) (bullying).</p> <p>Sanctions imposed;</p>

			<p>1. Censure 2. Training organized by the Monitoring Officer in relation to the Code of Conduct and very specifically related to bullying and the impact of behaviour upon others and the relationships between officers and members. 3. Following training a written apology to with the wording to be agreed with the Monitoring Officer.</p> <p>Sanctions compliance Censure issued The Subject member has not undertaken training or given an apology. This is being chased.</p>
2020/C11* 23.6.2020	TC	<p>Complaint that the subject member attempted to undermine the position and standing of an employee of the Town Council, in an email widely circulated to other members.</p> <p>Breach of Code: 1.2 <u>You should</u> have regard to the Principles of Public Life 4(a) <u>You should</u> treat others with courtesy and respect 5(c) You <u>must not</u> – Bully any person</p>	<p>Referred for independent investigation.</p> <p>Breach found that subject member had failed to comply with paragraphs 4(a) and 5(c).</p> <p>Not accepted and unable to resolve.</p> <p>This complaint is progressing to Standards Hearing (together with C10, C19)</p> <p>Standards Hearing (C10, C11 & C19) found a breach of paragraph 4(a) (courtesy and respect) and 5(c) (bullying).</p> <p>Sanctions imposed; 1. Censure 2. Training organized by the Monitoring Officer in relation to the Code of Conduct and very specifically related to bullying and the impact</p>

			<p>of behaviour upon others and the relationships between officers and members.</p> <p>3. Following training a written apology to with the wording to be agreed with the Monitoring Officer.</p> <p>Sanctions compliance Censure issued The Subject member has not undertaken training or given an apology. This is being chased.</p>
2020/C12 16.3.2020	TC (X2)	<p>Complaint that during a public meeting the subject member made disparaging remarks during the meeting and showed a disrespect for other members and the public In the same meeting a second subject member also was witnessed making disparaging remarks and showed a lack of respect for other members and the public</p> <p>Breach of Code: 4. You must - (a) treat others with courtesy and respect including fellow council members, staff and members of the public.</p>	<p>Referred for independent investigation.</p> <p>Complaint not upheld;</p> <p>Case closed.</p>
2020/C13 17.6.2020	TC	Complaint received regarding repeated bullying behaviour towards the complainant	Independent investigation underway (combined with C14, 15 & 16).
2020/C14	TC	Complaint received regarding repeated bullying behaviour towards the complainant	Independent investigation underway (combined with C13, 15 & 16).

17.6.2020			
2020/C15 17.6.2020	TC	Complaint received regarding repeated bullying behaviour towards the complainant	Independent investigation underway (combined with C13, 14, & 16).
2020/C16 17.6.2020	TC	Complaint received regarding repeated bullying behaviour towards the complainant	Independent investigation underway (combined with C13, 14, & 15).
2020/C17 21.6.2020	EDDC	<p>Complaint that the subject member used his Twitter account to make threatening tones about the complainant in the comments he has made.</p> <p>Breach of Code: 4(a) You <u>must</u> - Treat others with respect and courtesy 5. You must not – (a) attempt to use your position as a Member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; 5(h) conduct yourself in a manner or behave in such a way so as to give a reasonable person the impression that you have brought your office or the Council into disrepute.</p>	<p>Breach found that subject member had failed to comply with paragraphs 4(a), 5(a) and 5(h).</p> <p>Subject member agreed to and gave formal apology</p> <p>Case closed.</p>
2020/C18* 2.7.2020	EDDC	<p>Complainant has received a series of emails over the course of a few months where the subject member has been bullying and intimidating. Subject member suggests complainant should not deal with the case.</p> <p>Breach of Code:</p>	<p>Subject member has accepted a breach and is looking to informally resolve the matter.</p> <p>Matter incapable of informal resolution.</p> <p>Referred for independent investigation.</p>

		<p>4(a) You <u>must</u> - Treat others with respect and courtesy</p> <p>5(a) 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>5(c) You <u>must not</u> – Bully any person</p>	<p>Breach found that subject member had failed to comply with paragraphs 4(a) and 5(c). No breach in relation to paragraph 5(a).</p> <p>Sanction imposed; Subject member agreed to give apology to complainant.</p> <p>Case closed.</p> <p>Sanctions compliance Apology given.</p>
<p>2020/C19*</p> <p>19.07.2020</p>	<p>TC</p>	<p>Complaint that subject member has bullied and harassed the complainant in various communications. The complainant believes the subject member has tried to undermine his position as an employee of the Town Council.</p> <p>Breach of Code:</p> <p>4(a) You <u>must</u> treat others with courtesy and respect including fellow council members, staff and members of the public</p> <p>5(c) You <u>must not</u> – bully any person</p>	<p>Referred for independent investigation.</p> <p>Breach found that subject member had failed to comply with paragraphs 4(a) and 5(c).</p> <p>Not accepted and unable to resolve.</p> <p>This complaint is progressing to Standards Hearing (together with C10, C11)</p> <p>Standards Hearing (C10, C11 & C19) found a breach of paragraph 4(a) (courtesy and respect) and 5(c) (bullying).</p> <p>Sanctions imposed;</p> <ol style="list-style-type: none"> 1. Censure 2. Training organized by the Monitoring Officer in relation to the Code of Conduct and very specifically related to bullying and the impact of behaviour upon others and the relationships between officers and members.

			<p>3. Following training a written apology to with the wording to be agreed with the Monitoring Officer.</p> <p>Sanctions compliance Censure issued The Subject member has not undertaken training or given an apology. This is being chased.</p>
2020/C20 15.7.2020	TC	<p>Allegation that 5 subject members shared a computer at a zoom meeting and brought the council into disrepute and that one member voted on a motion where they didn't know what they were voting on.</p> <p>5. You <u>must not</u> –</p> <p>(h) conduct yourself in a manner <u>or</u> behave in such a way so as to give a reasonable person the impression that you have brought your office or the Council into disrepute.</p>	<p>Complaint not upheld in relation to the five councillors sharing a computer at a Zoom meeting.</p> <p>Complaint upheld where subject member had voted on a motion where they didn't know what they were voting for, breach of paragraph 5(h).</p> <p>Subject member required to formally apologise to Council.</p> <p>Case closed.</p> <p>Sanctions compliance Apology given.</p>
2020/C21 22.08.2020	TC	<p>Allegation that during the Planning Meeting via Zoom the subject member appeared to 'smirk' and laugh when an applicant tried to explain why they needed access. The complainant felt that the Subject Member had bullied the applicant.</p> <p>There is also an allegation that the applicant was coerced into sharing the information she</p>	<p>With MO for assessment</p> <p>Complaint not upheld;</p> <p>Case closed.</p>

		<p>had provided on screen at the zoom meeting, as it had not been circulated to the council members prior to the meeting commencing.</p> <p>Breach of Code:</p> <p>5. You <u>must not</u> -</p> <p>(c) Bully any person</p> <p>(f) 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>	
2020/C22 06.07.2020	EDDC	<p>The allegation is that on the 2nd July 2020 the subject member used their East Devon District Council's email address to widely publish a media release and document from a political Group, and as such misused their position as an EDDC Councillor by conferring an advantage upon a political party in which they are a member.</p> <p>Breach of Code:</p> <p>1.3 When acting in your capacity as a Member or Co-opted Member of the Council –</p> <p>(a) you must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate;</p> <p>(g) you must, when using or authorising the use by others of the resources of the Council, ensure that such resources are not used</p>	<p>Complaint upheld.</p> <p>Breach of paragraph 5(a) found.</p> <p>Formal apology to Council required and given.</p> <p>Case closed.</p>

		<p>improperly for political purposes (including party political purposes) and that any use is in accordance with the Council's reasonable requirements;</p> <p>(h) you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986 or any similar Communications Protocol or Code produced by the Council;</p> <p>(j) you must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example.</p> <p>5. You must not –</p> <p>(a) 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>(e) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Council;</p> <p>(h) conduct yourself in a manner or behave in such a way so as to give a reasonable person the impression that you have brought your office or the Council into disrepute.</p>	
<p>2020/C23</p> <p>5.8.2020</p>	<p>TC</p>	<p>The allegation is that the subject member, along with 4 other councillors shared a computer device during a zoom meeting of the council on. It is the belief of the complainant that</p>	<p>Complaint not upheld in relation to sharing the computer.</p>

		<p>this was inappropriate and that the meeting should have gone ahead with everyone in their own home. During this meeting the subject member also cast their vote on a motion and then openly admitted they did not know what they were voting for. The subject member tried to change their vote when questioned by Councillors in the same house who were heard saying ‘that was not the right answer’.</p> <p>Breach of Code:</p> <p>5. You <u>must not</u> –</p> <p>(h) conduct yourself in a manner <u>or</u> behave in such a way so as to give a reasonable person the impression that you have brought your office or the Council into disrepute.</p>	<p>Complaint upheld where subject member had voted on a motion where they didn’t know what they were voting for, breach of paragraph 5(h).</p> <p>Subject member required to formally apologise to Council.</p> <p>Case closed.</p> <p>Sanctions compliance Apology given.</p>
<p>2020/C24</p> <p>5.8.2020</p>	<p>TC</p>	<p>The allegation is that the Subject Member, along with 4 other councillors shared a computer device during a zoom meeting of the council. It is the belief of the complainant that this was inappropriate and that the meeting should have gone ahead with everyone in their own home. As a result the complainant feels that the reputation of the council was put at stake.</p> <p>Breach of Code:</p> <p>5. You <u>must not</u> –</p>	<p>Complaint not upheld.</p> <p>Case closed.</p>

		(h) conduct yourself in a manner <u>or</u> behave in such a way so as to give a reasonable person the impression that you have brought your office or the Council into disrepute.	
2020/C25 3.9.2020	EDDC	<p>The allegation is that at a meeting the subject member failed to declare an interest with regards to a retrospective planning application. The subject member knew the owners of the land. The complainant felt that the subject member has compromised the position of the Planning Committee and the reputation of its Members by not declaring an interest.</p> <p>Breach of Code:</p> <p>5. You must not –</p> <p>(h) conduct yourself in a manner or behave in such a way so as to give a reasonable person the impression that you have brought your office or the Council into disrepute.</p> <p>6.3 Following any disclosure of an interest not on the Council’s register or the subject of pending notification, you must notify the Clerk of the interest within 28 days beginning with the date of disclosure.</p> <p>8.2 You also have a personal interest in any business of your Council where a reasonable person with knowledge of the relevant facts would regard the interest as greater than would affect the majority of residents or inhabitants in the affected</p>	<p>With the MO for assessment</p> <p>Complaint not upheld.</p> <p>Case closed.</p>

		area such that it is likely to prejudice your judgment of the public interest	
2020/C26 21.9.2020	EDDC	<p>The allegation is that the subject member attempted to persuade the complainant given their position to defend the subject member against a complaint that they said had been made about them. The complainant felt intimidated and bullied by the subject member during the call which was overheard.</p> <p>Breach of Code:</p> <p>4. (a) You MUST treat others with courtesy and respect.</p> <p>5. You MUST NOT- (c) bully any person.</p>	<p>With the MO for assessment</p> <p>Informally resolved with an apology given.</p> <p>Case closed.</p>
2020/C27* 3.9.2020	EDDC	<p>The subject member made public criticisms about the capabilities of the complainant.</p> <p>Breach of Code:</p> <p>4. (a) You MUST treat others with courtesy and respect.</p> <p>5. You MUST NOT- (c) bully any person</p>	<p>With the MO for assessment.</p> <p>Breach found in relation to paragraph 4(a) (courtesy and respect) but not paragraph 5(c) (bullying)</p> <p>Public apology to be given.</p> <p>Case closed.</p> <p>Sanctions compliance Apology given.</p>
2020/C28* 21.9.2020	EDDC	<p>The allegation is that the Subject Member failed to disclose the property they reside at in their Register of Interests and his relationship</p>	<p>With MO for assessment.</p> <p>Investigation progressing.</p>

		<p>with the person who submitted a planning application for the same address.</p> <p>Breach of Code:</p> <p>5. You MUST NOT-</p> <p>(h) conduct yourself in a manner or behave in such a way so as to give a reasonable person the impression that you have brought your office into disrepute;</p> <p>and</p> <p>7.1 (disclosable pecuniary interests) and 6.1 and / or 6.2 (registration of interests).</p>	
<p>2020/C29*</p> <p>20.8.2020</p>	<p>TC</p>	<p>Cllr attempted to stop complainant parking her car and was rude, verbally aggressive and intimidating.</p> <p>Breach of Code:</p> <p>5. You MUST NOT-</p> <p>(c) bully any person</p> <p>(h) conduct yourself in a manner or behave in such a way so as to give a reasonable person the impression that you have brought your office or the Council into disrepute.</p>	<p>With MO for assessment.</p> <p>Investigation progressing</p> <p>No breach found.</p> <p>Case closed.</p>

<p>2020/C30*</p> <p>19.11.2020</p>	<p>TC</p>	<p>Cllr responded to a social media post in which he was disrespectful and bullying towards an individual.</p> <p>4. You <u>must</u> – (a) treat others with courtesy and respect including fellow council member, staff and members of the public. (e) All members are required to uphold all policies including the Media Communications Policy and be expected to attend all mandatory training.</p> <p>5. You <u>must not</u> (e) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Council; (h) conduct yourself in a manner or behave in such a way so as to give a reasonable person the impression that you have brought your office or the Council into disrepute.</p>	<p>With MO for assessment.</p> <p>Seeking informal resolution.</p> <p>Referred for independent investigation which is in progress.</p>
<p>2020/C31</p> <p>19.11.2020</p>	<p>TC</p>	<p>Social media post breached Council's own policies and was inappropriate in content.</p> <p>Breach of Code</p> <p>4. You <u>must</u> – (e) All members are required to uphold all policies including the Media Communications Policy and be expected to attend all mandatory training.</p> <p>5. You <u>must not</u> (h) conduct yourself in a manner or behave in such a way so as to give a reasonable person</p>	<p>With the MO for assessment</p> <p>Complaint not upheld.</p> <p>Case closed.</p>

		the impression that you have brought your office or the Council into disrepute.	
2020/C32 27.11.2020	EDDC (x2)	<p>Complaints about the way the councillors commented on the complainants planning application.</p> <p>Breach of Code Not clearly specified</p>	<p>With the MO for assessment</p> <p>Complaint not upheld.</p> <p>Case closed.</p>
2020/C33 27.11.20	TC (x2)	<p>Allegation that during the Planning Meeting via Zoom the subject member appeared to 'smirk' and laugh when an applicant tried to explain why they needed access. The complainant felt that the Subject Member had bullied the applicant. The applicant was coerced into sharing the information she had provided on screen at the zoom meeting, as it had not been circulated to the council members prior to the meeting commencing.</p> <p>Councillor committed to supporting the application but then didn't attend the meeting. Alleged to be orchestrated.</p> <p>Breach of Code: You <u>must</u> – 4(a) treat others with courtesy and respect including fellow council member, staff and members of the public.</p> <p>5. You MUST NOT- (c) bully any person</p>	<p>With the MO for assessment</p> <p>Complaint not upheld.</p> <p>Case closed.</p>

<p>2020/C34*</p> <p>17.11.2020</p>	<p>EDDC</p>	<p>Attending a parish council meeting and actively seeking to influence the vote / outcome which is inappropriate.</p> <p>Breach of code: To be confirmed</p>	<p>With MO for assessment</p> <p>Complaint not upheld.</p> <p>Case closed.</p>
<p>2020/C35*</p> <p>15.10.2020</p>	<p>EDDC</p>	<p>Failure to declare an interest when involved in a planning application having declared an interest at a parish council meeting.</p> <p>Breach of code: 5(a) (using position to confer an advantage), 5(h) (bringing office into disrepute) and 7.4 & 8.2 (failure to declare an interest).</p>	<p>With MO for assessment</p> <p>Complaint not upheld.</p> <p>Case closed.</p>
<p>2020/C36*</p> <p>18/09/2020</p>	<p>TC</p>	<p>Complaint that Councillor trying to influence a vote.</p> <p>Breach of code 5. You <u>must not</u> 5(a) attempt to use your position as a Member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage (h) conduct yourself in a manner or behave in such a way so as to give a reasonable person the impression that you have brought your office or the Council into disrepute.</p>	<p>With MO for initial assessment</p> <p>Complaint withdrawn.</p>

Complainants who have made more than 2 complaints

Complainant in relation to C13, C14, C15 & C16

Complainant in relation to C25, C26, C27 & C28

Subject Members who are subject to more than 2 complaints

CIr in relation to C1, C14, C20 & C24

CIr in relation to C2, C3, C5, C6, C9, C17 & C18

CIr in relation to C10, C11 & C19

CIr in relation to C12, C15, C20, C24 & C29

CIr in relation to C16, C20 & C24

CIr in relation to C25, C26, C27 & C28

CIr in relation to C12, C13 & C30