

## Standards Committee

### Annex 3 Code of Conduct complaints update 1<sup>st</sup> January 2021 to 31<sup>st</sup> August 2021.

\* indicates case which has been updated since the update presented to the last meeting.

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
2021/C01*  12.2.2021 (revised)	EDDC	Complaint about a failure to treat officers with respect  <b>Breach of the Code:</b> 4(a) You <u>must</u> - Treat others with respect	<b>With MO for assessment.</b>  <b>Referred for Independent Investigation.</b>
2021/C02*  12.2.2021 (revised)	EDDC	Inappropriate comments regarding the faith of another person.  <b>Breach of the Code:</b> 4(a) You <u>must</u> - Treat others with respect	<b>With MO for assessment.</b>  <b>Referred for Independent Investigation.</b>
2021/C03*  12.2.2021 (revised)	EDDC	Complaint about lack of impartiality.	<b>With MO for assessment.</b>  <b>Not sufficient evidence of actionable breach.</b>  <b>Case closed.</b>
2021/C04*  13.1.21	EDDC	Comments in the press and public meetings have called into question the integrity of EDDC officers.  <b>Breach of the Code:</b> 4(a) You <u>must</u> - Treat others with respect and	<b>With MO for assessment.</b>  <b>Investigation in progress.</b>  <b>No breach found.</b>  <b>Case closed.</b>

		5(c) You <u>must not</u> – Bully any person	
2021/C05* 1.3.2021	<b>EDDC</b>	Detail to be provided once Subject Member notified	<b>With MO for assessment.</b> <b>Complaint withdrawn.</b> <b>Case closed.</b>
2021/C06* 1.3.2021	<b>EDDC</b>	Detail to be provided once Subject Member notified	<b>With MO for assessment.</b> <b>Complaint withdrawn.</b> <b>Case closed.</b>
2021/C07* 1.3.2021	<b>EDDC</b>	Email communication which is attacking and is said to contain defamatory allegations.  <b>Breach of Code:</b> 4. (a) You <b>MUST</b> treat others with courtesy and respect.  5. You <b>MUST NOT</b> -  (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;  (b) do anything which may cause the Council to breach a statutory duty or any of the equality enactments (as defined in section 33 of the Equality Act 2010);  (c) bully or harass any person;	<b>With MO for assessment.</b> <b>Investigation proceeding.</b> <b>No breach found.</b> <b>Case closed.</b>

		<p>(d) intimidate or attempt to intimidate any person who is or is likely to be –</p> <p>(i) a complainant,</p> <p>(ii) a witness, or</p> <p>(iii) involved in the administration of any investigation or proceedings,</p> <p>in relation to an allegation that any Member has failed to comply with the Council's Code of Conduct;</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>	
2021/C08* 15.3.2021	EDDC	<p>Comments in a public meeting which calls into question the integrity of EDDC officers.</p> <p><b>Breach of the Code:</b> 4(a) You <u>must</u> - Treat others with respect and 5(c) You <u>must not</u> – Bully any person</p>	<p><b>With MO for assessment.</b></p> <p><b>No breach found.</b></p> <p><b>Case closed.</b></p>
2021/C09* 27.1.20201	EDDC	<p>The allegation is that a Cllr used their position to incite a protest against trees being cut down on private land and took steps to prevent works to the tree.</p> <p><b>Breach of Code:</b></p>	<p><b>With MO for assessment.</b></p> <p><b>Investigation proceeding.</b></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>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>	
2021/C10*	PC	<p>Alleges that Cllr failed to disclose his personal and prejudicial interest in respect of a planning application.</p> <p><b>Breach of Code:</b></p> <p>To be confirmed – wrong code of conduct quoted.</p>	<p><b>With MO for assessment.</b></p> <p><b>Cllr has resigned so no further action.</b></p> <p><b>Case closed.</b></p>
2021/C11*	PC	<p>Alleges that in a council meeting a Cllr's comments and attitude were deeply offensive to certain individuals.</p> <p><b>Breach of Code:</b></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><b>With MO for assessment.</b></p> <p><b>Investigation proceeding.</b></p> <p><b>No breach found.</b></p> <p><b>Case closed.</b></p>
2021/C12*	PC	<p>A Cllr has not stopped others from speaking inappropriately and has allowed discriminatory,</p>	<p><b>With MO for assessment.</b></p> <p><b>Insufficient evidence of breach - no further action.</b></p>
14/01/2021			
24/03/21			
24/03/21			

		<p>divisive, patronising and incendiary remarks to be made and therefore is condoning of it.</p> <p><b>Breach of Code:</b> 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>	<b>Case closed.</b>
2021/C13  4/2/2021	<b>TC</b>	Detail to be provided once Subject Member notified	<b>With MO for assessment.</b>
2021/C14  4/2/2021	<b>TC</b>	Detail to be provided once Subject Member notified	<b>With MO for assessment.</b>
2021/C15  3/2/2021	<b>TC</b>	<p>Comments made by a Councillor at a public meeting were alleged to be false and insulting, went uncorrected and therefore were said to be bullying.</p> <p><b>Breach of Code:</b> 5. You <b>must not</b></p> <p>(c) bully any person (bullying may be characterised as any single act or pattern of offensive, intimidating, malicious, insulting or humiliating behaviour; and abuse or misuse of power or authority which attempts to undermine or coerce or has the effect of undermining or coercing an individual or group of individuals by gradually eroding their confidence or capability which may cause them to suffer stress or fear);</p>	<p><b>With MO for assessment.</b></p> <p><b>Investigation proceeding.</b></p> <p><b>No breach found.</b></p> <p><b>Case closed.</b></p>

<p>2021/C16*</p> <p>24.4.21</p>	<p>TC</p>	<p>Comments made by a councillor that bullying and stress have become fashionable demonstrates an acute lack of knowledge and awareness of the effects of bullying.</p> <p><b>Breach of the Code:</b>  4(a) You <u>must</u> - Treat others with respect</p> <p>5(h) You <u>must not</u> 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><b>With MO for assessment.</b></p> <p><b>Investigation proceeding.</b></p>
<p>2021/C17*</p> <p>22.4.21</p>	<p>TC</p>	<p>In a public meeting when discussing bullying by councillors there was a denial of knowledge and reference to other incidences involving staff despite the councillor actually being aware of allegations of bullying by councillors. It is alleged that this is a deliberate attempt to deflect accusations.</p> <p><b>Breach of the Code:</b>  4. You <u>must</u> –  (a) treat others with courtesy and respect including fellow council members, staff and members of the public;</p> <p>5. You <u>must not</u> –  (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>(d) 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 any Member has failed to comply with the Council’s Code of Conduct;</p>	<p><b>With MO for assessment.</b></p> <p><b>Investigation proceeding.</b></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;</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>2021/C18*</p> <p>2.6.21</p>	<p>PC</p>	<p>Cllr failed to make clear a relationship with a planning applicant and that the Cllr withheld valuable information about the applicant and application that should have been made available. The Cllr attended a meeting in a hi-vis jacket (with Cllr written on it) with an EDDC officer, which was an attempt to unduly influence the outcome.</p> <p><b>Breach of the Code:</b></p> <p>5. You <b><u>must not</u></b> –</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>(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. vantage;</p> <p>6.2 Whether or not an interest within paragraphs 7.1 to 7.6 below has been entered onto the Council’s register, you must disclose any interest to any meeting at which you are present in any matter being considered in</p>	<p><b>With MO for assessment.</b></p> <p><b>Investigation proceeding.</b></p>

		line with para 8 below, where the matter is not a 'sensitive interest'	
2021/C19*  28.7.21	TC	<p>At Council meeting Cllr publicly rebuked another Cllr and made disrespectful comments about him. Didn't rebuke another Cllr so failed to act fairly and appropriately and without bias.</p> <p><b>Breach of the Code:</b></p> <p>4. You <b>must</b> –</p> <p>(a) treat others with courtesy and respect including fellow council members, staff and members of the public</p> <p>5. You <b>must not</b> –</p> <p>(c) bully any person (bullying may be characterised as any single act or pattern of offensive, intimidating, malicious, insulting or humiliating behaviour; an abuse or misuse of power or authority which attempts to undermine or coerce or has the effect of undermining or coercing an individual or group of individuals by gradually eroding their confidence or capability which may cause them to suffer stress or fear);</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><b>With MO for assessment.</b></p> <p><b>Investigation proceeding.</b></p>
2021/C20*  13.7.21	TC	<p>Cllr referred to Extinction Rebellion as a terrorist organisation and accused another Cllr of bullying.</p> <p><b>Breach of the Code:</b></p> <p>4. You <b>must</b> –</p> <p>(a) treat others with courtesy and respect</p>	<p><b>With MO for assessment.</b></p> <p><b>Investigation proceeding.</b></p>



		<p>5. You <b>must not</b> –</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>2021/C21*</p> <p>28.7.21</p>	<p>TC</p>	<p>Cllr referred to a member of the public as 'an idiot'. Which was humiliating and insulting. The Cllr also made unpleasant and intimidating facial expressions while another Cllr was speaking demonstrating a complete lack of regard or respect.</p> <p><b>Breach of the Code:</b></p> <p>4. You <b>must</b> –</p> <p>(a) treat others with courtesy and respect including fellow council members, staff and members of the public</p> <p>5. You <b>must not</b> –</p> <p>(d) bully any person</p> <p>(i) 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><b>With MO for assessment.</b></p> <p><b>Investigation proceeding.</b></p>

Complainants who have made more than 2 complaints  
C1, C2 & C3

Subject Members who are subject to more than 2 complaints  
C13, C16, C17 & C19