

AGENDA

Meeting: Standards Hearing Sub-Committee
Place: Council Chamber - Council Offices, Monkton Park, Chippenham,
SN15 1ER
Date: Wednesday 3 and Thursday 4 October 2012
Time: 9.30 am

Please direct any enquiries on this Agenda to Pam Denton, of Democratic Services, County Hall, Bythesea Road, Trowbridge, BA14 8JN.

Press enquiries to Communications on direct lines (01225)713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Membership:

Cllr Chris Caswill
Cllr Julian Johnson

Cllr Roy While

AGENDA

Part 1

Items to be considered when the meeting is open to the public

1 **Election of Chairman**

To elect a Chairman for this meeting only

2 **Chairman's Welcome, Introduction and Announcements**

3 **Declarations of Interest**

Councillors are requested to declare any pecuniary or non-pecuniary interests.

4 **Exclusion of the Press and Public**

To consider passing the following resolution:

To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Item Number 5 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 7(c) of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

Part II

Item(s) during consideration of which it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed

5 **Standards Committee Hearing Complaint regarding the alleged conduct of Councillor Christopher Humphries of Wiltshire Council**

5a **Consideration of the Investigator's Report**

5b Arrangements for dealing with Code of Conduct Complaints under the Localism Act 2011

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Wiltshire Council

Standards Hearing Sub-Committee 3 and 4 October 2012

Consideration of an Investigator's report

Complaint regarding the alleged conduct of Councillor Christopher Humphries of Wiltshire Council

1. On 19th June 2011 the Monitoring Officer of Wiltshire Council received a complaint from Ms Julia Densham regarding the alleged conduct of Christopher Humphries, a member of Wiltshire Council.
2. The allegation concerns Councillor Humphries' alleged behaviour towards the complainant, over a period of time, which has made her feel ineffective in her professional responsibilities and vulnerable in her dealings with Councillor Humphries.
3. The complaint is included within the Investigator's report (pages 52 to 66 of the Schedule of Evidence).
4. On 13th July 2011, the Standards Assessment Sub-Committee of Wiltshire Council considered the complaint regarding Councillor Humphries. In accordance with section 57A(2) of the Local Government Act 2000, as amended, the Assessment Sub-Committee decided that the complaint should be referred to the Monitoring Officer for investigation. They considered that if proven, the behaviour giving rise to the complaint may be capable of breaching the following paragraphs of the Code:
 - 3(1) – You must treat others with respect.*
 - 3(2)(a) – You must not do anything which may cause your authority to breach any of the equality enactments*
 - 3(2)(b) – You must not bully any person*
 - 4(a) – You must not 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*
5. The decision notice is included within the Investigator's report (pages 167– 168 of the Schedule of Evidence).
6. Councillor Humphries' Declaration of Acceptance of Office and Undertaking to observe the Code of Conduct is included in the Investigator's report at page 76 of the Schedule of Evidence.

7. The Monitoring Officer delegated his investigatory powers to Mrs Marie Lindsay, Ethical Governance Officer, pursuant to section 82A of the Local Government Act 2000. A copy of the Investigator's report is **enclosed**.
8. The Investigator's report finds that there **has** been a breach of paragraphs 3(1), 3(2)(a) and 3(2)(b) of the Code of Conduct. The Investigator's report finds **no breach** of paragraph 4(a) of the Code of Conduct.
9. The Consideration Sub-Committee of the Standards Committee of Wiltshire Council met on 24th April 2012 and, having carefully considered the Investigating Officer's report and findings, decided:
 - In respect of paragraphs 3(1), 3(2)(a) and 3(2)(b) of the Code of Conduct, in accordance with Regulation 17 of the Standards Committee (England) Regulations 2008, to refer the allegations to a Hearing Sub-Committee of the Standards Committee for determination. The Consideration Sub-Committee was satisfied that the matter was suitable for local determination.
 - In respect of paragraph 4(a) of the Code of Conduct, to accept the Investigating Officer's finding of no breach.
10. The Hearing Sub-Committee is therefore asked to consider the report and determine whether Councillor Humphries' actions have breached paragraphs 3(1), 3(2)(a) and 3(2)(b) of the Code of Conduct.

Ian Gibbons, Monitoring Officer

Report Author: Marie Lindsay, Ethical Governance Officer

Tel: 01225 718465

Date of report: 20th September 2012

Background Papers

Final Investigation Report – 20th March 2012

PRIVATE AND CONFIDENTIAL

FINAL REPORT

Case Reference: WC 39/11

Report of an investigation under Section 57(A)(2)(a) of the Local Government Act 2000 as amended and Regulation 14 of the Standards Committee (England) Regulations 2008, by Marie Lindsay, appointed by the Monitoring Officer for Wiltshire Council into an allegation concerning Councillor Christopher Humphries.

DATE: 20 March 2012

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 - 8 Ms Densham's comments on the draft report**
 - 9 Reasoning as to whether there have been failures to comply with the Code of Conduct**
 - 10 Finding**
-
- Appendix A Schedule of findings of fact**
- Appendix B Schedule of evidence taken into account and list of unused material**

1. Executive summary

1.1 On 19th June 2011 the Monitoring Officer of Wiltshire Council received a complaint from Ms Julia Densham regarding the alleged conduct of Councillor Christopher Humphries, a member of Wiltshire Council.

1.2 In summary, the allegation concerns Councillor Humphries' alleged behaviour towards Ms Densham, over a period of time, which has made her feel ineffective in her professional responsibilities and vulnerable in her dealings with Councillor Humphries.

1.3 Ms Densham's complaint consists of a total of 14 allegations in which she alleges that Councillor Humphries has breached the following paragraphs of the Code of Conduct:

- 3(1) – you must treat others with respect
- 3(2)(a) – you must not do anything which may cause your authority to breach any of the equality enactments
- 3(2)(b) – you must not bully any person



1.4 A brief summary of each of the allegations is attached as a table at Appendix B3.3, page 171.

1.5 On 13th July 2011 the Assessment Sub-Committee of Wiltshire Council's Standards Committee considered the complaint. In accordance with Section 57A(2) of the Local Government Act 2000, as amended, the Sub-Committee decided to refer the complaint to the Monitoring Officer for investigation.

1.6 The Monitoring Officer delegated his investigatory powers to Marie Lindsay, Ethical Governance Officer, pursuant to section 82A of the Local Government Act 2000

1.7 The investigation was undertaken in accordance with the statutory framework for investigations and guidance issued by Standards for England.

1.8 During the course of the investigation I, as the Investigating Officer, have obtained evidence from Ms Densham, Councillor Humphries and 11 additional witnesses. I have also considered the requirements of the Code of Conduct, guidance issued by Standards for England, and advice received from the Head of Legal Services at Wiltshire Council.

1.9 Having examined the evidence in conjunction with the relevant advice and guidance, I have found that Councillor Humphries has failed to treat Ms Densham with respect, has caused his authority to breach the

equality enactments and has bullied Ms Densham, thereby breaching paragraphs 3(1), 3(2)(a) and 3(2)(b) of the Code of Conduct.

1.10

1.11 A table containing each of the 14 allegations against Councillor Humphries and outlining where these breaches of the Code of Conduct have occurred, is attached at Appendix B3.4, page 172.

1.12 Attached to this report is a schedule of evidence containing the documents referred to in it.

2 Councillor Humphries' official details

2.1 Councillor Christopher Humphries was elected to Wiltshire Council on 8th June 2009. Prior to the formation of the Unitary Wiltshire Council, Councillor Humphries had been a member of Wiltshire County Council since 1997 and a member of Kennet District Council since 1990. He was the Leader of Kennet District Council from 2001 to 2007.

2.2 Councillor Humphries has also been a member of Aldbourne Parish Council from 1970 to date. He was the Chairman of the Council for 25 years.

2.3 Councillor Humphries was appointed as the Chairman of Wiltshire Council's Marlborough Area Board upon its formation in 2009. He was also appointed, by Wiltshire Council, to the Wiltshire Police Authority as a Conservative Councillor.

2.4 Councillor Humphries gave a written undertaking to observe Wiltshire Council's Code of Conduct on 8th June 2009 (Appendix B1.3, page 76).

2.5 Councillor Humphries advises that he has received training on the Code of Conduct and that he has attended all such training that has been offered to him. This includes Code of Conduct training within Kennet District Council, Wiltshire Council and Wiltshire Police Authority.

3 The evidence gathered

3.1 I have taken account of oral evidence from:

- The complainant, Ms Julia Densham (Appendix B2.1, page 82)
- The subject member, Councillor Christopher Humphries (Appendix B2.2, page 103)

The following witnesses:

- Councillor Nicholas Fogg, Wiltshire Council
(Appendix B2.3, page 137)
- Councillor Jemima Milton, Wiltshire Council
(Appendix B2.4, page 138)
- Councillor Peggy Dow, Marlborough Town Council
(Appendix B2.5, page 142)
- Councillor Alexander Kirk Wilson, Marlborough Town Council
(Appendix B2.6, page 144)
- Ms Karen Scott, Volunteering Development Manager (and former Acting Marlborough Community Area Manager), Wiltshire Council
(Appendix B2.7, page 146)
- Mr Martin Cook, Area Highway Engineer, Wiltshire Council
(Appendix B2.8, page 149)
- Mr Kevin Fielding, Democratic Services Officer, Wiltshire Council
(Appendix B2.9, page 152)
- Mr Dave Roberts, Corsham Community Area Manager, Wiltshire Council
(Appendix B2.10, page 154)
- Mr Richard Rogers, Devizes Community Area Manager (and former Area Boards Team Leader - Northern Wiltshire), Wiltshire Council
(Appendix B2.11, page 157)
- Mr Steve Milton, Head of Community Governance, Wiltshire Council
(Appendix B2.12, page 160)
- Mr Martin Cook, Chairman of the Marlborough Area Development Trust
(Appendix B2.13, page 164)

4 The complaint

- 4.1 Ms Densham's complaint is set out in her complaint form dated 19th June 2011 and is attached in full, together with its 5 attachments, at Appendix B1.1, page 52 of this report.
- 4.2 During her interview with the Investigating Officer Ms Densham also provided some additional evidence in support of her complaint. The record of Ms Densham's interview with the Investigating Officer is attached at Appendix B2.1, page 82 to this report and this record, together with its supporting evidence, is to be considered in conjunction with the details of her original complaint referred to above.
- 4.3 In summary, Ms Densham's complaint concerns Councillor Humphries' behaviour towards her over a period of time, behaviour which is alleged to be capable of breaching the relevant paragraphs of the Code of Conduct in respect of a failure to show respect, bullying, a breach of the equality enactments [REDACTED]

4.4 For ease of reference, I have attached at Appendix B3.3, page 171 a table outlining each of the 14 separate allegations that have been made against Councillor Humphries by Ms Densham. The table lists these allegations in chronological order and includes a brief description of each of them.

5. The relevant legislation

5.1 Wiltshire County Council passed a resolution on 10th July 2007 to adopt the Code of Conduct and resolved again on 24th February 2009 to adopt the Code of Conduct for the new Wiltshire Council with effect from 1st April 2009. The following paragraphs are included in the Code of Conduct:

Paragraph 3(1) – Respect

- *You must treat others with respect*

Paragraph 3(2)(a) – Equality Enactments

- *You must not do anything which may cause your authority to breach any of the equality enactments (as defined in section 33 of the Equality Act 2006)*

Paragraph 3(2)(b) - Bullying

- *You must not bully any person*



5.2 Standards for England guidance in respect of these particular provisions of the Code of Conduct is as attached at Appendix B3.5, page 173.

5.3 Legal advice from the Head of Legal Services of Wiltshire Council in respect of the equality enactments, as referred to in paragraph 3(2)(a) of the Code of Conduct, is attached at Appendix B3.6, page 177.

6. The material facts

- 6.1 Councillor Humphries is (and was at the relevant time) a member of Wiltshire Council and as a member of the Council is subject to the Code of Conduct.
- 6.2 Councillor Humphries is the Chairman of the Marlborough Area Board.
- 6.3 Ms Densham was from 1 April 2009 to November 2009 the Senior Democratic Services Officer to the Marlborough Area Board. In December 2009 Ms Densham temporarily took on the role of Marlborough Community Area Manager.
- 6.4 In February 2010 Ms Densham was offered the post on a permanent basis. Due to a sudden family bereavement Ms Densham did not feel able to take up the offer and she returned to her substantive role in Democratic Services
- 6.5 In June 2010 the post was re-advertised and Ms Densham was successful in her application for the role. She began to work out her three month notice period in Democratic Services however, towards the end of her notice period, she began to take on some of her new responsibilities and attend some Area Board meetings.
- 6.6 With regard to the material facts of the specific allegations made by Ms Densham, I have set out below what I, as the Investigating Officer, consider to be the material facts in respect of each alleged incident. I have detailed the incidents in the same chronological order as in the table at Appendix B3.3, page 171.
- 6.7 Within the narrative each finding of fact has been italicised and underlined for ease of reference.

Email from Councillor Humphries to Ms Densham dated 10 December 2009

Uncontested facts

- 6.8 *On 1 December 2009 Councillor Humphries sent an email to Ms Densham in which he states 'Well done, I could not have thought of such bovine effluent as this!!'* (see Appendix B1.1, page 66)
- 6.9 *Councillor Humphries' email was sent in response to an email from Ms Densham to an applicant for a grant from the Area Board and which had been copied to him.*

Contested facts

- 6.10 Councillor Humphries states that the reason that he sent the email to Ms Densham was to offer his support in respect of her approach to the

grant application, an application that she had not agreed with. He states that he had agreed to support Ms Densham in any way or form that she wished and that the email from Ms Densham amounted to her spinning the applicant a line.

- 6.11 Ms Densham's view of Councillor Humphries' email is that he considered the information in her email to be a load of bullshit. She felt insulted by his comments.
- 6.12 Whatever the reason for Councillor Humphries' email to Ms Densham, on plain reading Councillor Humphries' comments are to be interpreted as meaning that he considered the contents of Ms Densham's email to be a load of bullshit. Councillor Humphries uses the expression 'bovine effluent'. According to the Oxford Dictionary bovine means 'relating to cattle' which includes a bull and effluent means 'liquid waste or sewerage'. Therefore I agree with Ms Densham's interpretation of the email that Councillor Humphries considered her information to be a load of bullshit.

Marlborough Area Board briefing meeting – late 2009 or early 2010

Uncontested facts

- 6.13 A briefing meeting of the Marlborough Area Board was held in late 2009 or early 2010 at which Ms Densham, Councillor Humphries and Councillor Milton were present.

Contested facts

- 6.14 It is alleged by Ms Densham that at the briefing meeting Councillor Humphries made reference to information provided to [REDACTED] as having disappeared down a black hole. Ms Densham points out that [REDACTED] is a black woman.
- 6.15 Councillor Humphries' evidence is that he would never refer to information having disappeared down a black hole in relation to [REDACTED]. He states that there is no way that he would have made a comment like that. He is more politically aware than that and he has got too many ethnic minority friends to even say that. He adds that he gets on like a house on fire with [REDACTED] and he has provided a chain of emails (see Appendix B2.2, page 129) to support this.
- 6.16 Councillor Milton's evidence is that at a briefing meeting Councillor Humphries did make a comment about [REDACTED]. She recalls that Councillor Humphries said something along the lines of 'the trouble is, if you give paperwork to [REDACTED] it always goes into a black hole'.
- 6.17 The allegation made by Ms Densham is supported by the evidence of Councillor Milton and I therefore find, on the balance of probabilities, that at the meeting Councillor Humphries did make reference to

information having disappeared down a black hole in connection with



Marlborough Area Board Briefing Meeting - 26 August 2010

Uncontested facts

- 6.18 On 26 August 2010 a briefing meeting of the Marlborough Area Board was held.
- 6.19 The meeting was attended by Councillor Humphries, Ms Densham, Ms K Scott and Councillor N Fogg.
- 6.20 No objections were raised at the meeting to any bad language that may have been used by anyone present.
- 6.21 Later the same day, on 26 August 2010, Ms Scott sent an email to Mr Steve Milton expressing her views about the meeting (see Appendix B1.1, page 60).

Contested facts

- 6.22 It is alleged by Ms Densham that Councillor Humphries was in a bad mood at the meeting over issues around officer recommendations and the Leisure Review item on the agenda. Ms Densham states that Councillor Humphries referred to an issue as being 'an abortion of a mess' although she cannot recall specifically to what Councillor Humphries was referring. Ms Densham describes Councillor Humphries' behaviour as a rant.
- 6.23 Councillor Humphries' evidence is that he may have possibly used the word 'abortion'. He does not recall saying it but he is unable to deny that he said it because he cannot remember. He states that if he had said it then it would have been in the context of describing a complete disaster and that, if he did say it, it would have been with regard to difficulties that were being experienced with the Marlborough and Villages Community Area Partnership.
- 6.24 Councillor Fogg confirms that he did attend the meeting but he cannot recall any offensive language being used. He points out that unless something had been said that was unbelievably blatant then he wouldn't remember it 14 months later, at the time of his interview with the Investigating Officer.
- 6.25 Ms Scott's evidence is that Councillor Humphries used the expression 'it's a fucking abortion' in relation to the agenda items, particularly the Leisure Review. She states that he was very angry and began shouting, and describes it as an aggressive outburst from Councillor Humphries.

6.26 Having considered the evidence, I conclude that Councillor Humphries did use the term 'abortion of a mess'. Ms Densham and Ms Scott both refer to the word abortion in their evidence and Councillor Humphries himself is unable to deny that he did say it. He also goes on to give an explanation of why he might have said the word abortion and in what context he would have used it, i.e. to describe a disaster. Councillor Fogg cannot recall Councillor Humphries using the term 'abortion' and perhaps that is because, according to his evidence, he would not find the expression particularly offensive. He cannot recall any offensive language being used by Councillor Humphries which would suggest that Councillor Humphries didn't use the word 'fucking' as described by Ms Scott. In support of my finding, I refer to the evidence of Mr Martin Cook, Chairman of MADT. Although Mr Cook was not present at this meeting and I did not question him about it, he mentioned in his evidence that he has heard Councillor Humphries use the expression 'abortion of an exercise' at another meeting. This information from Mr Cook was provided without any reference to this alleged incident by the Investigating Officer.

6.27 Looking at the manner in which Councillor Humphries used this expression, Ms Densham describes it as a rant. Ms Scott describes it as an aggressive outburst and she felt so incensed by it that she felt the need to send an email to her manager, Mr Milton, later that same day describing the incident. Ms Scott states in her evidence that she thought that she was immune to bad language, but that the language and manner of Councillor Humphries had shocked her. Based on the fact that Ms Scott felt so incensed that she felt the need to report the incident to Mr Milton, I accept that Councillor Humphries' manner was, at the time, aggressive.

Email from Councillor Humphries to Ms Densham dated 24 September 2010

Uncontested facts

6.28 On 24 September 2010 Ms Densham sent an email to Councillor Humphries asking him to approve new Marlborough Area Board agenda covers (see Appendix B2.1, page 96). The covers included photographs of the relevant councillors and officers.

6.29 Councillor Humphries replied to Ms Densham by email on the same day. His email included the phrase 'Also who is the good looking bird at the bottom? I did not realise that colour photography had been around so long'.

6.30 Councillor Humphries comments were directed towards Ms Densham.

**Marlborough and Villages Community Area Partnership (MaVCAP)
briefing meeting - [REDACTED]**

Uncontested facts

- 6.31 On [REDACTED] a meeting of MaVCAP was held at [REDACTED] Councillor Humphries and Ms Densham were both present at the meeting.
- 6.32 After the meeting had finished Councillor Humphries and Ms Densham were having a discussion on the pavement outside [REDACTED] near Councillor Humphries' car, when it started to rain.
- 6.33 Councillor Humphries invited Ms Densham to finish the conversation in his car, to which she agreed.
- 6.34 The conversation turned towards [REDACTED]

Contested facts

- 6.35 This turn of conversation towards [REDACTED] was, according to Councillor Humphries, as a result of [REDACTED] at Area Board meetings. [REDACTED] Ms Densham states in her evidence that she does not know why the conversation about [REDACTED] arose but that it may have been because [REDACTED]! therefore accept that the conversation arose as a result of discussions about [REDACTED]
- 6.36 It is alleged by Ms Densham that Councillor Humphries referred to the alleged sexual misconduct of [REDACTED] by describing [REDACTED] as 'having a long history of rod-ing his female colleagues'.
- 6.37 Councillor Humphries' categorically denies using the expression 'rod-ing' and states that this is not language that he uses. He states that all he said about the allegations was 'You've heard [REDACTED] the [REDACTED] is under extreme pressure so don't push the fact that [REDACTED]
- 6.38 When deciding whether Councillor Humphries did in fact refer to the details of [REDACTED] and, more specifically refer to the term 'rod-ing', I have taken into account the circumstances of the Marlborough Area Board briefing meeting on 18 November 2010 (see paragraphs 6.74 to 6.79). I have found that at that meeting Councillor Humphries did refer to the specific allegations [REDACTED] despite his assertion that he referred to the matter only in general terms of asking people [REDACTED] On this occasion there were witnesses who confirmed that Councillor Humphries did more than just ask those present to go easy on [REDACTED]

██████████ and did make reference to what ██████████ was being investigated for.

- 6.39 *Therefore on the balance of probabilities I find that on ██████████ ██████████ Councillor Humphries also made reference to the specifics of the allegations. Whilst there are no witnesses to confirm that he used the expression 'rod-ing', this is an unusual expression for Ms Densham to allege was said and I accept her evidence that Councillor Humphries did use this expression.*
- 6.40 Ms Densham alleges that just after the conversation about ██████████ had finished, Councillor Humphries stroked her bare forearm once. Her response to this was that she probably moved away.
- 6.41 Councillor Humphries' evidence is that there is 'no way' that he stroked Ms Densham's arm. He states that the car was on a slope outside the bank and it would have been difficult to stroke her arm anyway, especially as he usually sits far back in his seat.
- 6.42 The difficulty with this allegation is that a 'stroke' of the arm is open to many different interpretations. What one person considers to be a misplaced gesture may be viewed by another person to be a friendly tap. It may even be the case that the person who has made the contact does not realise that he or she has done so if it was done accidentally. *For the above reasons, and due to the lack of third party evidence, whilst I do not dismiss the evidence of Ms Densham in what she perceived as a 'stroke' of the arm, I am unable to make a finding of fact that Councillor Humphries did so.* Ms Densham cannot specifically recall her reaction to this stroking of her arm which, in my view, had it occurred with the intention suggested by Ms Densham would have provoked a significant and memorable reaction. Additionally, Ms Densham goes on to state that she did not feel directly sexually harassed at the time.
- 6.43 Ms Densham also alleges that whilst she was still sitting in the car Councillor Humphries then asked her 'Do you have children?' She replied that she had two daughters aged 16 and 14 and Councillor Humphries did not then ask her any further questions about her domestic situation.
- 6.44 Councillor Humphries denies questioning Ms Densham about her daughters and he states that he did not ask about their names and ages, as alleged by Ms Densham in her initial complaint.
- 6.45 The evidence of Ms Densham is contradictory in respect of the specific information asked by Councillor Humphries. In her initial complaint she states that Councillor asked her about her daughters' names and ages whereas in her interview with the Investigating Officer Ms Densham states that it was she who replied to a general question about whether she had children by telling Councillor Humphries their names and ages.

Councillor Humphries' evidence is that he was aware that Ms Densham had children but that he had no idea about their sex or ages. On the balance of probabilities I conclude that a conversation did take place between Ms Densham and Councillor Humphries about Ms Densham's children although I cannot conclude with any certainty exactly what questions were asked by Councillor Humphries and exactly what information was exchanged.

Marlborough Community Area Transport Group meeting – 7 October 2010

Uncontested facts

- 6.46 On 7 October 2010 a meeting of the Marlborough Community Area Transport Group was held.
- 6.47 Present at that meeting were, amongst others, Ms Densham, Councillor Humphries, Councillor P Dow, Councillor A Kirk Wilson and Mr M Cook, Highways Engineer.
- 6.48 Prior to the meeting on 7 October 2010 Ms Densham and Mr Rogers had attended a meeting with Councillor Humphries about work related issues at Councillor Humphries' home address.
- 6.49 After the close of the meeting on 7 October 2010 Ms Densham challenged Councillor Humphries about comments made by him at the meeting. The nature of this challenge is explored in more detail below.
- 6.50 Later on the same day, 7 October 2010, Councillor Humphries sent an email to Ms Densham in which he writes 'Thank you for your advice today, it will be heeded'. Ms Densham forwarded this email to Mr Rogers and Mr Milton on 8 October 2010, adding her comments about what took place at the Transport Group meeting the previous day (see Appendix B1.1, page 61)

Contested facts

- 6.51 Ms Densham alleges that at the meeting Councillor Humphries made the random remark 'Of course, Julia's been to my house'. She cannot recall what was being discussed at the time. Ms Densham replied that she had not been alone and that Mr R Rogers had also been present, to which Councillor Humphries replied 'So what, so was my wife, what does that matter?'
- 6.52 Councillor Humphries cannot remember making a comment at the meeting about the fact that Ms Densham had been to his house. He states that if he had referred to her visit to his house it would have been in conversation and, as she had been to his house, factually accurate.

- 6.53 Mr Cook's evidence is that he recalls, during the introductions at the start of the meeting, that Councillor Humphries made a reference to the fact that Ms Densham had been to his house. He cannot remember the exact words used but it was along the lines of 'she also comes out to your private house'.
- 6.54 Councillor Dow does not recall Councillor Humphries referring, at the beginning of the meeting, to a visit made by Ms Densham to his house. Likewise, Councillor Kirk Wilson cannot recall Councillor Humphries referring to a visit made by Ms Densham to his house.
- 6.55 Having considered the evidence, I accept the allegation made by Ms Densham that Councillor Humphries did make a comment about her having been to his house. This is on the basis that her evidence is supported by that of Mr Cook. Also, whilst Councillor Humphries cannot remember making such a comment he does not deny that he might have said it.
- 6.56 Ms Densham alleges that at the end of the meeting Councillor Humphries thanked those present for attending and he especially thanked Ms Densham for providing the biscuits. He then added 'as we all know Ms Densham enjoys a nibble'. There followed an embarrassed silence and Ms Densham suggested to the meeting that Councillor Humphries should be more careful with his comments. Ms Densham states that Councillor Dow concurred and suggested that there was a protocol that may have been broken.
- 6.57 Councillor Humphries' evidence is that someone else present at the meeting thanked Julia for providing the biscuits, making the comment that 'we like a nibble during the meeting'. Councillor Humphries then added 'Julia likes a nibble too'. He states that there was no embarrassed silence and no one made any response to his comments.
- 6.58 Mr Cook states that Councillor Humphries did say something about Ms Densham nibbling biscuits although he cannot remember the exact words that were used. He cannot remember what happened next because those present at the meeting would have been packing up and shuffling papers.
- 6.59 Neither Councillor Kirk Wilson or Councillor Dow can recall any comments being made at the meeting about Ms Densham enjoying a nibble. Councillor Dow states that if she had heard such a comment from Councillor Humphries then she would have objected on the basis that such comments are unacceptable in the workplace.
- 6.60 Having reviewed all the evidence, I accept that Councillor Humphries did make a comment that Ms Densham likes/enjoys a nibble. Ms Densham's evidence is that Councillor Humphries used the words 'enjoys a nibble' whereas Councillor Humphries' evidence is that he used the words 'likes a nibble'. Whichever words were used, the

meaning of the phrase remains the same. Councillor Humphries' evidence that his comment followed on from a reference by someone else at the meeting to nibbling biscuits is not supported by any of the other witnesses. Mr Cook, who clearly recalls a comment about nibbling biscuits being made by Councillor Humphries, does not mention in his statement that anyone else present at the meeting also made similar comments. I therefore find that the only comments made at the meeting to nibbling were those made by Councillor Humphries. The challenge made by Ms Densham to these comments was either not witnessed by, or cannot be remembered by, Councillor Humphries, Councillor Kirk Wilson, Councillor Dow or Mr Cook. On the balance of probabilities I accept that Ms Densham did challenge Councillor Humphries and that her challenge was echoed by Councillor Dow. Although Councillor Dow cannot recall the incident it should be noted that there was a time lapse of 12 months between the alleged incident and Councillor Dow's interview with the Investigating Officer when she was asked to recall the event. Councillor Dow does, however, state that if she had heard the comments as alleged by Ms Densham she would have made an objection. The probability is, therefore, that Councillor Dow also made a similar challenge as described by Ms Densham in her evidence.

- 6.61 Ms Densham also alleges that at the close of the meeting, whilst she was collapsing the projection screen, Councillor Humphries appeared beside her and started to explain to her, with actions and innuendo, how she had to make sure all the parts of the projection screen slide into each other. Ms Densham states that this was witnessed by Councillor Kirk Wilson who giggled until Ms Densham gave him a sour look at which point he stopped.
- 6.62 Councillor Humphries vehemently denies making any gestures or innuendo in connection with the telescopic poles of the projection screen. He remembers trying to help Ms Densham dismantle the projection screen but he could not do it and someone else, he cannot remember who, came over to help instead.
- 6.63 Councillor Kirk Wilson cannot remember who dismantled the projector at the end of the meeting and he does not recall if he was present at the time. He does not remember hearing Councillor Humphries make any comments about the collapsing of the telescopic poles and neither does he remember witnessing any sexual innuendo about how the poles fit together. He goes on to add that he may have had his back to the projector for some time whilst he was talking to a colleague. If he did giggle, then it would have been, as much as anything, out of politeness but he cannot recall doing so.
- 6.64 When interviewed about this alleged incident Councillor Dow advised that she would not have been present whilst the projection screen was being dismantled as she usually makes her way home as soon as the meeting is finished. Mr Cook's evidence about this matter is that he

cannot actually recall there being a projector present at the meeting at all.

- 6.65 There are no witnesses to the allegation made by Ms Densham that Councillor Humphries used sexual innuendo to explain how the telescopic poles fitted together. Councillor Kirk Wilson, who is named by Ms Densham as being a witness to these events, states in his evidence that he is alert to any behaviour of Councillor Humphries that is of a suggestive or demeaning nature. He also states that if he had witnessed these events as described by Ms Densham he would have considered them to be a bit of a joke and not offensive to women. Also, that if he had giggled then it would have been out of politeness.
- 6.66 The fact that Councillor Kirk Wilson does not remember hearing Councillor Humphries making any suggestive comments or using any sexual innuendo does not mean that it did not happen. Perhaps Councillor Kirk Wilson does not recall these events because, even though he was on the 'alert' for suggestive behaviour, he does not consider this particular behaviour to be offensive. He adds that if he had witnessed the behaviour as described by Ms Densham then he would have viewed it as a bit of a joke, which supports the suggestion by Ms Densham that Councillor Kirk Wilson did actually laugh at what he heard at the time.
- 6.67 On the balance of probabilities I accept that Councillor Humphries did use inappropriate actions and sexual innuendo to explain how the telescopic poles fit together. This is based on the evidence above and also on the fact that Ms Densham commits her allegations in writing to Mr Rogers and Mr Quinton the following day. Whilst she says in her email that she does not want to take any action at this point she confirms that she does want to create an audit trail. I cannot accept that, just one day after the meeting, Ms Densham would send an email to her manager containing false allegations of such a potentially damaging nature which could easily be checked out whilst they are still fresh in the mind.
- 6.68 After the meeting had closed Ms Densham felt the need to approach Councillor Humphries about his behaviour, a fact which is not disputed by Councillor Humphries. Ms Densham states that she told him that she regarded his behaviour as sexual harassment and that he replied that it was simply 'his way' but he was sorry if he had caused upset. Councillor Humphries states that Ms Densham's conversation with him was only with regard to his comments about her enjoying a nibble. He replied to her that he had made this comment in jest, he apologised profusely, he said that he was sorry if she had taken offence and he advised her that he would never do it again.
- 6.69 Ms Densham is clear in the email that she sent the following day to Mr Rogers and Mr Quinton about the extent of what she considered to be Councillor Humphries' sexually offensive remarks'. This email includes

a reference to all three incidents referred to above. However, she also clearly states in her email that she told Councillor Humphries that she did not want to be spoken about in that way again and that it had been a topic of conversation after the meeting between officers. This would suggest that her conversation with Councillor Humphries did not extend to the innuendo about the telescopic poles, which was only witnessed by Councillor Kirk Wilson at the most and did not amount to her being spoken 'about'. This is supported by the fact that, in his evidence, Mr Cook states that Ms Densham asked for his opinion about what impression he had got from Councillor Humphries' comments. Again, these would have been comments made to the whole meeting and which Mr Cook could have heard, not comments and innuendo made after the meeting had closed and the projection screen was being packed away.

- 6.70 To conclude, I find that Ms Densham had a conversation about the offensive nature of Councillor Humphries' remarks and I accept Councillor Humphries' evidence that this was only in relation to his comments about her enjoying a nibble. Indeed this is the comment about which Ms Densham and Councillor Dow challenged Councillor Humphries when it arose during the meeting. There is no evidence to suggest that Ms Densham challenged Councillor Humphries about him making a comment that she had been to his house.

Email from Councillor Humphries to Ms Densham dated 20 October 2010

Uncontested facts

- 6.71 On 20 October 2010 Ms Densham sent an email to Councillor Humphries enclosing a new photograph of him that had been taken for area board purposes. In her email Ms Densham asked 'Hope you like the attached' (see Appendix B2.1, page 98)
- 6.72 Councillor Humphries replied to Ms Densham the same day saying 'Thank you, more to the point do you!?'

Marlborough Area Board briefing meeting - 18 November 2010

Uncontested facts

- 6.73 On 18 November 2010 a briefing meeting of the Marlborough Area Board was held. Present at that meeting were Ms Densham, Councillor Humphries, Mr Fielding and Councillor Milton.

Contested facts

- 6.74 Ms Densham alleges that at the meeting Councillor Humphries once again made reference to the accusations about [REDACTED]. He began by making offhand comments about the [REDACTED]

investigation being ongoing, to which Councillor Milton and Mr Fielding made appropriate comments. Councillor Humphries then launched into comments about how [REDACTED] and that there had been some prior allegations. Ms Densham recalls Councillor Humphries making reference to another woman [REDACTED] to which Mr Fielding responded with a joke saying [REDACTED] Councillor Humphries did not specifically say [REDACTED] Ms Densham did not challenge Councillor Humphries about his comments.

- 6.75 Councillor Humphries' evidence with regard to this allegation is that he may have referred to the investigation [REDACTED] because it was [REDACTED]. He states that he may have said the same as he had said to Ms Densham on [REDACTED] i.e. don't push [REDACTED] because he was trying to defend [REDACTED] at the time who he knew through his capacity as [REDACTED].
- 6.76 Mr Fielding can recall a conversation taking place about [REDACTED] and he remembers Councillor Humphries saying something to the effect that [REDACTED] was seeing a woman. He does not remember any further detail about the conversation other than Councillor Humphries making reference to the connection between [REDACTED]. Mr Fielding adds that if he did say something about [REDACTED] then he cannot recall doing so. He cannot remember anyone else joining in the conversation and he does not remember anyone stating [REDACTED].
- 6.77 Councillor Milton recalls that at one briefing meeting, although she is not sure which one, Councillor Humphries made comments of a personal nature about [REDACTED]. She does not remember his exact words but she does recall that his comments referred to why [REDACTED] what he had allegedly done to people and how other people [REDACTED] had complained about him. Councillor Milton does not know whether she responded to Councillor Humphries at the time although, with hindsight, she would say that she probably didn't.
- 6.78 Having reviewed the evidence, I accept the evidence of Ms Densham that Councillor Humphries did make reference to specific allegations against [REDACTED] in respect of his alleged behaviour [REDACTED] and some prior allegations made against him. The evidence of Ms Densham in respect of this matter is supported by the evidence of Councillor Milton. Councillor Milton confirms that at the time she knew that [REDACTED].

[REDACTED]

6.79 Although Councillor Milton cannot recall the date of the meeting at which she heard Councillor Humphries make his comments about [REDACTED] there is no evidence to suggest that Councillor Humphries referred to the allegations against [REDACTED] at more than one area board briefing meeting. Therefore the probability is that Councillor Milton witnessed these comments at the meeting on 18 November 2010. Additionally, Councillor Humphries himself, although he denies referring to the specific allegations against [REDACTED] does state that the investigation [REDACTED]

6.80 Whilst it may be true that Mr Fielding and Councillor Milton made 'appropriate noises' at some point during this discussion it is clear from the evidence that Councillor Humphries was not challenged about his comments.

6.81 [REDACTED]

Telephone calls by Councillor Humphries to Ms Densham at the end of 2010

Contested facts

6.82 Ms Densham alleges that on two occasions towards the end of 2010, during telephone conversations about work related matters, Councillor Humphries asked her 'So how are your domestic arrangements?'

6.83 Councillor Humphries' response to this allegation is that he would not have even considered doing so and asks the question 'why would I?'

6.84 In the absence of any evidence to support the allegation made by Ms Densham that Councillor Humphries asked her about her domestic arrangements I have no alternative but to make a finding that he did not do so.

Marlborough Community Area Transport Group meeting – 25 January 2011

Uncontested facts

6.85 On 25 January 2011 a meeting of the Marlborough Community Area Transport Group was held. Ms Densham and Councillor Humphries both attended the meeting.

Contested facts

- 6.86 Ms Densham alleges that she was the first person to arrive at the meeting and just had she had finished making a telephone call on her mobile phone when Councillor Humphries entered the room. She turned towards the door as it opened and Councillor Humphries walked towards her and grabbed her scarf, making a playful gesture as if to strangle her with it. As he did so the back of his hand was in contact with her body. He picked up the knot of her scarf and moved it upwards towards her chin. He then let go and sat down. Other people then immediately started to arrive.
- 6.87 Ms Densham states that nothing was said about the incident at the time although she advises that she did report it at a meeting with Mr Rogers and Mr Milton on 3 February 2011.
- 6.88 Councillor Humphries' response to this allegation is that it is fantasy. He denies grabbing Ms Densham's scarf. Councillor Humphries cannot understand why Ms Densham was the first to arrive at the meeting, and therefore why she was alone in the room, when she has since stated that she avoided being alone with Councillor Humphries. Furthermore, he adds that he is always the first person to arrive at meetings and he is sure of this because he usually buys two cups of coffee on the way, one for himself and one which he puts on the table for anyone who wants it.
- 6.89 In her evidence Ms Densham explains that she was conscious of being the only person in the room so she decided to make the telephone call on her mobile phone in case Councillor Humphries was the next person to arrive.
- 6.90 Whilst there is no evidence to support the allegations made by Ms Densham, I accept that it did happen as described by her, i.e. Councillor Humphries walked towards her and grabbed her scarf, making a playful gesture as if to strangle her with it. He picked up the knot of her scarf and moved it upwards towards her chin and as he did so the back of his hand was in contact with her body. He then let go and sat down. The incident is of such a specific nature, and not one that could be open to interpretation, that it is difficult to comprehend why it would be made up, or 'fantasy' as described by Councillor Humphries.
- 6.91 Furthermore, Mr Milton confirms that Ms Densham did mention the incident to both him and Mr Rogers, telling them that Councillor Humphries 'took hold of my scarf as if trying to strangle me'. In Mr Milton's view this is the sort of behaviour that Councillor Humphries might consider to be a non-threatening humorous act.

Marlborough Area Board meeting – 8 February 2011

Contested facts

- 6.92 During her interview with the Investigating Officer Ms Densham referred to a meeting of the Marlborough Area Board on 8 February 2011. Ms Densham alleges that at that meeting she quietly suggested to Councillor Humphries that he had not followed a correct procedure to which he replied to everyone in attendance 'My Community Area Manager tells me and we do have to go with everything she says'. Ms Densham states that these comments, which she cites as another example of being made to look like the Chairman's pet, was witnessed by Ms C Graves, Wiltshire Council Service Director for Strategy and Commissioning. In her evidence Ms Densham has stated that Ms Graves considered Councillor Humphries behaviour at this meeting to be flirtatious.
- 6.93 I have made a judgement not to investigate this particular allegation. There are constraints upon the capacity of the Investigating officer and there are 14 other alleged incidents referred to by Ms Densham in her complaint. It is my opinion that this particular incident appears to be relatively minor. In view of the fact that the other incidents have required me to interview a total of 11 witnesses I decided not to add Ms Graves to that list of witnesses.

Email from Councillor Humphries to Ms Densham dated 6 June 2011

Uncontested facts

- 6.94 *On 6 June 2011 Councillor Humphries sent Ms Densham an email in response to a mix up over the timings of briefing meetings* (see Appendix B2.1, page 99).
- 6.95 *In his email Councillor Humphries asks Ms Densham 'If you have brought forward the briefing time then please advise me'.*

Marlborough Area Board briefing meeting – 7 June 2011

Uncontested facts

- 6.96 *A briefing meeting of the Marlborough Area Board was held on 7 June 2011. Ms Densham, Councillor Humphries and Mr Dave Roberts, Corsham Community Area Manager, attended the meeting.*
- 6.97 *On 8 June 2011 Ms Densham sent an email to Councillor Milton about the briefing meeting that had been held on 7 June 2011 and which Councillor Milton had missed* (see Appendix B1.1, page 65).

Contested facts

- 6.98 Ms Densham's evidence is that she arrived at the meeting to find Councillor Humphries in a bad mood about an issue involving the Marlborough and Villages Community Area Partnership (MaVCAP). She states that Councillor Humphries was in a bad mood over an email that she had sent on 1 June 2011 to Mr Pitts, retired Chairman of MaVCAP, and Mr Edmonds, the current Vice-Chairman of MaVCAP (see Appendix B2.1, page 95).
- 6.99 Ms Densham states that at the meeting Councillor Humphries told her that he was unhappy about the email because he did not want Mr Edmonds to be privy to area board business. Ms Densham replied to Councillor Humphries that she had been advised by Mr Milton that it was her role to keep MaVCAP informed. Councillor Humphries did not want to know and said either 'Steve Milton can fuck off' or 'Steve Milton can go to hell', Ms Densham cannot remember which. This was said with a raised voice. At this point Mr Roberts walked into the room and Ms Densham believes that Mr Roberts heard Councillor Humphries' comments about Mr Milton.
- 6.100 Councillor Humphries acknowledges that there had been issues in the past about MaVCAP and he did not want Mr Edmonds to be informed of what the Area Board were doing, but that he did not lose his temper over it and he was not in a bad mood at the meeting. He totally denies saying that Steve Milton can go to hell, saying that this is not the kind of language that he uses. Councillor Humphries adds that he has a lot of respect for Mr Milton and, in any event, it is not Mr Milton who makes decisions on area board matters. He might have said that they will ignore what Mr Milton is saying.
- 6.101 Councillor Humphries produced two emails as evidence of the difficulties with MaVCAP. The first is an email exchange between himself and Ms Densham dated 24 September 2009 in which it is Ms Densham and not him who suggests ignoring Mr Edmonds (see Appendix B2.2, pages 120-121 and 122-123). The second is an email from Ms Densham to Councillor Humphries in which she makes reference to the difficulties and the need to 'keep the show on the road'.
- 6.102 In her comments provided in respect of the draft report, Ms Densham disputes that these two emails refer to difficulties with MaVCAP (see Appendix D1.1, page 183). Nonetheless, both Councillor Humphries and Ms Densham do acknowledge that there were ongoing difficulties with the partnership and it is clear that there were issues concerning the Area Board's relationship with MaVCAP
- 6.103 With regard to Councillor Humphries' alleged comments about Mr Milton, Mr Roberts confirms that as he entered the room he heard the very end of a discussion between Ms Densham and Councillor

Humphries. He states that he heard Councillor Humphries say 'I couldn't care less what Steve Milton said, you'll do it this way'. He cannot recall hearing Councillor Humphries swear or use bad language but he would describe his manner as forceful.

- 6.104 The evidence of Mr Roberts supports that of Councillor Humphries in that Councillor Humphries, whilst he made it clear that he would not be taking into account the advice of Mr Milton, did not express this in terms of 'Steve Milton can fuck off' or 'Steve Milton can go to hell'.
- 6.105 On the balance of probabilities I am also minded to accept the evidence of Mr Roberts that Councillor Humphries' comments were said in a forceful manner. It is unlikely that Mr Roberts would have remembered such a comment if it had been made in a normal conversational manner.
- 6.106 The second allegation by Ms Densham in respect of this meeting is that Councillor Humphries turned to Mr Roberts and said 'Thank god you're here because she's rubbish at her job isn't she' and 'thank goodness we've got you, someone who can do the job'. She states that Councillor Humphries then went on to say 'She's rubbish and should go back to Democratic Services shouldn't she?' These comments were said with a knowing smile, in a calm manner, as if he was taking the mickey. Mr Roberts ignored these comments and made light of the situation by saying to Ms Densham 'Do you know him?'
- 6.107 Councillor Humphries states that he made no reference at the meeting to Ms Densham's performance. He says that he would never criticise an officer who was working for him and that he would actually defend them, which he did by going overboard in supporting Ms Densham when she applied for the job of Marlborough Community Area Manager.
- 6.108 Mr Roberts' evidence is that Councillor Humphries said something along the lines of 'I'm glad you're here because she's crap'. He cannot remember the exact words used by Councillor Humphries but he does recall that Councillor Humphries had not raised his voice, and that his comments were spoken in an undermining manner. Mr Roberts states that he does not think he responded to Councillor Humphries' comments.
- 6.109 On the balance of probabilities I accept that Councillor Humphries did refer to Ms Densham's performance in a negative manner and used the word 'crap'. Although the exact words used cannot be confirmed, both Ms Densham and Mr Roberts recollect that Councillor Humphries referred to Ms Densham as being 'crap'. This is again referred to by Ms Densham in her email to Councillor Milton the next day.
- 6.110 Further evidence in support of my finding that the comments referred to above did actually happen is the reference by Mr Roberts to a tension

in the room. Mr Roberts attributed this tension to the fact that he had not risen to Councillor Humphries' challenge over his comments about Ms Densham. This tension was felt by Mr Roberts despite him stating in his evidence that he tends to shrug off comments made by Councillor Humphries.

- 6.111 Additionally, in her evidence Ms Densham alleges that Councillor Humphries was very harsh towards Mr Roberts later on in the meeting, silencing him with a hand gesture. Although Councillor Humphries denies making such a gesture, stating that if he has something to say then he says it, the evidence of Mr Roberts supports the allegation by Ms Densham Councillor Humphries did silence Mr Roberts with a dismissive hand gesture.
- 6.112 Mr Roberts states that during the general discussions that followed he tried to give Councillor Humphries some advice to which Councillor Humphries responded with a dismissive hand gesture as if to wave him away. He felt that this hand gesture was payback for not colluding with Councillor Humphries earlier. This would suggest that comments had been made earlier by Councillor Humphries and to which Mr Roberts had not responded.

Email from Councillor Humphries to Ms Densham dated 17 August 2011

Uncontested facts

- 6.113 On 17 August 2011 Councillor Humphries sent an email to Ms Densham asking her whether she would be able to deal with a request to organise a visit to the Compton Bassett recycling plant (see Appendix B2.1, page 100). Councillor Humphries' email was also copied to Mr James Hazelwood, Senior Democratic Services Officer.
- 6.114 Ms Densham did not consider that this was something that she should be dealing with, and she did not respond to Councillor Humphries' email.
- 6.115 On 21 August 2011 Councillor Humphries forwarded the original request to Mr A Conn, Head of Waste Management, asking how best to progress the matter. Mr Conn replied on 22 August (see Appendix B2.2, page 124).

Contested facts

- 6.116 Ms Densham states that at the time that Councillor Humphries sent his email to her on 17 August 2011 she had been told that Councillor Humphries had been advised to have no contact with her. Mr Milton advised Ms Densham by email on 15 August 2011 that he will write to Councillor Humphries asking him to refrain from direct contact with her either in person, by phone or email (see Appendix D1.1, page 186).

- 6.117 Councillor Humphries' evidence is that he was advised by Mr Milton on 18 August 2011 that he should send all email correspondence to Mr Milton and copy it to a new corporate email address.
- 6.118 Mr Milton states in his original evidence that, until Ms Densham's formal complaint had been determined, he put procedures in place to physically separate Ms Densham and Councillor Humphries but he did not seek to ban Councillor Humphries from correspondence with Ms Densham. However, upon further consideration, Mr Milton confirms that he advised Ms Densham by email on 19 August 2011 that he had asked Councillor Humphries to use a new 'public' email address for future email correspondence and to direct all telephone calls to Mr Milton himself (see Appendix D1.2, page 189).
- 6.119 Mr Milton advises that he spoke to Councillor Humphries to explain the new arrangements prior to sending his email to Ms Densham on 19 August 2011 but he cannot recall the exact date.
- 6.120 Having reviewed the evidence I accept that Councillor Humphries was advised by Mr Milton on 18 August 2011 to have no further direct contact by either email or telephone with Ms Densham. Mr Milton cannot recall the exact date but, on the balance of probabilities I accept that it was likely to have been immediately prior to Mr Milton sending his email confirmation to Ms Densham on 19 August.
- 6.121 *I therefore conclude that at the time that Councillor Humphries sent his email to Ms Densham on 17 August 2011 about the visit to the Compton Bassett Recycling Plan he had not been advised to have no further email correspondence with her. He was advised of the new contact arrangements on 18 August 2011.*

7. Councillor Humphries' additional submissions

- 7.1 Councillor Humphries' submissions in respect of the findings of fact contained in my draft report are attached at Appendix C1.1, page 179. I have considered Councillor Humphries' comments and made amendments to the findings of fact where I considered that it was appropriate to do so. The revised findings of fact are attached at Appendix A to this report and those findings which have been amended are numbers 20, 29, 43, 49, 50 and 51.
- 7.2 The additional information provided by Mr Milton, referred to in paragraph 8.2 below, has been taken into consideration in respect of Councillor Humphries' comments on finding of fact number 51.

8. Ms Densham's comments on the draft report

- 8.1 Ms Densham has provided comments on the draft report and these are attached at Appendix D1.1, page 183. Having considered Ms

Densham's comments I have made changes to the findings of fact numbers 27, 28, 29 and 51.

8.2 Ms Densham's comments on the draft report required additional information to be sought from Mr Milton, Head of Community Governance at Wiltshire Council. Mr Milton's response is attached at Appendix D1.2, page 189 to this report.

9.1 Reasoning as to whether there have been failures to comply with the Code of Conduct

8.3 The Code of Conduct requires that:

- *2(1) - Subject to sub-paragraphs (2) to (5) you must comply with this code whenever you:
(a) conduct the business of your authority (which, in this Code, includes the business of the office to which you are elected or appointed); or
(b) act, claim to act or give the impression you are acting as a representative of your authority,
and references to your official capacity are construed accordingly*

8.4 There are a total of 14 allegations that have been made against Councillor Humphries by Ms Densham. Seven of these allegations relate to alleged events during meetings at which Councillor Humphries was in attendance in his capacity as a member of Wiltshire Council.

8.5 A further 5 allegations relate to emails that Councillor Humphries sent in his capacity as a member of Wiltshire Council and all of which refer to the business of Wiltshire Council.

8.6 One allegation refers to comments made by Councillor Humphries during two telephone calls to Ms Densham in late 2010. Ms Densham confirms that these telephone calls were made about work related matters and there is no evidence to suggest that any telephone calls were made by Councillor Humphries to Ms Densham that were not in connection with work related matters.

8.7 The final allegation refers to the behaviour of Councillor Humphries following a briefing meeting of the Marlborough and Villages Community Area Partnership. It is the evidence of both Ms Densham and Councillor Humphries that, having just come from the meeting, they were discussing work related matters when it started to rain and the conversation continued in Councillor Humphries' car.

8.8 There can, therefore, be little doubt that in respect of all the allegations referred to above Councillor Humphries was conducting the business of

the authority to which he was elected. In this capacity he is required to comply with the Code of Conduct.

Paragraph 3(2)(a) – breach of the equalities enactments

- 8.9 It is alleged that Councillor Humphries has failed to comply with the following paragraph of the Code of Conduct:
- *3(2)(a) – You must not do anything which may cause your authority to breach any of the equality enactments (as defined in section 33 of the Equality Act 2006).*
- 8.10 The Sex Discrimination Act 1975 (which is referred to in Section 33 of the Equality Act 2006) was repealed by section 211(2) of the Equalities Act 2010 (the Act) which repealed all legislation included in schedule 27 of the Act. Therefore the test that needs to be applied is that found within the Equalities Act 2010.
- 8.11 The Equalities Act 2010 refers to harassment where a person engages in unwanted conduct related to sex, race or religion and the conduct has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. When considering whether the conduct creates such an environment, the perception of the recipient, the circumstances, and whether it is reasonable for the conduct to have that effect must be taken into account.
- 8.12 The Equalities Act 2010 also sets out the test for direct and indirect discrimination. Direct discrimination is if one person treats another less favourably because of a protected characteristic. Indirect discrimination is if a person (A) applies to another person (B) a provision, criterion or practice which is discriminatory in relation to a relevant protective characteristic of B. Protective characteristics include sex, race or religion.
- 8.13 The first incident which, if proven, may be capable of breaching the equality enactments is the comment made by Councillor Humphries at a Marlborough Area Board briefing meeting during late 2009 or early 2010. At that meeting Councillor Humphries referred to information provided to [REDACTED] as having disappeared down a black hole.
- 8.14 The test which must be applied here is whether the conduct, i.e. Councillor Humphries comments, were unwanted and had the effect of creating an intimidating, hostile, degrading, humiliating or offensive environment. Clearly Councillor Humphries' comments were not solicited by anyone present at the meeting therefore the assumption is that they were unwanted. In her evidence Ms Densham cites this as an example of Councillor Humphries' unacceptable behaviour and

Councillor Milton refers to the fact that the comments are considered to be racist. There is no doubt that to make such a comment about a black woman is not politically correct, a fact that is acknowledged by Councillor Humphries in his denial of the comments, when he states that he is more politically correct than to make a comment like that. The question is whether these comments created such an environment as defined by the Act. No reference is made by either Ms Densham or Councillor Milton that these comments created such an environment. Councillor Humphries was not challenged by Councillor Milton at the time, although she has challenged him in the past about his behaviour. She admits that there were ongoing issues with ██████████ at the time and she took his comments to mean that if you gave ██████████ some paperwork then nothing further would be seen again.

- 8.15 There is no doubt that Councillor Humphries' choice of words is unwise. Had ██████████ been present at the meeting she may have taken offence, resulting in a comment that was not intended to be racist becoming so. From the evidence gathered during the course of my investigation I would tend to agree with Councillor Milton that Councillor Humphries probably thought that he was making a joke, albeit an unwise one. I do not, however, consider that there is sufficient evidence to confirm that Councillor Humphries created an intimidating, hostile, degrading, humiliating or offensive environment and as such, there is no breach of paragraph 3(2)(a) of the Code of Conduct on the grounds of harassment.
- 8.16 I will now consider whether Councillor Humphries' comments could be considered to be discriminatory. A black hole is an astronomical phenomena where a 'region of space has a gravitational field so intense that no matter or radiation can escape'. The expression has become a common idiom meaning 'a place where money or lost items disappear apparently without trace' (Oxford Dictionary). I have already referred to the fact that Councillor Humphries' choice of words is unwise and I would go on to add that to use the term black hole in a public meeting is particularly unwise when referring to a person rather than an event. It could create a misunderstanding and be considered to be discriminatory. Indeed, the two people present at the meeting considered the comments to be unacceptable and one considered them to be racist.
- 8.17 Looking at whether, by the use of this expression, Councillor Humphries has exhibited indirect discrimination against ██████████ in respect of the protected characteristic of race, it is my opinion that he did not. I accept that Councillor Humphries used this expression to emphasise a lack of response from ██████████. This is supported by the evidence of Councillor Milton who confirms that there were ongoing issues with ██████████ and she took Councillor Humphries' comments to mean that if you gave some paperwork to ██████████ then nothing further would be seen of it. As such, there is no evidence of a breach of

paragraph 3(2)(a) of the Code of Conduct on the grounds of discrimination.

- 8.18 The second incident which, if proven, may be capable of breaching this paragraph of the Code of Conduct is the email that Councillor Humphries sent to Ms Densham on 24 September 2010. The email was sent in connection with the Marlborough Area Board agenda covers in which Councillor Humphries stated 'Also, who is the good looking bird at the bottom, I did not realise that colour photography had been around so long'.
- 8.19 Ms Densham considers this to be unacceptable behaviour whilst Councillor Humphries considers it to be banter between colleagues. The comments were certainly unwanted and in my opinion violate Ms Densham's dignity, not least by the type of language that is used. The use of the term 'bird' is derogatory and is an expression that is used to particularly refer to a female. The type of language used, and the sentiments expressed, whilst being described by Councillor Humphries as something that he would say to anyone as a joke, is clearly something that would not be said to a male colleague. This would create a degrading effect on Ms Densham who, at the time, was new to her role as Community Area Manager. In this context, it is entirely reasonable for Councillor Humphries' comments to have had this effect. I therefore find this incident to be evidence of harassment in breach of paragraph 3(2)(a) of the Code of Conduct.
- 8.20 Looking at whether this incident could be construed as discrimination, Councillor Humphries' comments suggest that Ms Densham is being graded by her appearance. It is unlikely that such a grading would be applied to a male officer and therefore Ms Densham is being treated less favourably because of her sex, a protected characteristic. Whilst this may not have been the intention of Councillor Humphries it is nonetheless a consequence of his actions and as such it is in breach of paragraph 3(2)(a) of the Code of Conduct. Section 149(1) of the Equalities Act requires that public bodies must have due regard to the need to eliminate discrimination, harassment, victimisation and foster good relations between persons who do not share a relevant protected characteristic.
- 8.21 A breach of paragraph 3(2)(a) of the Code of Conduct would also amount to a breach of paragraph 3(1) of the Code of Conduct. However, I have also set out my additional reasons later on in this report as to why I believe that Councillor Humphries' email of 24 September 2010 amounts to a failure to treat Ms Densham with respect.
- 8.22 The third incident which, if proven, may be capable of breaching this paragraph of the Code of Conduct is that which occurred on [REDACTED] following a briefing meeting of [REDACTED] I have found in my report that

Councillor Humphries used the expression 'rod-ing' whilst talking to Ms Densham about the allegations against [REDACTED]

- 8.23 The Equalities Act 2010 is clear that when considering whether an intimidating, hostile, degrading, humiliating or offensive environment has been created by an incident of harassment, the perception of the recipient, the circumstances, and whether it is reasonable for the conduct to have that effect must be taken into account. In her evidence Ms Densham states that she did not feel directly sexually harassed at the time because she had too much else on her mind. As time moved on she began to consider the events as 'grooming' but this was more to do with a perception that Councillor Humphries was thinking that he would share confidential information with her to bond them together.
- 8.24 Having reviewed the evidence, I do not consider that Councillor Humphries' behaviour could be considered to be harassment as defined by the Equalities Act 2010. Whilst I consider Councillor Humphries' use of language to be highly inappropriate and offensive, Ms Densham confirms that she did not feel directly sexually harassed at the time.
- 8.25 However, consideration also needs to be given as to whether Councillor Humphries' behaviour could be construed as discrimination. An online definition of rodding is 'an operation in which a rod is passed through a length of tubing to determine if the bore is clear'. It is important to note that Councillor Humphries used this expression in a sexual context when describing the details of the allegations against [REDACTED]. It is my opinion that the use of this word in a sexual context is degrading to women and, as such, amounts to indirect discrimination. It is discriminatory against a protected characteristic, namely a particular sex. This is in breach of paragraph 3(2)(a) of the Code of Conduct.
- 8.26 A breach of paragraph 3(2)(a) of the Code of Conduct also amounts to a failure to treat others with respect in breach of paragraph 3(1) of the Code of Conduct. This is examined later on in this report.
- 8.27 The fourth incident which may give rise to a breach of this paragraph of the Code of Conduct is the meeting of the Marlborough Community Area Transport Group meeting on 7 October 2010. I have found in my report that at this meeting Councillor Humphries made reference to the fact that Ms Densham had been to his house, stated that she likes/enjoys a nibble, and used inappropriate actions and sexual innuendo to explain how the telescopic poles of the projection screen fit together.
- 8.28 It is important to recognise that Ms Densham was new to her post and that this was the inaugural meeting of the group. Whether or not Councillor Humphries' meant his actions to create a degrading or humiliating environment, it is clear that Ms Densham's perception was

that it had done so. She reported the incident in an email to Mr Rogers and Mr Quinton the following day in which she refers to 'sexually offensive remarks'. It is clear to see why Councillor Humphries' remarks had created a humiliating environment for Ms Densham. His comments and actions were made during the working environment and in a public setting. His words projected an intimacy between himself and Ms Densham to members and officers at a time when Ms Densham was, in her own words, keen to give a good impression. Additionally, Ms Densham had, by now, already been subjected to untoward behaviour from Councillor Humphries over a period of time. This had begun with his email of 1 December 2009 in which he makes reference to her communications with a member of the public as 'bovine effluent', his reference to her in an email dated 24 September 2010 as a 'good looking bird', his use of the term 'rod-ing' in a sexual context, her perception of him stroking her arm on [REDACTED] and his personal conversation with her about her children also on [REDACTED]. Furthermore, immediately after the meeting Councillor Humphries used further innuendo in connection with the telescopic poles of the projector which, whether intentional or not, was unfortunately closely aligned in nature to the use of the word 'rod-ing'.

- 8.29 Although I do not consider that Councillor Humphries' remark that Ms Densham had been to his house is capable of breaching the Code of Conduct, the nature of Councillor Humphries comments about Ms Densham 'enjoying a nibble' could reasonably be perceived as being of a sexual nature. Likewise his innuendo about how the poles of the projector slide into each other is also of an overtly sexual nature. I therefore consider that it is reasonable for Ms Densham to have taken the view that Councillor Humphries behaviour was sexually offensive and, in my view, it created an offensive and humiliating environment. This is in breach of paragraph 3(2)(a) of the Code of Conduct.
- 8.30 A breach of paragraph 3(2)(a) of the Code of Conduct would also amount to a breach of paragraph 3(1) of the Code of Conduct. However, I have also set out my additional reasons later on in this report as to why I believe that Councillor Humphries' actions of 7 October 2010 amount to a failure to treat Ms Densham with respect.
- 8.31 The fifth incident which, if proven, may be capable of breaching paragraph 3(2)(a) of the Code of Conduct is an email sent by Councillor Humphries to Ms Densham on 20 October 2010. The email was sent in connection with a new photograph that had been taken of Councillor Humphries for area board purposes. Ms Densham had asked Councillor Humphries 'Hope you like the attached' to which he replied 'More to the point do you!?' Ms Densham cites this as another example of Councillor Humphries' unacceptable behaviour, whereas Councillor Humphries refers to it as being a continuation of their previous discussion about the photographs that he had had taken.

- 8.32 It is important to note that this incident occurred shortly after Ms Densham had made a personal approach to Councillor Humphries on 7 October 2010 about what she considered to be the offensive nature of his remarks, a challenge to which Councillor Humphries had replied 'thank you for your advice today, it will be heeded'. Yet, less than two weeks later, Councillor Humphries was making personal references to Ms Densham.
- 8.33 Whilst I am unable to state with any certainty that this amounts to harassment by the violation of Ms Densham's dignity it is, in my opinion, an unwise statement to make under the circumstances. There is insufficient evidence to confirm what previous discussions had taken place in connection with the photograph and I do not feel able to make assumptions about the tone of Councillor Humphries' comments. Ms Densham did not consider the incident sufficiently degrading, humiliating or offensive to challenge the matter at the time or raise it with her line manager. I am unable to find a breach of paragraph 3(2)(a) in respect of this particular incident.
- 8.34 The sixth incident which, if proven, may be capable of breaching paragraph 3(2)(a) of the Code of Conduct is that which occurred on 25 January 2011 at the Marlborough Community Area Transport Group meeting. At this meeting Councillor Humphries grabbed Ms Densham's scarf and made a playful gesture as if to strangle her with it. In doing so, the back of Councillor Humphries' hand was in contact with Ms Densham's body.
- 8.35 Any intentional unsolicited physical contact in the workplace may amount to unwanted sexual conduct. It has been suggested by Mr Milton that Councillor Humphries would consider this sort of behaviour as a non-threatening humorous act. However, he is also aware from the meeting that he and Mr Rogers had with Ms Densham on 3 February 2011 that Ms Densham found the act to be very intimidating. There is a lot of evidence within this report of the sort of behaviour exhibited by Councillor Humphries which has been described by some witnesses as not always being appropriate but not being done with the intention to cause offence. Whatever the purpose of Councillor Humphries actions it had the effect of violating Ms Densham's dignity. I consider Ms Densham's reaction of feeling intimidated to be a perfectly reasonable reaction to an act which was so very personal by its nature and which is not expected in the working environment. I therefore find a breach of paragraph 3(2)(a).
- 8.36 As mentioned previously, a breach of paragraph 3(2)(a) of the Code of Conduct also amounts to a breach of paragraph 3(1) of the Code of Conduct. However, I have also set out my additional reasons later on in this report as to why I believe that Councillor Humphries' actions of 25 January 2011 amount to a failure to treat Ms Densham with respect.

Paragraph 3(1) – respect

- 8.37 It is also alleged that Councillor Humphries has failed to comply with the following paragraph of the Code of Conduct:
- *3(1) – you must treat others with respect.*
- 8.38 Standards for England guidance states that whilst ideas and policies may be robustly criticised, individuals should not be subject to unreasonable or excessive personal attack. This particularly applies to dealing with the public and officers.
- 8.39 On 10 December 2009 Councillor Humphries sent an email to Ms Densham in which he states ‘Well done, I could not have thought of such bovine effluent as this!!’ Earlier in my report I have found that Councillor Humphries’ comments are to be interpreted as meaning that he considered the contents of Ms Densham’s email to be a load of bullshit.
- 8.40 Councillor Humphries has used words in his email which suggest that Ms Densham has ‘bullshitted’. Ms Densham is in a professional role whereby integrity and honesty is important. Furthermore it is part of Wiltshire Council’s business plan that the Council will be open and transparent, which is synonymous with honesty and integrity. To suggest that Ms Densham has acted in a less than honest manner to a member of the public is, in my opinion, a failure by Councillor Humphries to treat Ms Densham with respect. An attack on the veracity of Ms Densham is an unreasonable personal attack upon her professionalism.
- 8.41 Turning to the comments made by Councillor Humphries at a Marlborough Area Board briefing meeting in late 2009 or early 2010 about information provided to ██████████ having disappeared down a black hole, this was not a personal attack upon Ms Densham herself and as such does not breach paragraph 3(1) of the Code of Conduct.
- 8.42 In my report I have found that at the Marlborough Area Briefing meeting on 26 August 2010 Councillor Humphries used the term ‘abortion of a mess’ to refer to something that had gone wrong. Two female officers, Ms Densham and Ms Scott were present at this meeting, together with a male colleague, Councillor Fogg.
- 8.43 It has been suggested by Councillor Humphries that if he had used this expression then he would have done so on the basis of it being an ordinary English language noun which is used to describe something that has gone wrong. The reaction from Ms Scott to this expression being used was one of shock and she sent an email later the same day to her manager Mr Milton. Likewise, Ms Densham states that she was shell shocked by the behaviour of Councillor Humphries.

- 8.44 In his evidence Councillor Fogg states that, although he did not hear Councillor Humphries use this expression, he would not consider it to be offensive had he done so. He does, however, add that it is not a form of words that he would use himself. Although Mr Martin Cook, Chairman of MADT was not present at this meeting and was not questioned about this incident, in his interview he told the investigating officer that he had heard Councillor Humphries use the term 'abortion of an exercise' at another meeting. Mr Cook's response to this was to raise his eyebrows. Mr Cook, like Councillor Fogg, states that this is not an expression that he would have chosen to say himself.
- 8.45 The Oxford dictionary defines one of the meanings of abortion as 'an object or undertaking that is unpleasant or badly made or carried out'. This supports the evidence of Councillor Humphries that the word abortion is in common usage. Also, I have already found earlier in my report that Councillor Humphries did use the expression to refer to something that had gone wrong. Although this appears to be an expression in common usage I do consider that, used in a public meeting, it could be viewed as being disrespectful to women. It is an unwise comment to make and two female officers present at the meeting were shocked by what they heard. However, Councillor Humphries' comments were not addressed directly at a specific woman and for this reason I do not find a breach of paragraph 3(1) of the Code of Conduct.
- 8.46 On 24 September 2010 Councillor Humphries sent an email to Ms Densham in connection with the Marlborough Area Board agenda covers stating 'Also, who is the good looking bird at the bottom?, I did not realise that colour photography had been around so long'. I have found this to be a breach of paragraph 3(2)(a) of the Code of Conduct.
- 8.47 Ms Densham considers this to be unacceptable behaviour whilst Councillor Humphries considers it to be banter between colleagues. In considering whether it amounts to a failure to treat Ms Densham with respect I have to consider whether it amounts to an unreasonable or excessive personal attack. Ms Densham found the behaviour to be unacceptable and I agree that it is both unacceptable and inappropriate. It is not what is expected in the workplace and not the kind of response that is expected from a colleague in respect of a general work related enquiry. By the same reasoning, I also consider this it amounts to an unreasonable personal attack in breach of paragraph 3(1) of the Code of Conduct.
- 8.48 On [REDACTED] Councillor Humphries used the expression 'rod-ing' in a sexual context when referring to the allegations that had been made about [REDACTED]. I have found Councillor Humphries' comments to be in breach of paragraph 3(2)(a) of the Code of Conduct which would also amount to a failure to treat a person with respect in breach of paragraph 3(1). My

additional comments on why this would amount to a failure to treat others with respect as outlined below.

- 8.49 Although Ms Densham states that she did not feel sexually harassed at the time, it should be noted that this conversation was taking place in a confined environment with no one else present. It is my view that this expression, when used in a sexual context, is degrading to women. It should also be noted that this expression was used by a male councillor to a female member of staff during a conversation that Ms Densham expected to be a continuation of a discussion about area board matters. It was highly inappropriate of Councillor Humphries to use this expression under these circumstances and I consider that this amounts to an unreasonable personal attack on Ms Densham when put into this context. As such it is my view that this is in breach of paragraph 3(1) of the Code of Conduct.
- 8.50 With regard to the meeting of the Marlborough Community Area Transport Group on 7 October 2010 I have made a finding of fact in my report that Councillor Humphries made a comment at the meeting about the fact that Ms Densham had been to his house. He also made a comment that Ms Densham liked/enjoyed a nibble and he used inappropriate actions and innuendo to explain how the telescopic poles of the projection screen fit together.
- 8.51 I have found Councillor Humphries' comments about liking/enjoying a nibble and his actions and innuendo with regard to the telescopic poles to be a failure to comply with the equality enactments in breach of paragraph 3(2)(a) of the Code of Conduct. A breach of the Equality Act 2010 also amounts to a failure to treat a person with respect in breach of paragraph 3(1) of the Code of Conduct. However, I have provided my additional comments below to support my view as to why this would amount to a failure to treat others with respect.
- 8.52 Looking first at whether Councillor Humphries comments about Ms Densham having been to his house could be considered to be unreasonable or excessive, the fact of the matter is that Ms Densham had actually been to Councillor Humphries' house on Council business. In her complaint Ms Densham says that she wonders why Councillor Humphries had made such an off the wall remark. This was the first Marlborough Community Area Transport Group meeting that Ms Densham had attended and, as she states in her evidence, she was keen to give a good impression. Mr Cook heard Councillor Humphries remark but thought nothing of it himself as it is a fact that officers do sometimes visit Councillors private homes. There is no mention of the time of the visit to his house and it is not suggested that Councillor Humphries was trying to imply that it took place out of office hours. Indeed, Ms Densham herself pointed out to those present at the meeting that Mr Rogers had also been present at the visit to his house.

- 8.53 For the reasons provided above I do not find this remark, which was factually accurate, to be unreasonable or excessive. I therefore do not find that this amounts to a breach of paragraph 3(1) of the Code of Conduct.
- 8.54 Turning to Councillor Humphries' comments about Ms Densham nibbling biscuits, it is alleged by Ms Densham that these comments were said to imply that Councillor Humphries had insider information about what her predilections were.
- 8.55 Councillor Humphries states in his evidence that the term 'nibbles' is one that is used in everyday language and he produced an example of how it has been used in relation to 'drinks and nibbles'.
- 8.56 The difference is, however, that Councillor Humphries' comments were made with reference to a specific individual. Ms Densham felt so troubled by these comments that she felt the need to challenge Councillor Humphries about them, to which he responded later the same day that her advice will be heeded. It is important also to reflect that this was the inaugural meeting of the Marlborough Community Area Transport Group and that Ms Densham was new to her role. Whilst Councillor Humphries' comments may be perceived as merely banter by some people present at the meeting, such as Councillor Kirk Wilson, other people present may not take the same view. There is a lot of evidence about Councillor Humphries' general behaviour in meetings which is explored later on in this report, and it is clear from this evidence that there are a wide range of views as to the meaning and impact of the comments made by Councillor Humphries. On this occasion Ms Densham was clearly concerned and, under the circumstances, whilst I do not consider that Councillor Humphries' comments would have left people questioning the nature of Ms Densham's relationship with him, I do consider them to be unreasonable in their personal nature. This would amount to a breach of paragraph 3(1) of the Code of Conduct.
- 8.57 I have made a finding in my report that at this same meeting Councillor Humphries used inappropriate actions and sexual innuendo to explain to Ms Densham how the telescopic poles of the projector fit together. There is no doubt that this behaviour is an unreasonable personal attack upon Ms Densham. Although Councillor Humphries' actions had only one potential witness, Councillor Kirk Wilson, they were made in a working environment where such actions are not expected or acceptable. This is in breach of paragraph 3(1) of the Code of Conduct.
- 8.58 I will turn now to the email sent to Ms Densham by Councillor Humphries on 20 October 2010 in connection of a new photograph of himself area board purposes. When asked by Ms Densham if he liked the photograph Councillor Humphries replied 'More to the point do you!?' It has been suggested by Councillor Humphries that his email was a continuation of a previous discussion with Ms Densham about

his photograph. Whatever the background to the comment, it is unwise to ask an officer a question of a personal nature as it puts the officer in an awkward position. The question is whether this amounts to an unreasonable or excessive personal attack on Ms Densham. As mentioned previously, the tone of the comment is not conveyed in the email, and the words themselves do not amount to a personal attack on Ms Densham. As such it is not a failure to treat Ms Densham with respect as defined by paragraph 3(1) of the Code of Conduct.

- 8.59 With regard to the meeting of the Marlborough Community Area Transport Group on 25 January 2011, I have found in my report that Councillor Humphries' behaviour in grabbing Ms Densham's scarf and making as if to try to strangle her with it to be a failure to comply with the equality enactments in breach of paragraph 3(2)(a) of the Code of Conduct. A breach of the Equality Act 2010 also amounts to a failure to treat a person with respect in breach of paragraph 3(1) of the Code of Conduct. I have also provided my additional comments below to support my view as to why this would amount to a failure to treat others with respect.
- 8.60 Standards for England guidance refers to 'unreasonable or excessive personal attack'. There is no doubt that the attack upon Ms Densham was personal and I would certainly consider such close physical contact as being excessive in the workplace. Councillor Humphries was already aware from a conversation with Ms Densham on 7 October 2010 that she had had concerns about his behaviour, to which he responded 'thank you for your advice today, it will be heeded'. Given the concerns raised previously by Ms Densham I consider Councillor Humphries' behaviour with the knotted scarf to be particularly unreasonable.
- 8.61 Turning to the email sent by Councillor Humphries on 6 June 2011 over a mix up in the timings of briefing meetings, I find nothing to suggest an unreasonable or excessive personal attack on Ms Densham in Councillor Humphries' comment 'If you have brought forward the briefing time then please advise me'. This is a simple request made by Councillor Humphries which is polite in its manner and in my opinion does not fail to treat Ms Densham with respect and does not breach paragraph 3(1) of the Code of Conduct.
- 8.62 On 17 August 2011 Councillor Humphries sent an email to Ms Densham asking her to deal with a request to visit the Compton Bassett Recycling Plant. Ms Densham cites this as an example of Councillor Humphries 'taking the mickey' however I do not consider that it reaches the threshold of failing to treat her with respect. It is not an unreasonable or excessive personal attack on Ms Densham. It is merely a request for assistance which, even if it was misplaced, was rectified by Councillor Humphries following up the matter with an alternative colleague when he received no response from Ms Densham. Councillor Humphries did not press the point with Ms

Densham, he merely sought the answer that he required elsewhere. As such, I do not find a breach of paragraph 3(1) of the Code of Conduct.

- 8.63 The final incident raised by Ms Densham and which could potentially amount to a breach of paragraph 3(1) of the Code of Conduct is that which occurred on 7 June 2011 at the Marlborough Area Board briefing meeting.
- 8.64 I have found in my report that at this meeting Councillor Humphries referred to Ms Densham's performance in a negative manner and used the word 'crap'. This was in front of Mr Roberts, who is a colleague and contemporary of Ms Densham, and who witnessed the behaviour. Comments such as those made by Councillor Humphries in circumstances such as these would no doubt leave an officer feeling undermined. This view is shared by Mr Roberts who states in his evidence that he got the impression that Councillor Humphries was trying to undermine Ms Densham with his comments. This is a telling observation from an officer who has known Councillor Humphries since 1992 or 1993 and, although he does not feel intimidated by Councillor Humphries himself, he could see the effect that these comments had on Ms Densham.
- 8.65 There is no doubt, having reviewed the evidence, that Councillor Humphries failed to treat Ms Densham with respect by subjecting her to a personal attack. This is an attack which appears to be excessive and unjustified. If Councillor Humphries did have an issue with Ms Densham's performance, and it is not suggested that he did, then this should be taken through the appropriate channels. If a councillor is trying to resolve a performance matter informally then they should raise it in private and if they wish to raise it formally then they should follow due process. Councillor Humphries' comments were made in public, in front of another officer, and undermined Ms Densham. For these reasons this incident amounts to a failure to treat Ms Densham with respect in breach of paragraph 3(1) of the Code of Conduct.

Paragraph 3(2)(b) – bullying

- 8.66 It is also alleged that Councillor Humphries has failed to comply with the following paragraph of the Code of Conduct:
- *3(2)(b) – you must not bully any person.*
- 8.67 Standards for England guidance states that bullying may be characterised as offensive, intimidating, malicious, insulting or humiliating behaviour. Such behaviour may happen once or be part of a pattern of behaviour directed at a weaker person or person over whom you have some actual or perceived influence. Bullying behaviour tends to undermine an individual or a group of individuals, is

detrimental to their confidence and capability, and may adversely affect their health.

- 8.68 Firstly, I will look, in turn, at the specific incidents that have been cited by Ms Densham as examples of Councillor Humphries' inappropriate behaviour and which, if proven, may fall within the remit of bullying. I will seek to determine whether each of these incidents could be regarded as being of an offensive, intimidating, malicious, insulting or intimidating nature.
- 8.69 On 10 December 2009 Councillor Humphries sent an email to Ms Densham in which he states 'Well done, I could not have thought of such bovine effluent as this'. Earlier in my report I have concluded that Councillor Humphries was inferring that Ms Densham had bullshitted a member of the public. At the time of this email Ms Densham had just that month taken up the role of temporary Marlborough Community Area Manager. She was in a very new environment and it could reasonably be perceived that Councillor Humphries had some influence over her in his position as Chairman of the Marlborough Area Board. Councillor Humphries' attack on the honesty and integrity of Ms Densham is insulting to her professionalism and I find that it is therefore amounts to bullying in breach of paragraph 3(2)(b) of the Code of Conduct.
- 8.70 On 20 October 2010 Councillor Humphries sent Ms Densham an email in connection of a new photograph of himself area board purposes. Ms Densham had asked Councillor Humphries 'Hope you like the attached?' to which he replied 'More to the point do you!?' Ms Densham cites this as another example of Councillor Humphries' unacceptable behaviour whereas Councillor Humphries refers to it as being a continuation of their previous discussion about the photographs that he had had taken. I do not consider this incident, on its own, to be capable of reaching the threshold of bullying. I do not consider it to be an attempt to undermine Ms Densham or to be detrimental to her confidence or capability, as required by the definition of bullying set out by Standards for England.
- 8.71 On 6 June 2011 Councillor Humphries sent an email to Ms Densham in response to a mix up over the timings of briefing meetings. In his email Councillor Humphries asks Ms Densham 'If you have brought forward the briefing time then please advise me'. Ms Densham cites this as another example of Councillor Humphries unacceptable behaviour. I, however, agree with Councillor Humphries' assertion that it is a simple request. His email is polite, using words such as 'if' and 'please' and I do not consider it to be unacceptable. Neither does it reach the Standards for England threshold of bullying for which it would have to be either offensive, intimidating, malicious, insulting or humiliating.
- 8.72 On 17 August 2011 Councillor Humphries sent an email to Ms Densham asking her to deal with a request to visit the Compton

Bassett Recycling Plant. Ms Densham did not consider that this was a matter that she should be dealing with and she did not respond, citing it in her complaint as an example of Councillor Humphries 'taking the mickey'. However, it should be noted that Councillor Humphries had also copied this email to Mr James Hazelwood, Democratic Services Officer, and when he got no response from Ms Densham he forwarded the request to Mr Andy Conn, Head of Waste Management at Wiltshire Council. I consider that it was reasonable for Councillor Humphries to forward the request to Ms Densham in the first instance given the level of day to day contact that their respective roles with the Marlborough Area Board provided. I do not consider that there was an underlying motive for the request, especially given that it was not only sent to Ms Densham but also copied to another officer with whom Councillor Humphries had regular contact. He did not pursue the matter with Ms Densham when he failed to get a response and there was no attempt to bully Ms Densham. Therefore I do not consider that this incident is capable of reaching the threshold of bullying as defined by Standards for England.

- 8.73 There is a further incident raised by Ms Densham in her complaint that do not fall within the remit of bullying. This is the comment made by Councillor Humphries at a Marlborough Area Board briefing meeting in late 2009 or early 2010 about information provided to [REDACTED] having disappeared down a black hole. There is no evidence to suggest that this was directed at a weaker person or a person over whom Councillor Humphries had some influence. It is therefore not capable of breaching paragraph 3(2)(b) of the Code of Conduct.
- 8.74 There are a number of other allegations that have been made by Ms Densham that I have not yet examined with regard to whether they are individually capable of amounting to bullying.
- 8.75 With regard to five of these incidents I have found a breach of paragraph 3(1) of the Code of Conduct in that they have failed to treat Ms Densham with respect. The first incident is an email sent by Councillor Humphries to Ms Densham on 24 September 2010 in which he states 'Also, who is the good looking bird at the bottom? I did not realise colour photography had been around so long. The second incident took place on [REDACTED] when Councillor Humphries used the expression 'rod-ing' in a sexual context. The third incident took place at a meeting of the Marlborough Community Area Transport Group on 7 October 2010. At this meeting Councillor Humphries made unreasonable comments about Ms Densham nibbling biscuits and also an unreasonable personal attack on Ms Densham with the use of inappropriate actions and sexual innuendo in connection with the projector. The fourth incident is that which occurred at a meeting of the Marlborough Community Area Transport Group on 25 January 2011. I have found that Councillor Humphries exhibited unreasonable behaviour by grabbing the knotted scarf around Ms Densham's neck and making as if to strangle her with it. The fifth of these incidents is

that which occurred on 7 June 2011 at the Marlborough Area Board briefing meeting. At this meeting Councillor Humphries referred to Ms Densham's performance in a negative manner and used the word 'crap', which was an excessive and unjustified personal attack on Ms Densham.

- 8.76 Four of these incidents have also been found to be in breach of the equality enactments, namely those incidents that occurred on 24 September 2010, [REDACTED] 7 October 2010 and 25 January 2011.
- 8.77 Standards for England guidance refers to patterns of behaviour. In summary, I have found that on five occasions between 24 September 2010 and 7 June 2011 Councillor Humphries failed to show Ms Densham respect. On four of these occasions Councillor Humphries' behaviour also amounted to a breach of the equality enactments. In total, nine breaches of the Code of Conduct occurred over a period of nine months.
- 8.78 There is one further incident, that which occurred on 20 October 2010, which I have not yet referred to. This is the occasion where Councillor Humphries replied to Ms Densham's question about whether he liked a photograph of himself with the comment, 'more to the point to you?!' It should be noted that, although I have not found Councillor Humphries' comments to reach the threshold of failing to treat someone with respect or to be in breach of the equality enactments, this personal comment to Ms Densham was made less than two weeks after she had challenged him about making offensive remarks. Such personal comments as these are unwise when you have regard to the past history of dialogue between Ms Densham and Councillor Humphries.
- 8.79 It is important to remember that Ms Densham was offered the post of Marlborough Community Area Manager in June 2010 and that she took up some of her duties some time to the expiry of her 3 month notice period in September 2010. These breaches of the Code of Conduct began as soon as Ms Densham took up her post. At the time of these breaches of the Code of Conduct Ms Densham was either not yet formally in post or very new to her post and keen to make a good impression. The incidents referred to above all contain either offensive or humiliating behaviour and it is fair to say that, being new to her role, Ms Densham could be perceived as a person over whom Councillor Humphries had some influence. On this basis, this pattern of behaviour would amount to a bullying in breach of paragraph 3(2)(b) of the Code of Conduct.
- 8.80 The Standards for England guidance also refers to bullying behaviour as that which attempts to undermine an individual or group of individuals, is detrimental to their confidence and capability and may adversely affect their health.

- 8.81 This investigation has produced a lot of evidence about the nature and intention of Councillor Humphries' comments at times. Mr Roberts, who has worked with Councillor Humphries since 1992 or 1993, states that in that time he has always perceived Councillor Humphries to be a bit of a bully and that his demeanour could be found by some people to be intimidating. He adds that Councillor Humphries attempts to undermine people by making dismissive comments in a public arena although he himself does not feel intimidated by him and neither does he feel intimidated by a lot of people. Mr Cook, who has known Councillor Humphries in a professional capacity since 1996, states that Councillor Humphries is someone who shoots from the hip and that it is his way to make comments using innuendo. In his view Councillor Humphries' comments could be construed as belittling and degrading, depending on a person's background and the context in which they are taken. Councillor Milton, who has worked with Councillor Humphries since 2009 states that his manner has always been one of constant niggling and undermining. Mr Milton's view is that Councillor Humphries can on occasion be bluff in manner. He has never been personally offended by Councillor Humphries' behaviour but he can understand why this might have affected Ms Densham differently. Mr Rogers states that the way Councillor Humphries' operates could, in his opinion, at times be perceived as bullying.
- 8.82 On 3 February 2011 Ms Densham met with her line manager, Mr Rogers, and the Head of Community Governance, Mr Milton. At this meeting it was clear to Mr Milton, from what Ms Densham was telling them, that Ms Densham needed some additional support. A meeting with Human Resources was initially suggested as one of the potential support measures but this was not arranged and alternative measures were put into place. These are documented in Mr Milton's additional evidence at Appendix D1.2, page 193).
- 8.83 Having considered the above I find this pattern of behaviour to be undermining to Ms Densham and justifiably detrimental to her confidence and capability. This evidence adds support to a finding of a breach of paragraph 3(2)(b) of the Code of Conduct.
- 8.84 Councillor Humphries has himself produced evidence of positive feedback about the way he conducts himself at area board meetings. He states that he would not have received such positive feedback if he had been behaving in the manner suggested by Ms Densham. However, what is being investigated is a pattern of behaviour towards one particular person which is unlikely to be reflected in the general observations of the members of the public attending relatively infrequent area board meetings.

[REDACTED]

8.85

[REDACTED]

[REDACTED]

8.86 I have found in my report that on [REDACTED] following a meeting of the Marlborough and Villages Community Area Partnership, Councillor Humphries made reference to the specifics of the allegations against the [REDACTED]

8.87 On 18 November 2010 at a Marlborough Area Board briefing meeting Councillor Humphries again made reference to specific allegations against [REDACTED] in respect of his alleged behaviour [REDACTED] and to some prior allegations made against him.

8.88 During his interview with the Investigating Officer Councillor Humphries provided evidence to show that the allegations [REDACTED]

8.89

[REDACTED]

8.90



8.91



10 Finding

- 10.1 It is clear from the evidence gathered during my investigation that Councillor Humphries has a particular manner in his communications that, whilst some people do not consider it to be offensive, can be found to be offensive by others. I accept that it is not necessarily Councillor Humphries' intention to cause offence, a sentiment that is echoed by Councillor Humphries himself. There is evidence of a banter between Councillor Humphries and officers, including Ms Densham, which taken in isolation and in a certain set of circumstances, would not cause offence. Nevertheless, there are quite a significant number of occasions which, taken as a pattern of behaviour, have caused offence to Ms Densham.
- 10.2 Ms Densham viewed this cumulation of events as a breakdown in communications between herself and Councillor Humphries. Ms Densham did raise her concerns directly with Councillor Humphries on 7 October 2010 and again with Mr Milton and Mr Rogers on 3 February 2011.
- 10.3 Whilst I do not condone the behaviour of Councillor Humphries it is unfortunate that the effects of his behaviour were not formally made known to him other than by Ms Densham on 7 October 2010. Mr Milton also had a conversation with Councillor Humphries sometime after 7 October although the exact date is not known. Mr Milton states in his evidence that he was reassured at the time that the relationship between Councillor Humphries and Ms Densham was being managed in a mature and effective manner. The evidence gathered indicates a style of behaviour that has been exhibited by Councillor Humphries for many years and it is unfortunate that he had not been formally made aware of this potentially offensive behaviour earlier. Councillor

Humphries himself acknowledges that he is not the most politically correct person in life.

10.4 It is also clear from the evidence gathered during the investigation that there are some difficulties and tensions connected with the work of the Marlborough Area Board and it was these difficulties that Ms Densham also discussed with Mr Milton and Mr Rogers on 3 February 2011. There has also been evidence produced of the good working relationship that has also existed between Councillor Humphries and Ms Densham. Nevertheless, Ms Densham found the effects of Councillor Humphries' personal behaviour on a number of occasions to be of sufficient severity to warrant a formal complaint.

10.5 Having considered the evidence gathered during the investigation and the specific requirements of the Code of Conduct I make a finding that Councillor Humphries has breached the following paragraphs of the Code of Conduct:

- 3(1) – you must treat others with respect
- 3(2)(a) – you must not do anything which may cause your authority to breach any of the equality enactments(as defined in section 33 of the Equality Act 2006)
- 3(2)(b) you must not bully any person

10.6



10.7 A table detailing which of the allegations have been found to breach which specific paragraph of the Code of Conduct is attached at Appendix B3.4, page 172.

Appendix A

Schedule of findings of fact

Case No: WC 39/11

General	
1.	Councillor Christopher Humphries was at the relevant time a member of Wiltshire Council.
2.	Councillor Humphries is the Chairman of the Marlborough Area Board.
3.	Ms Densham was from 1 April 2009 to November 2009 the Senior Democratic Services Officer to the Marlborough Area Board.
4.	From December 2009 to February 2010 Ms Densham took on the role of temporary Marlborough Community Area Manager, before returning to her substantive role in Democratic Services.
5.	In June 2010 Ms Densham was offered the post of Marlborough Community Area Manager on a permanent basis. Towards the end of her three month notice period she began to take on some of her new responsibilities.
1 December 2009	
6.	On 1 December 2009 Councillor Humphries sent an email to Ms Densham in which he states 'Well done, I could not have thought of such bovine effluent as this!!'
7.	Councillor Humphries sent his email in response to an email from Ms Densham an applicant for a grant from the Area Board, and which had been copied to him.
8.	Councillor Humphries' email of 1 December 2009 expresses his view that he considers Ms Densham's initial email to contain a load of bullshit.
Late 2009 or early 2010	
9.	A briefing meeting of the Marlborough Area Board was held in late 2009 or early 2010 at which Ms Densham, Councillor Humphries and Councillor Milton were present.
10.	At that meeting Councillor Humphries made reference to information having disappeared down a black hole in connection with [REDACTED]
26 August 2010	
11.	On 26 August 2010 a briefing meeting of the Marlborough Area Board was held. The meeting was attended by Councillor Humphries, Ms Densham, Ms K Scott and Councillor N Fogg.
12.	No objections were raised at the meeting to any bad language that had been used by anyone present.
13.	At the meeting Councillor Humphries used the term 'abortion of a mess'.
14.	Later the same day Ms Scott sent an email to Mr Steve Milton expressing her views about the meeting.
24 September 2010	
15.	On 24 September 2010 Ms Densham sent an email to Councillor Humphries asking him to approve new Marlborough Area Board agenda covers.

16.	Councillor Humphries replied to Ms Densham by email on the same day. His email included the phrase 'Also who is the good looking bird at the bottom? I did not realise that colour photography had been around so long'. These comments were directed towards Ms Densham.
17.	██████████ a meeting of the Marlborough and Villages Community Area Partnership was held at ██████████ Councillor Humphries and Ms Densham were both present at the meeting.
18.	After the meeting had finished Councillor Humphries and Ms Densham were having a discussion outside ██████████ when it started to rain.
19.	Councillor Humphries invited Ms Densham to finish the conversation in his car, to which she agreed. The conversation turned towards the allegations surrounding ██████████
20.	The conversation about ██████████ arose as a result of discussions about ██████████ (Amended since the draft report as a result of Councillor Humphries' additional comments – see Appendix C1.1, page 179)
21.	Councillor Humphries made reference to the specifics of the allegations about ██████████ and, in doing so, used the expression 'rod-ing'.
22.	Councillor Humphries did not stroke Ms Densham's arm.
23.	A conversation took place between Ms Densham and Councillor Humphries about Ms Densham's children although it is unclear what questions were asked by Councillor Humphries and exactly what information was exchanged.
	7 October 2010
24.	On 7 October 2010 a meeting of the Marlborough Community Area Transport Group meeting was held. Present at that meeting were, amongst others, Ms Densham, Councillor Humphries, Councillor P Dow, Councillor A Kirk Wilson and Mr M Cook, Highways Engineer.
25.	Prior to the meeting Ms Densham and Mr Rogers had attended a meeting at Councillor Humphries' house.
26.	At the meeting on 7 October 2010 Councillor Humphries made a comment about the fact that Ms Densham had been to his house
27.	At the meeting Councillor Humphries made a comment about Ms Densham liking/enjoying a nibble. The only comments made at the meeting to nibbling were those made by Councillor Humphries. Councillor Humphries' comments were challenged by Ms Densham and Councillor Dow at the time. (Amended since the draft report as a result of Ms Densham's additional comments – see Appendix D1.1, page 183)
28.	At the meeting Councillor Humphries used inappropriate actions and sexual innuendo to explain how the telescopic poles of the projection screen fit together. (Amended since the draft report as a result of Ms Densham's additional comments – see Appendix D1.1, page 183)

29.	Immediately after the meeting Ms Densham challenged Councillor Humphries about comments made by him at the meeting that she likes/enjoys a nibble'. (Amended since the draft report as a result of both Councillor Humphries' and Ms Densham's additional comments – see Appendices C1.1, page 179 and D1.1, page 183)
30.	Later that same day Councillor Humphries sent an email to Ms Densham in which he writes 'Thank you for your advice today, it will be heeded'.
31.	Ms Densham forwarded this email to Mr Rogers and Mr Milton on 8 October 2010, adding her comments about what took place at the Transport Group meeting the previous day.
	20 October 2010
32.	On 20 October 2010 Ms Densham sent an email to Councillor Humphries enclosing a new photograph of him that had been taken for area board purposes, asking him 'hope you like the attached'.
33.	Councillor Humphries replied that same day saying 'Thank you, more to the point do you!?'.
	18 November 2010
34.	On 18 November 2010 a meeting of the Marlborough Area Board was held. Present at that meeting were Ms Densham, Councillor Humphries, Mr Fielding and Councillor Milton.
35.	Councillor Humphries made reference at that meeting to specific allegations against ██████████ regarding his alleged behaviour ██████████ ██████████ and about some prior allegations made against him.
36.	No suggestion was made at the meeting ██████████ ██████████
37.	Councillor Humphries was not challenged about these comments at the time.
	End of 2010
38.	Councillor Humphries did not ask Ms Densham about her domestic arrangements on two occasions towards the end of 2010.
	25 January 2011
39.	On 25 January 2011 a meeting of the Marlborough Community Area Transport Group was held. Ms Densham and Councillor Humphries both attended the meeting.
40.	As Councillor Humphries entered the room he walked towards Ms Densham and grabbed her scarf, making a playful gesture as if to strangle her with it. As he did so the back of his hand was in contact with her body. He picked up the knot of her scarf and moved it upwards towards her chin. He then let go and sat down.
	6 June 2011
41.	On 6 June 2011 Councillor Humphries sent Ms Densham an email in response to a mix up over the timings of briefing meetings. In his email Councillor Humphries asks Ms Densham 'If you have brought forward the briefing time then please advise me'.
	7 June 2011
42.	On 7 June 2011 a briefing meeting of the Marlborough Area Board was held. Ms Densham, Councillor Humphries and Mr Dave Roberts attended the meeting.

43.	At the time there were issues concerning the Area Board's relationship with MaVCAP. (Amended since the draft report as a result of Councillor Humphries' additional comments – see Appendix C1.1, page 179)
44.	At the meeting Councillor Humphries made it clear that he would not be taking into account the advice of Steve Milton but he did not express this in terms of 'Steve Milton can fuck off' or 'Steve Milton can go to hell'.
45.	Councillor Humphries' comments about Mr Milton were said in a forceful manner.
46.	At the meeting Councillor Humphries referred to Ms Densham's performance in a negative manner and used the word 'crap'.
47.	Later on in the meeting Councillor Humphries silenced Mr Roberts with a dismissive hand gesture.
48.	On 8 June 2011 Ms Densham sent an email to Councillor Milton about the briefing meeting that had been held on 7 June 2011 and which Councillor Milton had missed.
	17 August 2010
49.	On 17 August 2011 Councillor Humphries sent an email to Ms Densham asking her whether she would be able to deal with a request to organise a visit to the Compton Bassett recycling plant. Councillor Humphries' email was also copied to Mr James Hazelwood, Senior Democratic Services Officer. (Amended since the draft report as a result of Councillor Humphries' additional comments – see Appendix C1.1, page 179)
50.	Ms Densham did not respond and on 21 August 2011 Councillor Humphries forwarded the original request to Mr A Conn, Head of Waste Management, asking how best to progress the matter. Mr Conn replied on 22 August 2011. (Amended since the draft report as a result of Councillor Humphries' additional comments – see Appendix C1.1, page 179)
51.	At the time that Councillor Humphries sent his email to Ms Densham on 17 August 2011 about the visit to the Compton Bassett Recycling Plant, he had not been advised to have no further email correspondence with her. He was advised of the new contact arrangements on 18 August 2011. (Amended since the draft report as a result of both Councillor Humphries' and Ms Densham's additional comments – see Appendices C1.1, page 179, and D1.1, page 183)

Appendix B

Schedule of evidence taken into account

Case No: WC 39/11

Core documents

Doc No	Description	Pages
B1.1	Complaint form submitted by Ms Densham, 19 June 2011	52-66
B1.2	Code of Conduct adopted by Wiltshire Council with effect from 1 April 2009	67-75
B1.3	Declaration of Acceptance of Office of Councillor Humphries dated 8 June 2009	76
B1.4	Register of Members' Interests of Councillor Humphries dated 8 June 2009	77-81

Notes of telephone conversations, letters, and interviews with witnesses

Doc No	Description	Pages
B2.1	Record of interview with Ms Densham, 8 and 13 September 2011	82-102
B2.2	Record of interview with Councillor Humphries, 10 November 2011	103-136
B2.3	Record of interview with Councillor Fogg, 24 October 2011	137
B2.4	Record of interview with Councillor Milton including her email confirming its accuracy, 20 October 2011	138-141
B2.5	Record of interview with Councillor Dow, 4 October 2011	142-143
B2.6	Record of interview with Councillor Kirk Wilson, 4 October 2011	144-145
B2.7	Record of interview with Ms Scott including her email confirming its accuracy, 6 October 2011	146-148
B2.8	Record of interview with Mr M Cook (Area Highway Engineer) including his email confirming its accuracy, 20 October 2011	149-151
B2.9	Record of interview with Mr Fielding, 24 October 2011	152-153
B2.10	Record of interview with Mr Roberts including his email confirming its accuracy, 11 October 2011	154-156
B2.11	Record of interview with Mr Rogers, 31 October 2011	157-159
B2.12	Record of interview with Mr Milton, 7 November 2011	160-163
B2.13	Record of interview with Mr Cook (MADT) including his email confirming its accuracy, 8 December 2011	164-166

Minutes of meetings and other documentary evidence

Doc No	Description	Pages
B3.1	Decision notice of Standards Assessment Sub-Committee, 13 July 2011	167-168
B3.2	Letter from Monitoring Officer appointing Investigating Officer, 25 July 2011	169-170
B3.3	Summary table of the allegations made by Ms Densham against Councillor Humphries	171
B3.4	Summary table of the findings of the Investigating Officer	172
B3.5	Standards for England guidance on the relevant provisions of the Code of Conduct	173-176
B3.6	Legal advice from the Head of Legal Services of Wiltshire Council in respect of the equality enactments, as defined in Section 33 of the Equality Act 2006	177-178

Councillor Humphries' additional submissions

Doc No	Description	Pages
C1.1	Councillor Humphries' comments on the findings of fact contained in the draft report	179

Ms Densham's comments on the draft report

Doc No	Description	Pages
D1.1	Ms Densham's comments on the draft report	183

Additional evidence provided by Mr Milton

Doc No	Description	Pages
D1.2	Additional evidence provided by Mr Milton	189

List of unused materials

None

B1.1

Complaint Form – Members' Code of Conduct



Your details

1. Please provide us with your name and contact details

Title	Ms
First name	Julia
Last name	Densham
Address	[REDACTED]
Daytime telephone	[REDACTED]
Evening telephone	[REDACTED]
Mobile	[REDACTED]
e-mail address	julia.densham@wiltshire.gov.uk

We will not disclose your contact details to anyone unless it is necessary to do so in order to deal with your complaint.

However, we will tell the following people that you have made a complaint:

- The council member you have complained about
- The Monitoring Officer
- The members of the assessment sub-committee of the council's Standards Committee
- The corporate standards manager

2. Please tick the box that best describes you:

Member of the public	
Elected or co-opted member of an authority	
An independent member of the Standards Committee	
Member of Parliament	
Monitoring Officer	
Other council/local authority employee	
Other (please specify) <i>Wiltshire Council Officer</i>	√

3. Please give us the name of the member(s) you believe may have breached the Code of Conduct and their council.

First name	Last name	Authority
Christopher	Humphries	Wiltshire Council

4. Please explain how you think the member has broken the Code of Conduct. If you are complaining about more than one member you need to explain exactly how each one of them may have broken the Code.

It is important that you give us all the information you want the assessment sub-committee to take into account. They will use the information you give to decide whether or not to take any action about your complaint. For example, please make sure you tell us:

- Exactly what you are alleging the member said or did. For instance, instead of saying that the member insulted you, you should state what it was they said;
- You should give the dates of the alleged incident(s) wherever possible. Where you cannot do that, you must at least provide a general timeframe;
- You should let us know whether there were any witnesses to the alleged incident(s) and provide their names and contact details if possible;
- You should provide any relevant background information.

Please write down the details of your complaint here. Continue on a separate sheet if there is not enough space on this form.

I am bringing this complaint on the basis of a series of incidents that I believe may have breached Wiltshire Council's Code of Conduct. The councillor concerned, Cllr Chris Humphries, Chairman of the Marlborough Area Board, has been made aware of the issues and I have tried to address the matter through various interventions. However, he has not modified his behaviour. Consequently, this has made me feel both ineffective in my professional responsibilities and vulnerable in my dealings with the councillor. The iniquitous power balance between officer and councillor has meant that I cannot confidently address incidents such as sexual harassment and bullying. In this context of inequality, it appears unlikely that what I believe to be serious breaches in conduct will be handled effectively. I therefore do not feel adequately protected in my role as a Wiltshire Council officer.

These incidents have had a damaging effect on both my professional and personal life. I have to deploy a number of survival strategies in order to perform my duties as the Marlborough Community Area Manager including ensuring that I am never on my own with Cllr Humphries, but this has largely proved to be impractical. I try always to arrive at meetings in the company of others and leave the room if there is any possibility of being left alone with him. However, this doesn't make for a pleasant working environment, nor is it always possible to be supported in this way by others. Telephone calls and emails leave me potentially vulnerable, too. In addition, my family find it hard to understand why Cllr Humphries's behaviour can prevail. Knowing that I am on the receiving end of this kind of harassment is distressing for my partner and teenage daughters, leaving them feeling equally disempowered.

My complaint centres upon what I consider to be breaches of the Wiltshire Council's Code of Conduct for Councillors. These include Part 1 – General Provisions: 3(1) treating others with respect; 3(2)(a) causing this authority to breach any of the equality enactments; 3(2)(b) bullying any person; [REDACTED]

On 26 August 2010, following the Marlborough Area Board briefing at Marlborough Town Hall, the Chairman Cllr Chris Humphries used offensive language to speak about a matter, including referring to it as an 'abortion of a mess'. In the room at this time was Cllr Nick Fogg, myself and Community Area Manager, Karen Scott. Ms Scott emailed the Head of Community Governance, Steve Milton, expressing our concern at the degree of foul language that we had had to tolerate¹.

It is my opinion that, in using such language, the Chairman disregarded section 3(1) of the Code of Conduct 'You must treat others with respect'.

On [REDACTED] following an evening meeting of the Marlborough and Villages Community Area Partnership, Cllr Humphries and I were discussing

an area board matter outside [REDACTED] when it started to rain. He suggested we sat in his car (parked alongside) to finish the discussion. This we did and he moved the conversation to a situation which he described as highly confidential concerning [REDACTED]. Cllr Humphries referred to [REDACTED] and his alleged sexual misconduct. [REDACTED] was described by Cllr Humphries as 'having a long history of "rod-ing" his female colleagues'. Once, while Cllr Humphries described the situation, he stroked my bare forearm. This completely inappropriate action made me uncomfortable and confused as I wasn't clear why he was telling me this story and touching me. In hindsight, the implications of his behaviour, given the previous point he had made, are too worrying to be contemplated. He then questioned me about my own daughters, specifically their names and ages, causing further discomfort. Naturally, I got out of the car as soon as I could.

This impossible situation clearly made me feel vulnerable at more than one level; particularly because I was being made privy to information I neither wanted to know nor should have been privileged to. Additionally, I felt handicapped by the situation as I was due to start working closely with this councillor when I assumed my role as Marlborough Community Area Manager on 12 October. I did not want to start off with a complaint about his behaviour. I needed to feel trusted and respected in my role and this episode placed me in an invidious situation. I was worried about what would happen if I disclosed this information to another person or the police as much as I worried what would happen if I didn't disclose it.

The above disclosure of information was repeated on 18 November 2010 at a Marlborough Area Board briefing whereupon Cllr Humphries told the story with further details including the fact that [REDACTED] with some prior allegations. Cllr Humphries referred to a second woman, [REDACTED] with whom [REDACTED] had been connected. [REDACTED] there were two other people present at the meeting: Cllr Jemima Milton and Democratic Services Officer Kevin Fielding. I discussed this matter verbally as part of a separate conversation about Cllr Humphries's behaviour to [REDACTED] on 26 November 2010.

It is my opinion that, in behaving this way, the Chairman disregarded sections 3(2)(a) of the Code of Conduct 'You must not do anything which may cause your authority to breach any of the equality enactments (as defined in section 33 of the Equality Act 2006); [REDACTED]

[REDACTED]

On 7 October 2010, during and after a meeting of the Marlborough Community Area Transport Group, Cllr Humphries sexually harassed me using innuendo. During the meeting, Cllr Humphries had made suggestive remarks about my visit to his house at which I pointed out that my team leader Richard Rogers was also present. Cllr Humphries's response was that 'so

had his wife – what did that matter?' At the end of the meeting, he thanked those present for attending, especially me, as I had provided the biscuits. To this he added 'as we all know that Julia enjoys a nibble'. There was an embarrassed silence, after which I suggested to the meeting that Cllr Humphries should be more careful with his comments in such a public setting. Cllr Peggy Dow concurred and suggested that there was a protocol that may have been broken. After the meeting, as I packed the telescopic poles of the projection screen, Cllr Humphries took over the task explaining to me with deliberate innuendo how the poles had to slide into each other. This was in front of Marlborough town councillor Alexander Kirk-Wilson. I was visibly upset and spoke to Local Highways Engineer Martin Cook. Mr Cook offered to remain with me so that I wasn't alone with the Chairman while the meeting equipment was tidied. Mr Cook told me that Cllr Humphries had frequently referred to him in a derogatory way labelling him 'baldy'. We followed Cllr Humphries outside to his car to address the issue and I asked Mr Cook to give me a few minutes alone with the Chairman to have this conversation. I explained to Cllr Humphries that I had felt embarrassed and humiliated by his comments and that I regarded them as sexual harassment. Cllr Humphries explained that he was not sorry that he had made the comments because they were simply 'his way' but was sorry if they had caused me upset. I reported this incident via email² to Area Board Team Leader, Richard Rogers, and the Head of Democratic Services, John Quinton.

It is my opinion that in behaving this way, the Chairman disregarded sections section 3(1) of the Code of Conduct 'You must treat others with respect'; and 3(2)(a) of the Code of Conduct 'You must not do anything which may cause your authority to breach any of the equality enactments (as defined in section 33 of the Equality Act 2006).'

On 25 January 2011, I was first to arrive at a meeting of the Marlborough Community Area Transport Group. As I stood alone in the room, Cllr Humphries entered the room and, to my surprise, grabbed my scarf knotted across my chest and made to 'strangle' me. I assume this was a playful action to him, but I was shocked. However, as other members of the meeting immediately followed I felt unable to do or say anything. I left the meeting as soon as it concluded. I reported this incident to Richard Rogers and Steve Milton in a meeting about the issues in Marlborough and Cllr Humphries' behaviour on 3 February 2011 (detailed below and a record of this meeting's outcomes is attached³).

It is my opinion that, in behaving this way, the Chairman disregarded sections 3(2)(a) of the Code of Conduct 'You must not do anything which may cause your authority to breach any of the equality enactments (as defined in section 33 of the Equality Act 2006).'

On 3 February, finding I could no longer deal with the situation in Marlborough, I asked to meet with my team leader, Richard Rogers and our line manager Steve Milton to discuss ways of handling the various situations in the community area. Mr Milton organised a change of service director to the area board and I met with our new senior officer Chris Graves on two

occasions to discuss methods of handling the Chairman's objectionable behaviour. Mrs Graves has also attended the area board meetings and observed the flirtatious behaviour Cllr Humphries directs towards me during meetings.

On 7 June 2011, just prior to the briefing meeting of the Marlborough Area Board, I arrived to find Cllr Humphries in a bad mood about an issue involving the community area partnership. He told me that he did not want the vice chairman of the partnership to be party to anything the area board were working on in connection to the community area plan consultation. I pointed out that as a council we had a policy in place to facilitate partnerships undertaking community planning through our agreement with WfCAP. Cllr Humphries instructed me to have no contact with either WfCAP or MaVCAP. I pointed out that my line manager, Steve Milton, had advised me on the matter. This made Cllr Humphries furious and Mr Dave Roberts, Corsham Community Area Manager, entered the room just as Cllr Humphries lost his temper. Cllr Humphries response was that Steve Milton could 'go to hell'. After a few minutes, Cllr Humphries attempted to engage my colleague Dave Roberts in a discussion about my work performance suggesting that I was 'rubbish at my job' and that I was still functioning as a member of Democratic Services. Cllr Humphries then suggested that that was why Mr Roberts was in attendance at the meeting because 'he was so much better' than me. Mr Roberts did not engage and made a joke to me to lighten and dismiss the situation. Later in the meeting, Cllr Humphries was overly harsh with Mr Roberts on a comment he had been making, effectively telling him to 'shut up'. I left the meeting feeling depressed about my work and the circumstances in which I had to function. I reported this incident to Cllr Jemima Milton, as part of an email⁴ explaining the outcomes of the briefing that she had not been able to attend, and forwarded it to Steve Milton.

It is my opinion that, in behaving this way, the Chairman disregarded sections 3(1) of the Code of Conduct 'You must treat others with respect'; and 3(2)(b) of the Code of Conduct 'You must not bully any person.'

Several other relatively minor incidents have occurred that have undermined and threatened my sense of security in this role. On two occasions at the end of 2010, Cllr Humphries telephoned me about area board matters and then asked me about 'my domestic arrangements' for no apparent reason. I have also received many obstructive or undermining emails from Cllr Humphries including one congratulating me on my response to a grant applicant 'Well done, I couldn't have thought of such bovine effluent as this!!'⁵. I reported the more serious of these occurrences to Richard Rogers and Steve Milton in the meeting about the issues in Marlborough and Cllr Humphries's behaviour on 3 February 2011.

Marlborough Area Board has had a long history of difficult behaviour from the members, particularly the Chairman. I am the 6th Community Area Manager to have worked in the area since 2008. [REDACTED]

[REDACTED] The second CAM Alison

Sullivan was expelled by the members who cited incompetency. After extensive interviews with HR, it was found that there was no case to answer; however, the CAM was unable to return to her role because of what had happened. This is a further example of the iniquitous power dynamic between officers and members when things go wrong. Richard Rogers and Dave Roberts were offered the position at different times during 2010 and both declined.

Finally, I would like to add that I have had several years of experience working closely with councillors in my previous democratic services role. While many are challenging, and sometimes formidable characters, I have never had an issue of this nature with an elected member. I respect the position and responsibility of those democratically elected, and I have always enjoyed working within the challenging political environments of both North Wiltshire District Council and Wiltshire Council, until now.

Evidence supplied under separate cover:

1. Email from Karen Scott to Steve Milton dated 26/8/10
2. Email from Julia Densham to Richard Rogers and John Quinton dated 8/10/10
3. Email of meeting outcomes from Richard Rogers to Julia Densham dated 4/2/11
4. Email from Julia Densham to Cllr Jemima Milton and Steve Milton dated 8/6/11
5. Email from Cllr Chris Humphries to Julia Densham dated 10/12/09

Only complete this section if you are asking us to keep your identity confidential

5. In the interests of fairness and natural justice, we believe that members who are complained about have a right to know who made the complaint. We also believe they have a right to receive a summary of the complaint. We are unlikely to withhold your identity or the nature of your complaint unless you have good reason to believe that releasing that information would result in:

- You or your witnesses being unlawfully bullied or intimidated or;
- The destruction of information or evidence that would seriously hamper an investigation into the complaint.

We will not automatically agree to a request to keep your identity or the substance of your complaint confidential. Your request and your reasons for asking for confidentiality will be considered by the assessment sub-committee at the same time as they consider whether or not to proceed with your complaint. If they decide that your identity and information about your complaint must be released to the member you are complaining about, we will let you know. Normally we would then allow you to withdraw your complaint if you wish to do so.

However, under exceptional circumstances where a complaint is very serious, we can proceed with an investigation and disclose your name even if you have expressly asked us not to.

Please provide us with details of why you believe we should withhold your name and/or a summary of your complaint from the member:

Additional help

Complaints should normally be submitted in writing. However, if you have any specific needs, for example if you have a disability, or if English is not your first language, we can provide you with help to make your complaint. If you would like help, please contact Nina Wilton, on 01225 713078

Adcock, Julie

From: Scott, Karen
Sent: 26 August 2010 15:17
To: Milton, Steve
Cc: Densham, Julia
Subject: Mutiny in Marlborough

Just to put you in the picture...I thought I was immune to bad language, having worked with [REDACTED] and being an erstwhile user of the 'c' word myself while working in that environs.... until, that is, I met Chris H, whose language this morning was quite unrepeatable and shocking

He was very exercised on the matter of officers advising councillors what they should and shouldn't have on their agendas (i.e 20-30 minute slot on leisure services with voting handsets, never mind interactive evaluation at the end of the meeting) So.... despite Jemima M thinking it will help people feel more involved, Mr H has decreed that the leisure review be relegated to the bottom of the agenda and we'll do the interactive voting only if there's time.... we have a traffic item that Dick Tonge is handling and which will get the angry mob out, so the leisure item may not get a lot of air space.....

Ca was at the meeting and was also witness and subject to some particularly offensive language and unpleasant demeanour.... but she is practicing being thick skinned and detached :-)

Karen

Adcock, Julie

From: Quinton, John
Sent: 16 June 2011 15:26
To: Densham, Julia
Subject: FW: IN CONFIDENCE

Julia as requested

From: Densham, Julia
Sent: 08 October 2010 09:37
To: Rogers, Richard; Quinton, John
Subject: IN CONFIDENCE

Dear Richard

I need to make you aware of a situation that arose towards the end of the Transport Group meeting yesterday in Marlborough.

I do not intend to take any action at this point; however, wish to give an outline of what happened to create an audit trail.

At the end of the meeting Cllr Humphries made sexually offensive remarks about me to the group of 3 highways officers, a parish councillor, a town councillor and another unitary member.

Having thanked me for providing the refreshments, especially the biscuits, he announced to those present that 'I enjoyed a nibble'. Everyone was speechless/embarrassed and I pointed out to the meeting that he should take more care given the number of witnesses present. Cllr Dow concurred with this.

Before the above comment, Cllr Humphries had also made suggestive remarks about my visit to his house at which I pointed out to the meeting that you had also been present. His response was that so had his wife – what did that matter?

After the meeting, as I was collapsing the telescopic poles for the projector screen he came to help me, stressing the importance of 'lining everything up so it slides together' with much winking etc. This was said in front Cllr Alexander Kirk-Wilson (Marlborough Town Council). I ignored the comment.

Martin Cook, Highways Officer, was aware that I was upset and stayed behind so that I would not be alone with Cllr Humphries at any point. I asked him if I could have 2 minutes with the Chairman whereupon I pointed out to Chris that I had found his comments offensive, embarrassing and considered them to be sexual harassment. He apologised if it had caused offence but pointed out that he was not sorry himself as it 'was just his way'. I reiterated that I did not want to be spoken about in that way again and added that it had been a topic of conversation after the meeting between officers.

On arrival home, I had received the message below (my highlighting) On that basis, I feel I should give him the opportunity to behave correctly and take no action at this point

John: I am sending this to you as I know you wanted to keep a check on councillors' behaviour at one point earlier in the year.

Regards
Julia

From: Humphries, Chris
Sent: 07 October 2010 17:05
To: Densham, Julia
Subject: FW: Wiltshire Assembly (15 October 2010) - Conference pack

Julia,

Have you seen the attached? **Also thank for your advice today, it will be heeded.**

I don't want to appear to be stating the obvious but I imaging the email we discussed will be a brief report on today's meeting the attendees and the possible outcomes to be considered by officers. Would it be possible to copy/obtain both your action sheet also Spencer's scheme paper and attach them with your report?

Chris

Adcock, Julie

From: Rogers, Richard
Sent: 04 February 2011 15:18
To: Densham, Julia; Milton, Steve
Subject: RE: Meeting

Julia

Thank you for being open, honest and reasonable when we met yesterday. I hope you found it helpful just to be able to talk about some of your concerns and see that there are ways that we can help to alleviate them. As I understand it, your main concerns fell into four areas: and we agreed certain actions to tackle them as outlined below.

1. Chairman

Concerns are:

- Inappropriate behaviour
- Lack of professionalism
- Not signed up to the WC vision for localism
- Undermining any positive work that takes place

Actions to be taken are:

- Set up a meeting between HR and JD to document what has taken place (SM)

2. [REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

3. [REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

4. [REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

• [Redacted]
• [Redacted]

Dave or I can go to the ABC on the 23rd if required

Thanks

Richard

From: Densham, Julia
Sent: 04 February 2011 11:19
To: Milton, Steve; Rogers, Richard
Subject: Meeting

Dear Both

Thanks for meeting with me yesterday. I hope I gave a reasonably clear idea about what's happening in the Marlborough area with regard to all the key players (or non-players as the case is).

[Redacted]

Julia

Adcock, Julie

From: Densham, Julia
Sent: 08 June 2011 09:02
To: Milton, Jemima
Subject: Missed phone call

Hi Jemima

I think my phone tried to autodial you yesterday evening after I picked up your messages – sorry!

The briefing was hideous in part yesterday – at least just prior to it starting. Chris has obviously decided he's got it in for me for some (new) reason and tried to engage Dave R in why I was so crap at my job and that I should get back to democratic services. Dave didn't engage at all and eventually took the piss out of Chris. Later in the meeting, Chris hammered Dave on an issue he was trying to explain to Chris – clearly pay back for not playing his game.

Chris also made it very clear before anyone arrived at the meeting that he didn't want me engaging in any way with WFCAP or MaVCAP as he doesn't want Michael Edmondson to gain any possible advantage. I pointed out that whether we liked it or not we had an arrangement with WFCAP that I am being guided by my line management to respect. The Chairman has over-ruled that.

I have also been instructed to make sure that all MaVCAP's funds are returned to us so that MADT can be paid. I think the best I can do is forward this to our partnership officer to look into. When I suggested that MADT should be challenged in the meeting about their inclusion of community groups in their consultation, I again came in for some sharp words from the Chairmen.

I've emailed Chris G a couple of times but no response. I haven't put her in the picture about yesterday's events. I am thinking seriously about moving to a different role as this bullying and intimidation is undermining and the job simply isn't worth it. It's a shame because much of the actual work is really interesting and I do enjoy working with you.

I'm in Marlborough all day today for three meetings so will have to send you further details about the briefing outcomes tomorrow.

Julia

Julia Densham
Marlborough Community Area Manager

Wiltshire Council
Area Boards Team - North team
Communities, Libraries, Heritage & Arts
Department of Community Services
Wiltshire Council
Monkton Park
Chippenham
Wiltshire
SN15 1ER

Tel: 01249 706496
Mob: 07776 450615
Email: julia.densham@wiltshire.gov.uk
Website: www.wiltshire.gov.uk

Adcock, Julie

From: Humphries, Chris
Sent: 10 December 2009 10:58
To: Densham, Julia
Subject: RE: Youth Theatre Project

Julia,

Well done, I couldn't have thought of such bovine effluent as this!!

Chris Humphries

Please copy response and new emails to: [REDACTED]

From: Densham, Julia
Sent: 10 December 2009 05:37
[REDACTED]
Cc: Humphries, Chris; Milton, Jemima; Fogg, Nick; Dow, Peggy
Subject: Youth Theatre Project

Dear Stuart and Julie

If you would like to resubmit your application for the proposed theatre project, the details are available online at:

<http://www.wiltshire.gov.uk/communityandliving/areaboards/areaboardscommunitygrantsscheme.htm>

If you need any help, please call. The final round of grants will be heard at the meeting on 8 February 2010 and the last date for submission is 18 January (but sooner would be good!) The grant scheme requires that applicants demonstrate that their project meets some of the aspirations of the Community Area Plan also available at:

<http://www.wiltshire.gov.uk/communityandliving/areaboards/marlboroughareaboard.htm>

You will see that We Love Marlborough included these details in your original application, however, some of the connections were rather tenuous. It is best to show that your project fulfils two or three of the areas well rather than sees very loosely.

In summary, I believe the Area Board councillors felt that the original application requested a large sum for a relatively short (weekend) event that included just 40 children and therefore (given the costs) wasn't commensurate with the rather narrow community benefit. If you can reconsider the costs and how you intend to advertise/recruit children to the project, and especially the issue of whether the kids should be charged to attend which is immediately prohibitive for many families. We also don't tend to look favourably on giving grants to pay for transport or lunches! However, as I said, do call to talk through any of these issues if you wish.

I look forward to hearing from you.

Best wishes
Julia

Julia Densham
Senior Democratic Services Officer
Wiltshire Council
Tel: 01249 706610

PART 13

CODE OF CONDUCT FOR MEMBERS OF WILTSHIRE COUNCIL

Preamble

The following Code of Conduct (Code) is to be read together with the general principles contained in the Relevant Authorities (General Principles) Order 2001 as set out below:

Selflessness – councillors should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.

Honesty and integrity – councillors should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly, and should on all occasions avoid the appearance of such behaviour.

Objectivity – councillors should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

Accountability – councillors should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should co-operate fully and honestly with any scrutiny appropriate to their particular office.

Openness – councillors should be as open as possible about their actions and those of their authority, and should be prepared to give reasons for those actions.

Personal judgement – councillors may take account of the views of others, including their political groups, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.

Respect for others – councillors should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the authority's statutory officers and its other employees.

Duty to uphold the law – councillors should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.

Stewardship – councillors should do whatever they are able to do to ensure that their authorities use their resources prudently, and in accordance with the law.

Leadership – councillors should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.

These principles define the standards that councillors should uphold and set the background for the code of conduct. They do not form part of the code of conduct and do not create an enforceable statutory obligation for members.

CODE OF CONDUCT

Part 1

General provisions

Introduction and interpretation

1. (1) This Code applies to **you** as a member of an authority.
- (2) You should read this Code together with the general principles prescribed by the Secretary of State.
- (3) It is your responsibility to comply with the provisions of this Code.
- (4) In this Code:

"meeting" means any meeting of:

- (a) the authority;
- (b) the executive of the authority;
- (c) any of the authority's or its executive's committees, sub-committees, joint committees, joint sub-committees, or area committees;

"member" includes a co-opted member and an appointed member.

- (5) In relation to a parish council, references to an authority's monitoring officer and an authority's standards committee shall be read, respectively, as references to the monitoring officer and the standards committee of the district council or unitary county council which has functions in relation to the parish council for which it is responsible under section 55(12) of the Local Government Act 2000.

Scope

2. (1) Subject to sub-paragraphs (2) to (5), you must comply with this Code whenever you—
 - (a) conduct the business of your authority (which, in this Code, includes the business of the office to which you are elected or appointed); or
 - (b) act, claim to act or give the impression you are acting as a representative of your authority, and references to your official capacity are construed accordingly.
- (2) Subject to sub-paragraphs (3) and (4), this Code does not have effect in relation to your conduct other than where it is in your official capacity.
- (3) In addition to having effect in relation to conduct in your official capacity, paragraphs 3(2)(c), 5 and 6(a) also have effect, at any other time, where that conduct constitutes a criminal offence for which you have been convicted.

(4) Conduct to which this Code applies (whether that is conduct in your official capacity or conduct mentioned in sub-paragraph (3)) includes a criminal offence for which you are convicted (including an offence you committed before the date you took office, but for which you are convicted after that date).

(5) Where you act as a representative of your authority—

(a) on another relevant authority, you must, when acting for that other authority, comply with that other authority's code of conduct; or

(b) on any other body, you must, when acting for that other body, comply with your authority's code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

General obligations

3.(1) You must treat others with respect.

(2) You must not—

(a) do anything which may cause your authority to breach any of the equality enactments (as defined in section 33 of the Equality Act 2006);

(b) bully any person;

(c) 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 to comply with his or her authority's code of conduct; or

(d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your authority.

1. (3) In relation to police authorities and the Metropolitan Police Authority, for the purposes of sub-paragraph (2)(d) those who work for, or on behalf of, an authority are deemed to include a police officer.

4. You must not—

(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—

(i) you have the consent of a person authorised to give it;

(ii) you are required by law to do so;

(iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or

(iv) the disclosure is—

(aa) reasonable and in the public interest; and

(bb) made in good faith and in compliance with the reasonable requirements of the authority; or

(b) prevent another person from gaining access to information to which that person is entitled by law.

5. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.

6. You:

(a) must not use or attempt to use your position as a councillor improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; and

(b) must, when using or authorising the use by others of the resources of your authority—

(i) act in accordance with your authority's reasonable requirements;

(ii) ensure that such resources are not used improperly for political purposes (including party political purposes); and

(c) must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

7. (1) When reaching decisions on any matter you must have regard to any relevant advice provided to you by—

(a) your authority's chief finance officer; or

(b) your authority's monitoring officer,

where that officer is acting pursuant to his or her statutory duties.

(2) You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your authority.

Part 2

Interests

Personal interests

8. —(1) You have a personal interest in any business of your authority where either—

(a) it relates to or is likely to affect—

(i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;

(ii) any body—

(aa) exercising functions of a public nature;

(bb) directed to charitable purposes; or

(cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),

of which you are a member or in a position of general control or management;

(iii) any employment or business carried on by you;

(iv) any person or body who employs or has appointed you;

(v) any person or body, other than a relevant authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties;

(vi) any person or body who has a place of business or land in your authority's area, and in whom you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower);

(vii) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi);

(viii) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25;

(ix) any land in your authority's area in which you have a beneficial interest;

(x) any land where the landlord is your authority and you are, or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description

specified in paragraph (vi) is, the tenant;

(xi) any land in the authority's area for which you have a licence (alone or jointly with others) to occupy for 28 days or longer; or

(b) a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of—

(i) (in the case of authorities with electoral divisions or wards) other council tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision;

(ii) (in the case of the Greater London Authority) other council tax payers, ratepayers or inhabitants of the Assembly constituency affected by the decision; or

(iii) (in all other cases) other council tax payers, ratepayers or inhabitants of your authority's area.

(2) In sub-paragraph (1)(b), a relevant person is—

(a) a member of your family or any person with whom you have a close association; or

(b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;

(c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or

(d) any body of a type described in sub-paragraph (1)(a)(i) or (ii).

Disclosure of personal interests

9. —(1) Subject to sub-paragraphs (2) to (7), where you have a personal interest in any business of your authority and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

(2) Where you have a personal interest in any business of your authority which relates to or is likely to affect a person described in paragraph 8(1)(a)(i) or 8(1)(a)(ii)(aa), you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.

(3) Where you have a personal interest in any business of the authority of the type mentioned in paragraph 8(1)(a)(viii), you need not disclose the nature or existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.

(4) Sub-paragraph (1) only applies where you are aware or ought reasonably to be aware of the existence of the personal interest.

(5) Where you have a personal interest but, by virtue of paragraph 14, sensitive information relating to it is not registered in your authority's register of members' interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.

(6) Subject to paragraph 12(1)(b), where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.

(7) In this paragraph, "executive decision" is to be construed in accordance with any regulations made by the Secretary of State under section 22 of the Local Government Act 2000.

Prejudicial interest generally

10. —(1) Subject to sub-paragraph (2), where you have a personal interest in any business of your authority you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

(2) You do not have a prejudicial interest in any business of the authority where that business—

(a) does not affect your financial position or the financial position of a person or body described in paragraph 8;

(b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 8; or

(c) relates to the functions of your authority in respect of—

(i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;

(ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;

(iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;

(iv) an allowance, payment or indemnity given to members;

(v) any ceremonial honour given to members; and

(vi) setting council tax or a precept under the Local Government Finance Act 1992.

Prejudicial interests arising in relation to overview and scrutiny committees

11. You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where—

(a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and

(b) at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken.

Effect of prejudicial interests on participation

12. —(1) Subject to sub-paragraph (2), where you have a prejudicial interest in any business of your authority—

(a) you must withdraw from the room or chamber where a meeting considering the business is being held—

(i) in a case where sub-paragraph (2) applies, immediately after making representations, answering questions or giving evidence;

(ii) in any other case, whenever it becomes apparent that the business is being considered at that meeting;

unless you have obtained a dispensation from your authority's standards committee;

(b) you must not exercise executive functions in relation to that business; and

(c) you must not seek improperly to influence a decision about that business.

(2) Where you have a prejudicial interest in any business of your authority, you may attend a meeting (including a meeting of the overview and scrutiny committee of your authority or of a sub-committee of such a committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

PART 3

Registration of members' Interests

Registration of members' interests

13. —(1) Subject to paragraph 14, you must, within 28 days of—

(a) this Code being adopted by or applied to your authority; or

(b) your election or appointment to office (where that is later),

register in your authority's register of members' interests (maintained under section 81(1) of the Local Government Act 2000) details of your personal interests where they fall within a category mentioned in paragraph 8(1)(a), by providing written notification to your authority's monitoring officer.

(2) Subject to paragraph 14, you must, within 28 days of becoming aware of any new personal interest or change to any personal interest registered under paragraph (1), register details of that new personal interest or change by providing written notification to your authority's monitoring officer.

Sensitive information

14. —(1) Where you consider that the information relating to any of your personal interests is sensitive information, and your authority's monitoring officer agrees, you need not include that information when registering that interest, or, as the case may be, a change to that interest under paragraph 13.

(2) You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under paragraph (1) is no longer sensitive information, notify your authority's monitoring officer asking that the information be included in your authority's register of members' interests.

(3) In this Code, "sensitive information" means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

B1.3

Declaration of Acceptance of Office

I ... Christopher Paul Humphries,

having been elected to the office of Councillor for the County of Wiltshire,


HEREBY DECLARE that I take that office upon myself, and will duly and faithfully fulfil the duties of it according to the best of my judgement and ability.

I undertake to observe the Code of Conduct for Members conduct of which is expected of Members of Wiltshire Council.

Date

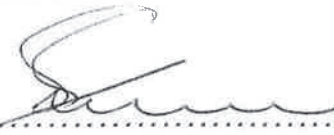
8th June 2009

Signed



This declaration was made and signed before me

(Signed)



Proper Officer of the Council of the County of Wiltshire

S. S. GARDNER

REGISTER OF MEMBERS' INTERESTS

GENERAL NOTICE OF REGISTRABLE INTERESTS
Wiltshire Council's Code of Conduct for Members

I, Councillor Christopher Paul Humphries

a Member of Wiltshire Council, give notice that (please tick as applicable)

Either

I have no registrable interests which are required to be declared under the Council's Code of Conduct, and I have put 'none' where I have no such interests under any heading.

Or

I have set out below under the appropriate headings my interests which I am required to declare under the Council's Code of Conduct, and I have put 'none' where I have no such interests under any heading.

Note:

1. Where you consider that information relating to any of your personal interests is sensitive information you need not include that information provided you have consulted with the Monitoring Officer and s/he agrees that it need not be included. Sensitive Information is information which could create or is likely to create a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

2. This form gives general guidance, but is not comprehensive. The Council's Code of Conduct for Members gives precise requirements.

Continuation sheets should be used where necessary and clearly marked.

1. Employment or business

1.1 You should disclose any employment or business carried on by you

.....

Self Employed: Farmer/Property Owner/Landlord

.....

1.2 Give the name of any person or body who employs or has appointed you.

N/A.

2. Sponsorship

2.1. You should declare the name of any person or body other than a relevant authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties

CONSERVATIVE PARTY (2009 ELECTION EXPENSES)

3. Interests in Companies and Securities

3.1 You should name any person or body who has a place of business or land in you authority's area, and in whom you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower)

NONE.

4. Contracts with the Authority

4.1 You should describe any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in 3.1 above.

NONE

5. Land in the area of the authority

5.1 You should declare any land in the area of the authority in which you have a beneficial interest

Southill Farm, 9 Marlborough Road, Aldbourne, Marlborough SN8 2DD. Residence.
.1,2,3,4. Smithfield House, The Square, Aldbourne, Marlborough SN8 2 DU. Property Let.
6, 6a. The Square, Aldbourne, Marlborough SN8 2D. Property Let.
Farm Land at Southill Farm & Lottage Road, Aldbourne, Marlborough.
Farm Land at Greenhill in the Parish of Baydon.
All above, as owner.

5.2 You should also declare any land where the landlord is your authority and you are, or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph 3.1 is the tenant.

NONE.

5.3 You should declare any land in the authority's area for which you have a licence (alone or jointly with others) to occupy for 28 days or longer

NONE.

6. Membership of other bodies

6.1 Any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority.

Wiltshire Police Authority

6.2 Any body exercising functions of a public nature of which you are a member or in a position of general control or management.

Member: Aldbourne Parish Council

6.3 Any body directed to charitable purposes of which you are a member or in a position of general control or management.

NONE.

6.4 Any body one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management

MEMBER OF CONSERVATIVE PARTY

7. Disclosure of Gifts and Hospitality

7.1 You must reveal the name of any person from whom you have received a gift or hospitality with an estimated value of at least £25 which you have received in your capacity as a member of the local authority.

Date of receipt of Gift/Hospitality	Name of Donor	Reason and Nature of gift/hospitality
	NONE	

You are reminded that you must update the register within 28 days of receiving any further gift or hospitality with an estimated value of at least £25 by completing a continuation sheet which may be obtained from Member and Democratic Services (ext 3018).

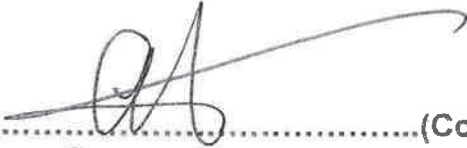
8. Changes to Registered Interests

8.1. I understand that I must, within 28 days of becoming aware of any change to the above interests, including any changes to sensitive information, provide written notification to the Council's Monitoring Officer of that change.

8.2. I recognise that it is a breach of the Council's Code of Conduct to:

- (1) omit information that ought to be given in this notice;
- (2) provide information that is materially false or misleading;
- (3) fail to give further notices in order to
 - bring up to date information given in this notice;
 - declare an interest that I acquire after the date of this notice and have to declare

and that any breach of the Code of Conduct can be referred to the Standards Board for England.

Signed:  (Councillor)

Date: 8th June 2009

Received:

Date: 8th June 2009

Signed: 

Code of Conduct case reference – WC39/11

Statement of – Ms Julia Densham

Complainant/Subject Member/Witness – Complainant

Date of interview – 8 and 13 September 2011

Place of interview – Wiltshire Council, Monkton Park, Chippenham

Also present – Mr Chris Howe, Unison Regional Advisor

Interviewer – Mrs Marie Lindsay

This statement, consisting of 11 pages each signed and dated by me, is true to the best of my knowledge.

There are statutory restrictions on the disclosure of information obtained by the Monitoring Officer. This is covered by section 63 of the Local Government Act 2000 and disclosure of information contrary to this is a criminal offence.

Signature

Julia Densham

Dated –

19/10/11

With regard to the incident on 26 August 2010, following the Marlborough Area Board briefing at Marlborough Town Hall, Ms Densham began by stating that she cannot recall specifically to what Councillor Humphries was referring when he spoke about something being 'an abortion of a mess'. She can recall that it was at this meeting that Councillor Humphries had made it clear that there should be no officer recommendations in respect of grant applications and she was instructed by him to change the wording to 'it is recommended'. Councillor Humphries was incensed about this issue, and he was also incensed about the fact that the Leisure Review had been given a significant slot on the agenda. The Leisure Review item was due to launch the electronic voting handset across the Council and Councillor Humphries did not want that. There was also some historic bad feeling between Councillor Humphries and Stuart Wheeler who was due to attend the meeting for the Leisure Review item.

Ms Densham recalls that Councillor Humphries was in a foul mood because of the above issues and it could have been these to which his comments that it was 'an abortion of a mess' referred. Ms Densham describes Councillor Humphries' behaviour as a rant. At the time of his comments both she and Karen Scott were

Signature

Julia Densham

Dated –

19/10/11

packing up at the end of the meeting, Councillor Fogg was seated and Councillor Humphries was standing up. No one else was present at the time. Ms Densham had not yet taken up her post of Marlborough Area Board Manager and was shadowing Karen Scott.

Ms Densham was shell-shocked by Councillor Humphries' comments and stunned by the type of language and aggression displayed. She states that Ms Scott was also shocked. Her view is that officers have a role to play in recommending what should be on the agenda and that Community Area Managers have a framework within which they have to work.

Ms Densham views this incident as an indication of Councillor Humphries' sexualised use of language and evidence that Councillor Humphries does not know what is appropriate language for the audience. No one responded to Councillor Humphries' comments at the time but Ms Scott sent an email to Steve Milton about the incident. Ms Densham was not aware that Ms Scott was going to send the email although Ms Scott might have mentioned that she was going to talk to Steve Milton about the incident. Immediately after the meeting Ms Scott spoke to Ms Densham and asked her what her strategies were going to be in order to survive this type of meeting. Ms Densham does not know whether Ms Scott received a response to her email.

The incident left Ms Densham feeling daunted, wondering how on earth she was going to do the job and whether she had done the right thing in accepting it. She had worked closely with members a lot in the past however she now found herself in a situation in which she would have to deal with Councillor Humphries' random behaviour. This left her questioning what he was going to hit her with next.

Ms Densham advises that she had encountered Councillor Humphries before, in her previous role as Democratic Services Officer for the Marlborough area at the time of the formation of the Unitary Council. He had refused to take advice then about declarations of interest but at that time she had the benefit of the safety of a relatively back seat.

Turning to the incident of [REDACTED] following a meeting of the Marlborough and Villages Community Area Partnership (MaVCAP), Ms Densham states that at the time she was still not yet in post as Community Area Manager. As such she had no formal means of communication with Councillor Humphries and she wanted to grab the opportunity to seek clarification on something. She cannot recall what issue they had been discussing at the time. She does recall, however, that immediately after the meeting she spoke with Sergeant Sarah Watts, the

Signature - *Julie Densham*

Dated - 19/10/11

neighbourhood officer for the West Selkley division, for a few minutes. Councillor Humphries then advised her to be careful about what she said to the police officer as she was very friendly with Councillor Milton. This was inappropriate and unnecessary.

Ms Densham and Councillor Humphries were standing on the street next to Councillor Humphries' car, just finishing a conversation about a work related issue, when it started to rain. Councillor Humphries said 'Do you want to finish the discussion in the car'. Ms Densham remembers thinking 'what do I do?' and then considering it to be ridiculous to be contemplating whether or not to trust a member of the Council. She considered that there had to be an element of trust and there was no other venue available, so she got into his car.

They had finished discussing the business issue when Councillor Humphries just launched into his comments about [REDACTED]

[REDACTED] Ms Densham does not know why Councillor Humphries raised this issue when he did although it is possible that [REDACTED]

[REDACTED] and the subject may have arisen because [REDACTED]

[REDACTED] Ms Densham was given the impression by Councillor Humphries that he knew [REDACTED] very well and that he was very dismayed that [REDACTED] had [REDACTED]

[REDACTED] The inference from Councillor Humphries was that [REDACTED] shouldn't have been [REDACTED]

Ms Densham had never heard the expression 'rod-ing' before however she knew what he meant. Ms Densham did not respond to Councillor Humphries' comments about [REDACTED] which she considered to be highly inappropriate. She states that she was shocked. She felt that she had been put in an invidious position, hearing highly confidential information that she should not be privy to. Ms Densham was panicking, thinking, how do I respond, I shouldn't have to deal with this.

At the time, Ms Densham was wearing a jacket with 3/4 length sleeves. Just after Councillor Humphries had finished talking about [REDACTED] he stroked her arm once. Ms Densham states that she probably moved away. Councillor Humphries then asked her 'Do you have children?' She replied that she has two daughters aged 16 and 14 and Councillor Humphries did not ask any further questions about her domestic situation. Ms Densham took the opportunity to say that she must be getting home and left the car.

Ms Densham was stunned by Councillor Humphries' behaviour and questioned to herself whether he was exploring her personal situation for future reference. Councillor Humphries has a particular strategy with women which is flirtatious and uses sexual innuendo.

Signature - 

Dated - 19/10/11

At the time of this incident Ms Densham was not aware of the allegations [REDACTED] nor did she know who [REDACTED] was. She had only become familiar with [REDACTED] upon her involvement with [REDACTED] Ms Densham knew the face and name of [REDACTED] who had previously been involved in [REDACTED] [REDACTED] However, [REDACTED] prior to Ms Densham joining [REDACTED] [REDACTED] and in this context Ms Densham had got to know her better, but only on a professional basis.

Ms Densham points out that the second of these two incidents, [REDACTED] happened only a short time after the first incident on 26 August 2010. She didn't feel directly sexually harassed at the time because she had too much else on her mind. She was in a new job and was focused on this. She did, however, tell her partner about the incident in the car when she got home that night. Her partner was astounded that Councillor Humphries had even suggested that she should get into his car. As time moved on Ms Densham began to consider the events as 'grooming', i.e. Councillor Humphries thinking that he would share confidential information with her that will bond them together and that then she would be his. Nonetheless, Ms Densham was aware that she had to build an effective relationship with Councillor Humphries as so much of the success of an area board depends on the chairman.

With regard to the Area Board briefing meeting on 18 November 2010, Ms Densham believes that Councillor Humphries' comments must have been made during the meeting because the Democratic Services Officer, Kevin Fielding, was still present. They may have been talking about [REDACTED]

[REDACTED] Councillor Humphries made reference to the accusations about [REDACTED] rather than the investigation process itself. He began by making offhand comments about the investigation being ongoing, to which there was no direct response, only silence. Ms Densham believes that Councillor Milton and Mr Fielding made appropriate comments after which Councillor Humphries launched into his comments that [REDACTED]

[REDACTED] and that there had been some prior allegations. Ms Densham states that Councillor Milton looked uncomfortable whilst she herself blocked her ears. She didn't know whether she ought to stop Councillor Humphries' comments. She does recall that Councillor Humphries was making reference to another woman [REDACTED] [REDACTED], which she remembers because Mr Fielding responded with a joke, saying [REDACTED] Ms Densham did not say anything at the time but she assumed that the information [REDACTED] Councillor Humphries said something along the lines of [REDACTED] but he did

Signature - 

Dated - 19/10/11

not specifically state [REDACTED] Ms Densham is aware now, although she was not aware at the time, that Councillor Humphries [REDACTED]

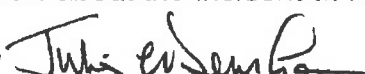
Ms Densham states that she discussed the matter verbally with [REDACTED] because she had got to know her quite well during the pilot area board phase. [REDACTED] had since moved on and Ms Densham hadn't seen her for a long time when she bumped into her on 26 November 2010. [REDACTED] asked Ms Densham how she was getting on at the Marlborough Area Board to which Ms Densham replied with details of the conversation that had taken place in Councillor Humphries' car on [REDACTED] and the following incident on 7 October 2010.

On 7 October 2010 a meeting of the Marlborough Community Area Transport Group took place. Ms Densham states that Councillor Humphries made a random remark 'Of course, Julia's been to my house'. She cannot recall what was being discussed at the time but she does remember wondering why he had made such an off the wall remark. She replied that she had not been alone and that Richard Rogers had also been present, to which Councillor Humphries replied 'So what, so was my wife, what does that matter?' No response was made by anyone present at the meeting and Ms Densham believes this was due to the fact that no one else felt that they had to answer his comments.

During the interview Ms Densham provided the Investigating Officer with a chain of emails dated 6 and 7 September which outline the reason for the visit to Cllr Humphries house. These are attached as Appendix JD1.

Ms Densham explains that she was not yet officially in post and that this was the first meeting of the Marlborough Community Area Transport Group that she had attended. She was keen to give a good impression but she felt that her professionalism had been stamped on. Ms Densham considered that Councillor Humphries' sexual innuendo had undermined her professional reputation, leaving those present at the meeting questioning what kind of relationship she had with the Chairman, which she believed to be his intention. She felt that Councillor Humphries was giving the impression that she was his toy and implying that 'Julia's with me, wink, wink'.

Ms Densham considers that Councillor Humphries' comments about Julia 'enjoying a nibble' were said to imply that he had insider information about what her predilections were. She recalls that Councillor Dow made a comment to Councillor Humphries along the lines of 'There's a rule there' but Ms Densham never spoke to Councillor Dow about the incident at the time and nor has she since.

Signature - 

Dated - 19/10/11

After the meeting had closed, Ms Densham approached the Local Highways Engineer, Martin Cook, and told him that she was sorry that he had had to witness this. Mr Cook replied 'He comes into my office and says "where's that bald git"'. Mr Cook told Ms Densham to stick with him and advised her that he wouldn't leave the meeting until Ms Densham was ready to leave.

Ms Densham then began to collapse the projector alone. Councillor Humphries suddenly appeared beside her and started to explain to her, with actions and innuendo, how she had to make sure all the parts of the projector slide into each other. Councillor Humphries looked over to Councillor Kirk-Wilson who giggled. Ms Densham looked sour, at which point Councillor Kirk-Wilson stopped giggling. Ms Densham then walked away.

Ms Densham thought that she had to do something to address the situation as it would be more difficult to address at a later date. She saw Councillor Humphries walking towards his car and asked Mr Cook to give her a couple of minutes whilst she spoke to the Chairman. She spoke to Councillor Humphries and told him that she regarded his behaviour as sexual harassment. He replied that it was simply 'his way' but he was sorry if he had caused upset. That was the end of the conversation and they both drove away.

Ms Densham was glad that she had spoken to Councillor Humphries because she felt that she had set some boundaries, although she was still concerned about what would happen next. When she got home she picked up Councillor Humphries' email, and although she admits that Councillor Humphries' comments about her advice being heeded were ambiguous, she took it to refer to their conversation after the meeting. She now felt that the matter had been addressed and she was willing to give Councillor Humphries an opportunity to put it into practice. She forwarded the email on to Richard Rogers, as her future line manager, and John Quinton whom she understood to be looking at Councillor behaviour in general.

Ms Densham advises that Mr Rogers forwarded her email dated 8 October 2010 to Mr Milton who addressed the issues that she had raised with Councillor Humphries. It was reported back to her verbally a few weeks later by Mr Milton that Councillor Humphries had agreed that she had approached him after the meeting, thereby accepting that the incidents had happened, and that he understood that the two of them had now straightened out their differences.

On 25 January 2011 Ms Densham had been the first person to arrive at a meeting of the Marlborough Community Area Transport Group. She was conscious of being the only person in the room and decided to make a telephone call on her mobile in case Councillor Humphries was the next person to arrive. Just as she had finished her call

Signature -



Dated - 19/10/11

and put away her phone Councillor Humphries entered the room. She turned towards the door as it opened and Councillor Humphries walked towards her and grabbed her scarf, making a playful gesture as if to strangle her with it. As he did so the back of his hand was in contact with her body. He picked up the knot of her scarf and moved it upwards towards her chin. He then let go and sat down. Other people immediately started to arrive and nothing was said about the incident at the time although she did report it at her meeting with Mr Rogers and Mr Milton on 3 February 2011.

On 3 February 2011 Ms Densham met with Mr Rogers and Mr Milton to discuss a number of issues with the area board, including the behaviour of Councillor Humphries. A number of outcomes were agreed, one of which was that Councillor John Thomson, as Portfolio Holder for Communities, would talk to Councillor Humphries about his behaviour. Ms Densham advises that Councillor Humphries behaviour was not taken up with him as a separate issue but was collated with all the other area board issues that she had raised. Ms Densham was never informed whether anything had in fact been said to Councillor Humphries and she did not experience any reaction from Councillor Humphries to suggest that this conversation had taken place.

Another outcome of the meeting on 3 February 2011 was that Mrs Christine Graves, Service Director for Strategy and Commissioning, would become the senior officer responsible for the Marlborough Area Board alongside the existing senior officer, Mr James Cawley, who worked part time. Ms Densham met with Ms Graves to discuss Councillor Humphries' behaviour and the various strategies open to Ms Densham. Mrs Graves acted as a mentor for Ms Densham who was by this time thinking of submitting a complaint against Councillor Humphries. Mrs Graves told Ms Densham that she had witnessed Councillor Humphries' flirtatious behaviour at a meeting of the Marlborough Area Board at St John's School on 8 February 2011, at which Councillor Humphries continued his banter and his 'Julia's with me' sort of behaviour. At that meeting Ms Densham had quietly suggested to Councillor Humphries that he had not followed the correct procedure with regard to seeking confirmation from her that grant applications had met the criteria, to which he replied to everyone in attendance 'My Community Area Manager tells me and we do have to go with everything she says'. Ms Densham cites this as another example of being made to look like the Chairman's pet.

Another outcome of the meeting on 3 February 2010 was that Mr Milton told Ms Densham that he would be willing to set up meetings with Human Resources (HR) and Occupational Health if she so wished. Ms Densham decided that she ought to

Signature - 


Dated - 19/10/11

meet with HR to begin formally documenting what was happening. However this never happened because she got stuck into successfully turning around the Marlborough Community Area and the meeting with HR went by-the-by. She also believed that Councillor Thomson was going to speak to Councillor Humphries about his behaviour and she thought that this would address the issues about Councillor Humphries' behaviour.

Ms Densham explained the background to the incident at the Marlborough Area Board briefing meeting on 7 June 2011. There had been a history of issues between Councillor Humphries and the Marlborough and Villages Community Area Partnership (MaVCAP), a previous version of which Councillor Humphries had been Chairman. The new partnership was in difficulties and Councillor Humphries had asked Ms Densham to take them to task on their failings. Wiltshire Council funds the Wiltshire Forum of Community Area Partnerships (WfCAP) to support partnerships across Wiltshire to deliver the Community Area Plan and Ms Densham considered it her duty to help facilitate this. MaVCAP had sub-contracted the production of the Community Area Plan to the Marlborough Area Development Trust (MADT) on the agreement that MaVCAP would provide the area board with regular updates. These regular updates were not occurring and at the request of the area board councillors Ms Densham wrote a letter to MaVCAP asking them to hand back the management of the project, to which they agreed on the condition that MaVCAP should be copied into any decisions made. This decision was noted in the minutes of the meeting of the Marlborough Area Board on 8 February 2011.

In respect of this matter Ms Densham sent an email on 1 June 2011 to Richard Pitts, who was the retired Chairman of MaVCAP but still involved in the work, and Michael Edmonds, the current Vice Chairman. She copied the email to Councillor Humphries and Mr Martin Cook, the Chairman of MADT. The email is attached as additional evidence at Appendix JD2.

At the Marlborough Area Board briefing meeting on 7 June 2011 Ms Densham arrived to find Councillor Humphries in a bad mood. Councillor Humphries and Ms Densham were the first two people to arrive at the meeting and Councillor Humphries told Ms Densham that he was unhappy about the email that she had sent on 1 June 2011. He told her that he did not want Mr Edmonds to be made aware of any discussions and privy to area board business. Ms Densham replied that it was a condition of the agreement that MaVCAP are kept informed and that she had been advised by Mr Milton that it was her role to do so. Councillor Humphries did not want to know and said either 'Steve Milton can fuck off' or 'Steve Milton can go to hell', she cannot remember which. Ms Densham felt incredibly intimidated by Councillor Humphries who is a big man and who had raised his voice.

Signature - 

Dated - 19/6/11

At this point Dave Roberts, Corsham Community Area Manager, walked into the room and started to get his papers out. Ms Densham believes that Mr Roberts heard Councillor Humphries comments about Mr Milton. Ms Densham said something along the lines of 'Fine, you're the Chairman' and Councillor Humphries said 'Well I don't suppose anyone's going to give me an agenda'. As Councillor Humphries went to get his papers he said to Mr Roberts 'Thank god you're here because she's rubbish at her job isn't she' and 'thank goodness we've got you, someone who can do the job'. He then went on to say 'She's rubbish and should go back to Democratic Services shouldn't she'. Ms Densham states that these comments were made whilst Councillor Humphries was standing up. They were said with a knowing smile, in a calm manner, as if he was taking the mickey.

Ms Densham states that Mr Roberts ignored Councillor Humphries completely. He had his head down and was writing. He then looked at Ms Densham and made light of the situation by saying to her 'Do you know him?' This cut the tension immediately and at that point other people entered the room. Councillor Humphries sat down and nothing more was said.

Later on, towards the end of the meeting, Councillor Humphries was very harsh towards Mr Roberts, silencing him with a hand gesture. Ms Densham cannot remember whether Councillor Humphries actually told Mr Roberts to shut up.

Ms Densham left the meeting feeling very depressed by the culmination of these incidents and their repetitive nature. She considered that any one of these incidents should not have happened. She had felt more positive after her conversation with Councillor Humphries on 7 October 2010 because she felt that she had set some boundaries, however she now believed that these boundaries had been blurred. She got to the point of thinking that maybe she was rubbish at her job. On the one hand she was receiving positive feedback from colleagues and members and on the other hand she was being told by the most important person on the area board that she was rubbish at her job. She started to think in terms of 'if only; - if only she had briefed him better, if only she had prepared agendas earlier, then maybe things would be better'.

Ms Densham sent her email to Councillor Milton on 8 June 2011 because she had to update Councillor Milton on the briefing that she had missed. She felt able to mention Councillor Humphries' behaviour because she had a good working relationship with Councillor Milton.

In her complaint Ms Densham has identified what she considers to be the six most serious incidents but she would also like to point out that there are further incidents concerning Councillor Humphries' behaviour.

Signature - *Julia Densham*

Dated - 19/10/11

Ms Densham refers in her complaint to the fact that on two occasions towards the end of 2010, during a telephone conversation about work related matters, Councillor Humphries asked her 'So how are your domestic arrangements?'

With regard to Councillor Humphries' email dated 10 December 2009 in which he tells her 'well done, I could not have thought of such bovine effluent as this!!', Ms Densham was at the time acting as the temporary Community Area Manager. She had stepped-in in the absence of a permanent Community Area Manager and she felt insulted by Councillor Humphries comments, especially as she had thought that she had been doing him a favour at the time. She took his comments to mean that the information in her letter was a load of bullshit.

During her interview with the Investigating Officer Ms Densham provided further examples of what she considers to be Councillor Humphries' unacceptable behaviour.

Firstly, Ms Densham refers to an incident regarding the redesign of the area board agenda covers to include contact details and photographs. Approval was needed from Councillor Humphries which Ms Densham sought by email on 24 September 2010. Councillor Humphries' reply of the same date asks 'Who is the good looking bird at the bottom?' The cover sheet and emails are attached as Appendix JD3.

Secondly, Ms Densham refers to an email sent to Councillor Humphries on 20 October 2010 in which she forwards on to him a new photograph that had been taken of him at a recent area board meeting. Ms Densham asked Councillor Humphries in the email 'Hope you like the attached' to which he replied 'More to the point do you?' The emails are attached as Appendix JD4.

Thirdly, Ms Densham refers to an email sent by Councillor Humphries on 6 June 2011 in response to a mix up over the timings of briefing meetings. She considers his response to be particularly harsh given the circumstances, when it would have been easy for him to ring up to clarify the times, and also given that she would not have altered the timings without consulting with the Chairman first. See Appendix JD5.

The fourth incident refers to an email sent by Councillor Humphries on 17 August 2011 asking Ms Densham whether she is able to deal with a request to organise a visit to the Compton Bassett recycling plant. This has nothing to do with area board work and Ms Densham considers it to be taking the mickey. Ms Densham advises that Councillor Humphries was aware at this point in time that she had made a complaint against him and she had been told that he had been advised not to have any contact with her. See Appendix JD6.

Signature -

Julie Densham

Dated -

19/10/11

The final incident that Ms Densham makes reference to is one that occurred sometime in late 2010 or early 2011 at an area board briefing. Present were herself, Councillor Milton and Councillor Humphries. They were discussing the youth service when Councillor Humphries referred to information provided to [REDACTED] [REDACTED] as having disappeared down a black hole. [REDACTED] is a black woman.

To conclude, Ms Densham advises that Councillor Humphries' behaviour has had an enormous impact upon her belief in herself and her ability to deliver the requirements of her job. It has been terribly disempowering and has had an enormous impact upon her home life. It has caused problems for her partner, for whom it is difficult to hear these details. It is also affecting her children who are aware that there is a complaint but not of the details. She has had to develop a range of survival strategies, thinking always of how and when to arrive at meetings so as not to be alone with Councillor Humphries and also having to consider what to wear.

She is never sure what mood Councillor Humphries will be in when she meets him and states he can be either pleasant, or snide and sarcastic. As a result Ms Densham does not feel that she has been able to develop into her role and to do her job properly. She states that Councillor Humphries clearly does not show respect and sees himself as above the law. She considers that this comes down to power and the fact that Councillor Humphries feels emasculated due to the fact that he was previously the Leader of Kennet District Council and now he is the Chairman of an area board with very few delegated powers.

Ms Densham provided the Investigating Officer with a copy of an email dated 8 October 2010 in which Richard Rogers refers to this not being the first problem that they have had with Councillor Humphries and makes reference to the fact that past Marlborough Community Area Managers have all had to leave. See Appendix JD7.

Signature - *Julia Densham*

Dated - 19/10/11

Densham, Julia

From: Rogers, Richard
Sent: 07 September 2010 09:16
To: Densham, Julia
Subject: FW: MAVCAP September Newsletter

We can pick this up this afternoon

Richard

From: Chris Humphries [redacted]
Sent: 06 September 2010 17:37
To: Rogers, Richard
Subject: RE: MAVCAP September Newsletter

Richard,

I fully support your objectives, it is persuading others to follow the correct procedure which will be the problem. There are difficulties but I will support Julia fully. Maybe frank exchanges will be a good start I have no problem with the truth and facts.

Whether or not it is me, we only need one Chair of the Area Board!!

If you want a ride out into the country you would both be welcome at my home on any of the dates mentioned. Thursday of this week is the first date and I am available at home or Trowbridge, providing it is not too early in the morning. If you called on me I would ensure that my wife provided coffee and/or tea free of charge!!!


Chris

From: Rogers, Richard [mailto:Richard.Rogers@wiltshire.gov.uk]
Sent: 06 September 2010 16:49
To: Humphries, Chris; Densham, Julia
Cc: Milton, Steve
Subject: RE: MAVCAP September Newsletter

Chris

Yes it does read as a summary of what the Marlborough Area Board meeting covered.

I am meeting with Julia tomorrow and will be suggesting that she and I meet with Rich Pitts ASAP to sort out a few concerns. This will include issues such as Michael Edmonds criticism of the Board, the newsletters that they release, that they should not attend briefing meetings, the lack of a written report to the Board on their work not ours etc. Do let me know of any others you may have.

 I know Karen has found it hard during her short time working in the area as have previous managers. I am keen as I am sure you are that we do not lose Julia and that we can support her to support you and the Area Board. Can I suggest that Julia and I meet with you to talk honestly and constructively about some challenges (and opportunities) to the Board succeeding and how we should proceed. I know that this is something that you have encouraged so I am sure you would be happy to do so.

As I said, I will be meeting with Julia tomorrow and will be getting up to speed with all that has been going on in the area. There is an ABC scheduled for 15th September so if we could meet before that date, I think it would be helpful. Looking at Julia's diary, some suggestions are

Thursday 9th Sep in Trowbridge
 Monday 13th Sep in Chippenham (afternoon only)

Tuesday 14th Sep in Chippenham (11:30am to 2:30am only)

Are any of these any good for you?

thanks

Richard

From: Chris Humphries [redacted]
Sent: 06 September 2010 10:51
To: Rogers, Richard; Densham, Julia
Cc: Milton, Steve
Subject: FW: MAVCAP September Newsletter

Richard, Julia,

See attached MAVCAP are stealing our thunder!! We should be getting in first.

Chris

From: Aldbourne Parish Council [mailto:aldbournepc@yahoo.co.uk]
Sent: 06 September 2010 10:29
To: Hugh Bland; Chris Boreham; William Brown; Brian Buckler; Alison Edmonds; Mike Hillas; Neil Howard; Chris Humphries; Peter Lawler; Chris McGowan; Sandra Muirhead; Alan Phizacklea; Jonathan Rayner; Keith Warren
Subject: Fw: MAVCAP September Newsletter

----- Forwarded Message -----

From: Sandy <sandypmartin@aol.com>
To: sandypmartin@aol.com
Sent: Fri, 3 September, 2010 22:14:44
Subject: MAVCAP September Newsletter

Attached is our September newsletter.

Sandy

This email has been scanned by the MessageLabs Email Security System.
For more information please visit <http://www.messagelabs.com/email>

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JD2

Lindsay, Marie

From: Densham, Julia
Sent: 01 June 2011 12:27
To: [REDACTED]
Cc: [REDACTED], Humphries, Chris
Subject: MADT MAP update

Dear Rich and Michael

Just to let you know that I have arranged for Chris Minors, our Marlborough spatial planner, to visit MADT next Wednesday morning to talk through the relationship between the community area plan and the proposed neighbourhood plans / core strategy. I and James Keith will also be there.

Best wishes
Julia

Julia Densham
Marlborough Community Area Manager

Wiltshire Council
Area Boards Team - North team
Communities, Libraries, Heritage & Arts
Department of Community Services
Wiltshire Council
Monkton Park
Chippenham
Wiltshire
SN15 1ER

Tel: 01249 706496
Mob: 07776 450615
Email: julia.densham@wiltshire.gov.uk
Website: www.wiltshire.gov.uk

JD3

Densham, Julia

From: Humphries, Chris
Sent: 24 September 2010 11:06
To: Densham, Julia
Subject: RE: Agenda Covers for Marlborough Area Board

Julia,

I am happier to be called Chris, but that is up to you,, also the description seems a bit disjointed, I would have thought the political allegiance would have been better placed after the Division not before. This is all about the Area Board not Politics.



Also who is the good looking bird at the bottom? I did not realise that colour photography had been around so long!!

Christopher Humphries
(Chairman) -
Conservative
Division: Aldbourne
and Ramsey
Tel: 01672 540469
Email: chris.humphrie@wiltshire.gov.uk

Christopher Humphries

(Chairman) -

Division: Aldbourne
and Ramsey
Conservative
Tel: 01672 540469
Email: chris.humphrie@wiltshire.gov.uk

Chris Humphries

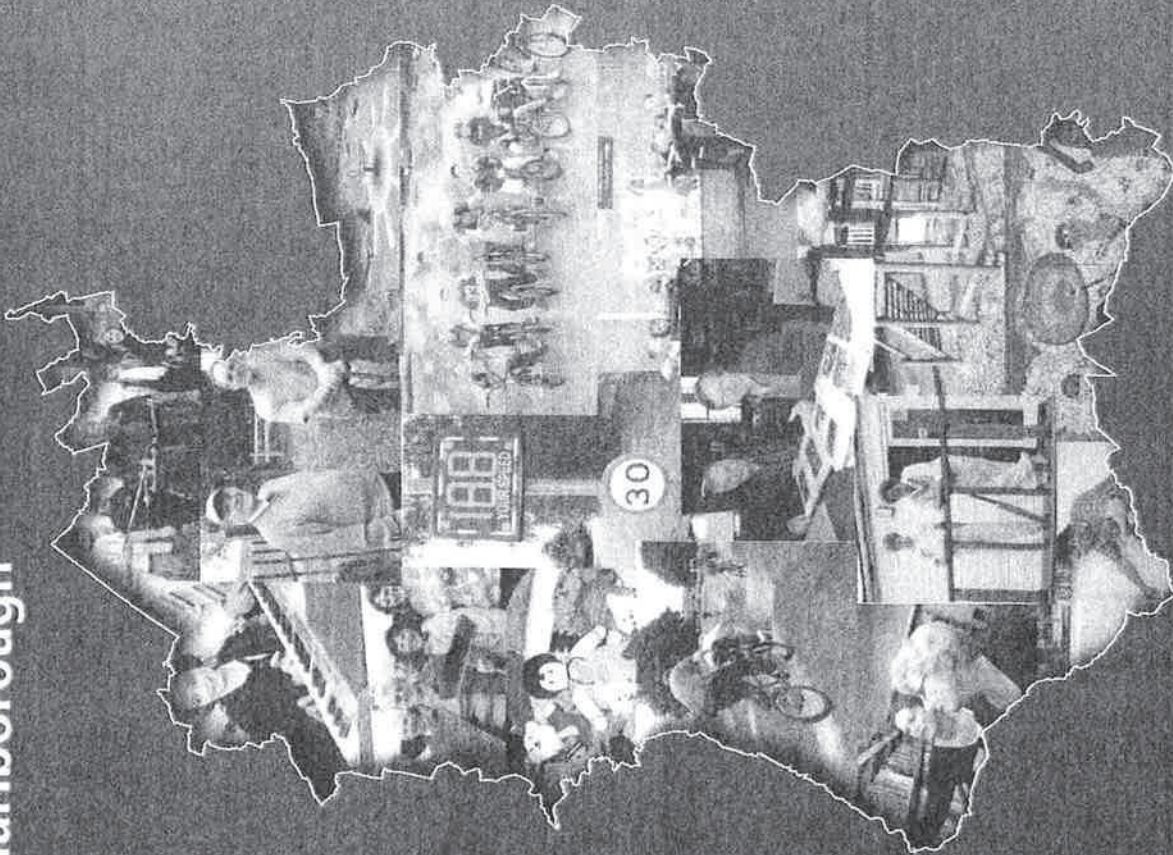
From: Densham, Julia
Sent: 24 September 2010 10:25
To: Humphries, Chris
Subject: Agenda Covers for Marlborough Area Board

Chris

Communications have redesigned the agenda covers to include the members' and CAM contact details and photos. Please can you approve the attached (specifically your own details) and I will then forward to the other members for their approval.

Thanks
Julia

Area board agenda Marlborough



Wiltshire Council
Where everybody matters

Marlborough Area Board

Albourne, Avebury,
Baydon, Berwick Bassett
and Winterbourne
Monkton, Broad Hinton
and Winterbourne
Bassett, Chilton Foliat,
East Kennet, Froxfield,
Fyfield and West
Overton, Marlborough,
Mildenhall, Ogbourne
St Andrew, Ogbourne
St George, Preshute,
Ramsbury and Axford
and Savernake.

Your community area
manager works with
four councillors elected
by you to represent
your community area at
Wiltshire Council. These
councillors are responsible
for the decisions made by
the area board.

Chris Humphries
(Chairman)
Conservative
Division: Aldbourne
and Ramsey
Tel: 01672 540469
Email: chris.humphries@wiltshire.gov.uk



Nicholas Tuggy
(Vice chairman)
Independent
Division: Marlborough
West
Tel: 01672 512656
Email: nick.tuggy@wiltshire.gov.uk



Paddy Dowd
Liberal Democrat
Division: Marlborough
East
Tel: 01672 512074
Email: peggyl.dowd@wiltshire.gov.uk



Jenima Milton
Conservative
Division: West Selkley
Tel: 01672 841166
Email: jenima.milton@wiltshire.gov.uk



Community area
manager
Julia Denham
Tel: 01249 706610
Email: julia.denham@wiltshire.gov.uk



Democratic services
officer
Kevin Fielding
Tel: 01225 770655
Email: kevin.fielding@wiltshire.gov.uk



JD4

Densham, Julia

From: Humphries, Chris
Sent: 20 October 2010 17:46
To: Densham, Julia
Subject: RE: Your photo

Julia,

Thank you, more to the point do you!?

Chris Humphries

From: Densham, Julia
Sent: 20 October 2010 17:30
To: Humphries, Chris
Subject: Your photo

Chris

Hope you like the attached.

Julia

From: Strickland, David
Sent: 20 October 2010 13:46
To: Densham, Julia
Subject: sorry

Forgot to attach the pic...

David Strickland
Technical Support Officer
Wiltshire Council
Tel: 01380 734702
Email: david.strickland@wiltshire.gov.uk

JDS

Densham, Julia

From: Chris Humphries [REDACTED]
Sent: 06 June 2011 22:22
To: Densham, Julia
Subject: RE: Community Area Transport Group meeting - 7 June 2011

Julia,

I have just realised you have called this meeting for 14.00hrs, I thought we were having the Chair briefing at 13.00hrs followed by the CATG meeting @ 15.00hrs.

 If you have brought forward the briefing time then please advise me.

Chris

From: Densham, Julia [<mailto:Julia.Densham@wiltshire.gov.uk>]
Sent: 05 June 2011 17:49
To: Humphries, Chris
Subject: FW: Community Area Transport Group meeting - 7 June 2011

Chris

Please could you forward the invitation to the CATG meeting to Tamsin Witt as I don't have any contact details for her.

Thanks
Julia

From: Densham, Julia
Sent: 05 June 2011 17:48
To: 'Alexander Kirk-Wilson (MTC)'; 'Chris Humphries'; Cook, Martin; Cross, Steve; Drinkwater, Spencer; 'Graham Francis (MTC)'; 'Guy Loosmore (MTC)'; 'Joan Davies (Savernake)'; 'Keith Warren (Aldbourne)'; 'Liam Costello (MTC - clerk)'; Milton, Jemima; 'Nic Coome (Chilton Foliat)'; 'Nick Fogg'; 'Peggy Dow'; 'Ruth Scriven (F&WO)'; 'Sheila Glass (Ramsbury)'; Stansby, Mark; 'Tamsin Witt (Baydon Traffic Calming Group)'
Subject: Community Area Transport Group meeting - 7 June 2011

Dear Councillors and Officers

I have attached an agenda for our meeting on Tuesday 7 June, 2pm at Marlborough Town Hall (Chambers – please use the side entrance).

I look forward to seeing you there.

Kind regards
Julia

Julia Densham
Marlborough Community Area Manager

Wiltshire Council
Area Boards Team - North team
Communities, Libraries, Heritage & Arts
Department of Community Services
Wiltshire Council
Monkton Park
Chippenham

99

JD6

Densham, Julia

From: Christopher Humphries [REDACTED]
Sent: 17 August 2011 08:29
To: Densham, Julia
Cc: Hazlewood, James
Subject: FW: Compton Bassett

Julia,

Please see below, can you deal with this request or shall I?

Chris

From: [REDACTED]
To: [REDACTED]
Subject: Compton Bassett
Date: Tue, 16 Aug 2011 16:21:57 +0100

Hi Chris

I would be grateful if you could deal with this when you return from holiday please.

I am the Social Chairman of Marlborough Probus Club and they have expressed interest in visiting the recycling plant at Compton Bassett. Could you organise a visit for around 20 old buggers in early November for me please? Morning best I think then we can retire to the White Swan for refreshments!

Graham

This email has been scanned by the MessageLabs Email Security System.
For more information please visit <http://www.messagelabs.com/email>

JD7

Densham, Julia

From: Rogers, Richard
Sent: 08 October 2010 12:28
To: Densham, Julia; Quinton, John
Subject: RE: IN CONFIDENCE

Julia



Thank you for bringing this to my attention. I am really sorry that you had to experience this harassment. I would suggest that we meet up early next week (Monday or Tuesday, which ever is best with you.) and put in place some basic procedures about when and where you meet with Chris and see if there is anything else I can do to help.



John, this is not the first problem we have had with Cllr Humphries. We have had many others which I am now starting to keep a log off. Whilst Julia is very graciously willing to take no further action at this time and give Chris another chance, we must not ignore this. None of my staff want to work in Marlborough and past CAMS have all had to leave there. It is a difficult enough job in Marlborough without these extra problems. I do not want to lose Julia especially before she has officially begun! I would therefore value any advice that you can give us on how to proceed.

Thanks

Richard

From: Densham, Julia
Sent: 08 October 2010 09:37
To: Rogers, Richard; Quinton, John
Subject: IN CONFIDENCE

Dear Richard

I need to make you aware of a situation that arose towards the end of the Transport Group meeting yesterday in Marlborough.

I do not intend to take any action at this point; however, wish to give an outline of what happened to create an audit trail.

At the end of the meeting Cllr Humphries made sexually offensive remarks about me to the group of 3 highways officers, a parish councillor, a town councillor and another unitary member.

Having thanked me for providing the refreshments, especially the biscuits, he announced to those present that 'I enjoyed a nibble'. Everyone was speechless/embarrassed and I pointed out to the meeting that he should take more care given the number of witnesses present. Cllr Dow concurred with this.

Before the above comment, Cllr Humphries had also made suggestive remarks about my visit to his house at which I pointed out to the meeting that you had also been present. His response was that so had his wife – what did that matter?

After the meeting, as I was collapsing the telescopic poles for the projector screen he came to help me, stressing the importance of 'lining everything up so it slides together' with much winking etc. This was said in front Cllr Alexander Kirk-Wilson (Marlborough Town Council). I ignored the comment.

Martin Cook, Highways Officer, was aware that I was upset and stayed behind so that I would not be alone with Cllr Humphries at any point. I asked him if I could have 2 minutes with the Chairman whereupon I pointed out to Chris that I had found his comments offensive, embarrassing and considered them to be sexual harassment. He apologised if it had caused offence but pointed out that he was not sorry himself as it 'was just his way'. I reiterated that I did not want to be spoken about in that way again and added that it had been a topic of conversation after the meeting between officers.

On arrival home, I had received the message below (my highlighting). On that basis, I feel I should give him the opportunity to behave correctly and take no action at this point.

John: I am sending this to you as I know you wanted to keep a check on councillors' behaviour at one point earlier in the year.

Regards
Julia

From: Humphries, Chris
Sent: 07 October 2010 17:05
To: Densham, Julia
Subject: FW: Wiltshire Assembly (15 October 2010) - Conference pack

Julia,

Have you seen the attached? **Also thank for your advice today, it will be heeded.**

I don't want to appear to be stating the obvious but I imaging the email we discussed will be a brief report on today's meeting the attendees and the possible outcomes to be considered by officers. Would it be possible to copy/obtain both your action sheet also Spencer's scheme paper and attach them with your report?

Chris

Code of Conduct case reference – WC39/11

Statement of – Councillor Christopher Humphries

Complainant/Subject Member/Witness – Subject Member

Date of interview – 10 November 2011

Place of interview – Councillor Humphries' home address

Interviewer – Mrs Marie Lindsay

This statement, consisting of 8 pages each signed and dated by me, is true to the best of my knowledge.

There are statutory restrictions on the disclosure of information obtained by the Monitoring Officer. This is covered by section 63 of the Local Government Act 2000 and disclosure of information contrary to this is a criminal offence.

Signature -

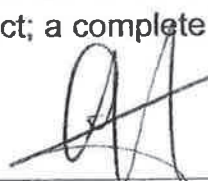
Dated –

Councillor Humphries confirmed that he has been a member of Wiltshire Council since its inception in 2009 and that prior to that he had been a member of Wiltshire County Council since 1997. He was also a member of Kennet District Council from 1990 to 2009 and the Leader of the Council from 2001 to 2007. He has been a member of Aldbourne Parish Council from 1970 to date, and he was the Chairman for 25 years.

Councillor Humphries has also, from 2004 to date, been a member of the Wiltshire Police Authority and he was a member of the Wiltshire Fire Authority from approximately 2000 to 2007.

Councillor Humphries states that with regard to the Marlborough Area Board briefing meeting on 26 August 2010 he may have possibly used the word 'abortion'. He does not recall saying it but he is unable to deny that he said it because he cannot remember. He goes on to state that if he had used the word it would have been in the context of describing a total disaster or something that had absolutely gone wrong. He recalls having a conversation at that meeting about difficulties being experienced with the Marlborough and Villages Community Area Partnership (MaVCAP) and, if he had used the word abortion, it would have been with regard to those difficulties. Councillor Humphries points out that the word 'abortion' is used in ordinary English language and the dictionary definition is of a noun which is 'any fruit or produce that does not come to maturity, or anything which in its progress, before it is matured or perfect; a complete failure; his attempt proved an abortion'.

Signature -



Dated – 28/11/2011


Councillor Humphries confirmed that he cannot recall anyone objecting to his use of the word at the time, if indeed he did say it. He cannot see why they should object given that it is correct use of the English language.

With regard to the meeting of the Marlborough and Villages Community Area Partnership on [REDACTED] Councillor Humphries can recall having a conversation with Ms Densham after the meeting when it started to rain. Councillor Humphries asked Ms Densham if she would like to finish the conversation in his car in order to stop her from getting wet, to which she agreed. Councillor Humphries explained that they were having a conversation about [REDACTED] [REDACTED] at Area Board meetings, about which some members of the Area Board were getting critical. Councillor Humphries continued this conversation with Ms Densham in his car by saying 'You've heard [REDACTED] [REDACTED] is under extreme pressure so don't push the fact that [REDACTED] [REDACTED] You can obviously work out for yourself what's going on'. Councillor Humphries states that this is all he said about the allegations [REDACTED] [REDACTED] He did tell Ms Densham [REDACTED] [REDACTED]

Councillor Humphries categorically denies using the expression 'rod-ing'. He states that this is not language that he uses. He refers to the language used by Ms Densham herself in her email to Councillor Milton dated 8 June 2011 and questions whether this is appropriate in an email exchange. He points out that it is not language that he would use himself.

Councillor Humphries was taken aback when he learned of Ms Densham's complaint. As far as he is concerned he was exchanging information which was relevant to what was going on at the Area Board. The other members of the Area Board were putting on a lot of pressure about the fact that [REDACTED] [REDACTED] Councillor Humphries was keeping Ms Densham updated about the current situation. He states that he would never [REDACTED] At the time of his conversation with Ms Densham the information about the investigation [REDACTED] [REDACTED] [REDACTED]

Signature -



Dated - 28/11/2011

Councillor Humphries states that there is 'no way' that he stroked Ms Densham's arm. He asks why, if he had done that, did Ms Densham not get out of the car. He states that the car was on a slope outside the bank and it would have been difficult to stroke her arm anyway, especially as he usually sits far back in his seat.

Councillor Humphries states that he did not question Ms Densham about her daughters and he did not ask about their names and ages. He knew that Ms Densham was married and had kids but that was all, he had no idea of their sex nor ages. He adds that Ms Densham had great pleasure in telling him back in 2009 that she was divorced but he didn't know any more than that. Councillor Humphries adds that he had previously enquired after Ms Densham's wellbeing and offered her his support when her mother died but that this is what he would do to anyone in those circumstances.

Councillor Humphries states that there was nothing untoward about the way the conversation ended and Ms Densham got out of the car. He recalls her saying 'I've got to go now' and then she left.

With regard to the Marlborough Area Board briefing meeting on 18 November 2010 Councillor Humphries confirms that he may have referred to the investigation [REDACTED]

[REDACTED] It was [REDACTED] and he may have said the same as he had said to Ms Densham on [REDACTED] i.e. don't push [REDACTED]

[REDACTED] He was trying to defend [REDACTED] at the time, who he knew through his capacity as [REDACTED]

He found out that [REDACTED] because he had seen her [REDACTED] Councillor Humphries

questions why Ms Densham spoke to [REDACTED]

With regard to the meeting of the Marlborough Community Area Transport Group on 7 October 2010 Councillor Humphries questions how he could have 'sexually harassed [Ms Densham] using innuendo'. He cannot remember making a comment about the fact that Ms Densham had been to his house. If he had referred to her visit to his house it would have been in conversation and, as she had been to his house, factually accurate. He cannot recall Ms Densham or anyone else mentioning this at the time and he does not see why they should. It was no secret that she had been to his house.

Councillor Humphries can recall someone at the meeting, possibly Mark Stansby, saying 'Thanks Julia for bringing the biscuits, we like a nibble during the meeting'. Councillor Humphries then added 'Julia likes a nibble too'. Councillor Humphries

Signature -



Dated - 29 / 11 / 2011

states that he presumed that was why she had brought the biscuits. He refers to the fact that the term 'nibbles' is used in everyday language and he has produced as evidence (see CH2), a flyer for the Devizes Constituency Conservative Association which refers to 'nibbles' being available at the West Lavington Branch Quiz Night. Councillor Humphries states that no one responded to his comment at the meeting and that there was no embarrassed silence. His view is that no one was offended because it was not an offensive remark.

Councillor Humphries vehemently denies making any gestures or innuendo with the telescopic poles of the projector. He remembers trying to help Ms Densham dismantle the projector but he could not do it. Someone else, he cannot remember who, came over to help and he told them to carry on as he didn't know what he was doing. Councillor Humphries states that he was merely trying to help as it was the end of the meeting and everyone would have wanted to get away.

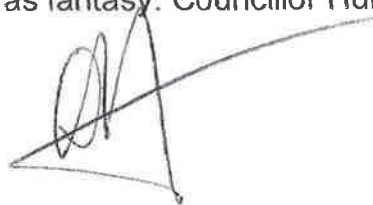
At the end of the meeting Ms Densham approached Councillor Humphries on her own and told him that she did not like the comments that he had made about her enjoying a nibble. She told him that she did not like that sort of thing. Councillor Humphries replied that he had said it in jest, in response to the repartee at the meeting. He apologised profusely, said that he was sorry if she had taken offence and advised her that he would never do it again. They then parted and Councillor Humphries assumed that he had apologised and that was the end of the matter. He hadn't thought that it was necessary but he had done it anyway to ensure no bad feeling. This is what he refers to in his email of 7 October 2010 in which he says 'Thank you for your advice today, it will be heeded'.

Councillor Humphries states that this is the only time that Ms Densham has approached him about his behaviour. This incident made him conscious that Ms Densham is a sensitive person and he has been cautious ever since. Councillor Humphries states that it is a shame that a person cannot be relaxed in the company of colleagues.

With regard to his behaviour towards Mr Martin Cook, Councillor Humphries confirms that he does call him 'baldy'. Councillor Humphries states that he has known Mr Cook for 20 years and they have a friendly banter, as you would with any colleague. Mr Cook engages in the banter with Councillor Humphries by calling him 'fatty' and 'tubby' in return.

With regard to the meeting of the Marlborough Community Area Transport Group on 25 January 2011, Mr Humphries denies that he grabbed Ms Densham's scarf, describing this incident as fantasy. Councillor Humphries cannot understand why Ms

Signature -



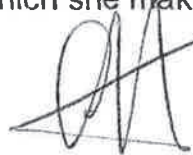
Dated - 28 / 11 / 2011

Densham was the first to arrive at the meeting and alone in the room when she has stated since that she avoided being alone with Councillor Humphries. He questions why she did not walk out of the room when he arrived rather than leaving herself in a position where she felt vulnerable. Councillor Humphries states that he is always the first person to arrive at meetings. He is sure of this because he usually buys two cups of coffee on the way, one for himself and another spare cup which he puts on the table for anyone who wants it.

With regard to the Marlborough Area Board briefing meeting on 7 June 2011, Councillor Humphries states that he was not in a bad mood at the meeting. There had been issues in the past about MaVCAP attending meetings of the Marlborough Area Board and then producing the area board's report in their newsletter before the Area Board had been able to publish it themselves. This is referred to in the chain of emails produced by Ms Densham as additional evidence (JD1). For this reason Councillor Humphries did not want Mr Edmonds to be informed of what the Area Board were doing but he did not lose his temper over it. There were ongoing issues with the production of the Marlborough Area Plan for which the Area Board had paid money to the Marlborough and Villages Community Area Partnership (MaVCAP) to produce but who had then sub-contracted the work to the Marlborough Area Development Trust (MADT). MaVCAP, of which Mr Michael Edmonds was the Vice-Chairman, had started to disintegrate. Councillor Humphries asked Ms Densham to ask MaVCAP for the money back so that it could be given to MADT, and he involved the relevant officers, namely Mr Richard Rogers and Ms Nikki Lewis of Wiltshire Council, and Mr Martin Cook of MADT. Councillor Humphries produced an email from Ms Densham dated 15 June 2011 as additional evidence about the difficulties with MADT (see CH3). In this email Ms Densham acknowledges the difficulties being experienced with MaVCAP.

Councillor Humphries totally denies saying that Steve Milton can go to hell. This is not the sort of language that Councillor Humphries uses. Councillor Humphries states that he has a lot of respect for Mr Milton and, in any event, it is not Mr Milton who makes decisions on area board matters. He might have said that they will ignore what Mr Milton is saying. He states that he takes Ms Densham's advice seriously but that it is the area board which makes the decisions. He adds that it was actually Councillor Milton's suggestion that Ms Densham has no further contact with either WfCAP or MaVCAP, not his. Councillor Humphries produced as evidence an email exchange between himself and Ms Densham dated 24 September 2009 in which it is Ms Densham and not him who suggests ignoring Mr Michael Edmonds (see CH4). Councillor Humphries has also produced an email from Ms Densham dated 10 November 2009 in which she makes reference to the difficulties and the need to

Signature -



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keep the 'show on the road'. This is an amiable email addressed to Councillor Humphries as 'Chris' (see CH5).

Councillor Humphries states that he made no reference at the meeting on 7 June 2011 to Ms Densham's performance. He has known Mr Dave Roberts for 10 years and the only comments that he has ever made to him were at an earlier Area Board meeting where Mr Roberts was substituting for Ms Densham. At that meeting Councillor Humphries had told Mr Roberts that he did not feel fully involved with the area board and that he felt like he was on the outside looking in. Councillor Humphries states that he would never criticise an officer who was working for him and that he would actually defend them. He says that he went overboard in supporting her when she applied for the job as Marlborough Community Area Manager.

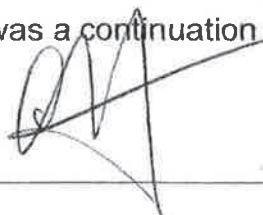
Councillor Humphries denies 'effectively' telling Mr Roberts to shut up. He makes the comment that this is an inference. He does not use dismissive hand gestures and states that if he has something to say then he says it. He is entitled as a member and a human being to have a different opinion to someone else. Councillor Humphries refers to Ms Densham's email dated 8 June 2011 which is attached to her complaint and her use of the words 'piss' and 'crap'. He states that he would never use the word crap and that Ms Densham's use of the word piss is in bad taste. He questions why Ms Densham sent the email to Councillor Milton and wonders whether her email, which is all inferences, is part of a conspiracy.

With regard to the allegation that Councillor Humphries asked Ms Densham about her domestic arrangements during a telephone conversation, Councillor Humphries states that he would not have even considered it. He asks 'why should I?'

With regard to the email that he sent to Ms Densham dated 10 December 2009 in which he says 'well done, I could not have thought of such bovine effluent as this!!' Councillor Humphries explains that this was in connection with a grant application that Ms Densham did not agree with. Councillor Humphries agreed to support her in any way or form she wished and the email from Ms Densham is her spinning them a line. His response about bovine effluent is Councillor Humphries' show of support for her. Councillor Humphries wishes to emphasise the kind of language that he uses, rather than expressions such as 'crap' and 'piss'.

With regard to his email dated 20 October 2010 concerning his new photograph, Councillor Humphries states that he and Ms Densham had been having a joke about the photograph when it was first taken. He had actually had three photographs taken and he and Ms Densham had been discussing which one was the best. That is why he sent the email; it was a continuation of their discussion about the photographs.

Signature -



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With regard to his email dated 24 September 2010 about the Area Board agenda covers, Councillor Humphries considers that any reasonable person would have taken it as a compliment. His comment about the colour photography was made as a joke. He considers it to be banter amongst colleagues and states that he would have said it to anyone. He cites an example of this banter between the two of them as being the fact that Ms Densham has twice stuck her tongue out at him from the other side of the room during meetings; this behaviour did not cause him offence.

Councillor Humphries cannot understand why Ms Densham considers his email of 6 June 2011 asking about the time of the briefing meeting to be particularly harsh. His view is that it is a simple request in which he uses the words 'if' and 'please'.

Councillor Humphries explains that he was contacted by Mr Graham Francis about a potential visit to the Compton Bassett recycling plant in his capacity as the Wiltshire Council Divisional Member. He sent his email to Ms Densham on 17 August 2011 to see if she wanted to be involved as the Area Board Manager. He also copied his email to Mr James Hazelwood, Democratic Services Officer. Councillor Humphries was on holiday at the time and sent his email from his hotmail address. When he got no response Councillor Humphries contacted Mr Andy Conn, Head of Waste Management, and his reply is attached as appendix CH6. Councillor Humphries cannot understand the criticism levelled at him by Ms Densham.

Councillor Humphries advised that when he sent the above email he had not been advised to have no contact Ms Densham. In fact Ms Densham was still contacting him after she had made her complaint. Councillor Humphries refers to an email dated 27 June 2011 in which Ms Densham is still calling him 'Chris' and an email dated 11 July 2011 in which Ms Densham is contacting him regarding MaVCAP (see CH7 attached). These are two examples of several emails.

With regard to the allegation that he made offensive remarks about [REDACTED] [REDACTED] states that he would never refer to information having disappeared down a black hole in connection with [REDACTED] [REDACTED]. He says that there is no way that he would have made a comment like that. He is more politically aware than that and he has got too many ethnic minority friends to even say that. He gets on like a house on fire with [REDACTED] and has provided a chain of emails dated 27 to 29 September 2011 to support this (see CH8).

Councillor Humphries advises that in all his time in public office no one has ever had to take him to one side to tell him that they have received a complaint about his language or behaviour. Neither has anyone mentioned any concerns raised by previous Marlborough Community Area Managers. He is aware that the first

Signature -



Dated - 28 / 11 / 2011

Marlborough Area Board manager left under a cloud but that had nothing to do with him.

He was not aware of any of the issues referred to in Ms Densham's complaint until he received a copy of the complaint. No one at Wiltshire Council, neither members or officers, has ever raised the matter of Ms Densham's concerns with him. As mentioned previously, the only time that Ms Densham herself has raised any concerns with him was following the Marlborough Community Area Transport Group meeting on 7 October 2010. He considers that this was sorted out between two adults and he cannot recall speaking to any other officer about this. He questions why he would have done so.

Councillor Humphries did not consider that his relationship with Ms Densham had broken down and he was not aware that she was finding his comments offensive or his behaviour difficult. He cannot understand why Ms Densham has submitted this complaint and referred to alleged incidents that go back to 2009. He cannot understand the object of the exercise.

Councillor Humphries provided a copy of an email dated 23 November 2010 (see CH9) which he considers demonstrates the good relations between them. Also, attached as evidence at CH10 are the feedback forms from Area Board meetings held on 7 December 2009, 31 August 2010, 31 October 2010, 8 February 2011 and 6 September 2011. Councillor Humphries states that he would not have received such positive feedback about how he controlled the meeting if he had been behaving in the manner suggested by Ms Densham.

Councillor Humphries goes on to state that he is surprised to read that Ms Densham has taken steps not to be alone with him. He refers to a date earlier this year, either 4 or 5 May 2011, when Ms Densham telephoned him to say that she had something for him that needed delivering. He cannot remember what it was but it may have been a mobile phone. Ms Densham offered to bring it personally to his house and she said to him 'I can bring it over for you'. She drove up his drive alone and handed it to him on his doorstep. Councillor Humphries is surprised that she offered to do this if she was trying to avoid being alone with him.

Councillor Humphries adds that he does not know who to trust any more. Perhaps he is not the most politically correct person in life but he has not done what Ms Densham is alleging. He is saddened by the complaint.

Finally he would like to add that Ms Densham gave him her personal home telephone number sometime during 2009/10 when she serviced the Marlborough Area Board as a Democratic Services Officer. He used it once to enquire about her mother but afterwards felt very uneasy about it and did not use it again.

Signature -



Dated - 28/11/2011

CHI



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Forthcoming Events 2011

Devizes Constituency Conservative Association, 116, High Street, Marlborough, Wiltshire. SN8 1LZ. (01672) 512675

EVENTS ALSO ACCESSIBLE VIA THE ASSOCIATION'S WEBSITE - www.devizesconservatives.com

2 to 5
October



PARTY CONFERENCE

Manchester.

www.conservatives.com/Get_involved/Conference.aspx

Friday 7
October

CWCC LADIES DAY

Bouverie Hall, Pewsey.

10am - 3pm.

Including speakers:

"Antiques & Family Heirlooms" by Mr Christopher Linney

A talk on the fascinating subject of antiques by Christopher, who is an auctioneer and has owned his own antique shop for the past twenty years.

"Caves to Castles" by Miss Margaret Clark

A very interesting illustrated presentation on National Trust houses.

"Looking at Life" by Mrs Jean Collens

A talk of verse, stories, quotes and observations, some amusing and others more thoughtful.

Craft Stall: Mrs Angela Bowerman

Tickets £15.00 to include morning coffee and a two-course luncheon with coffee are available from: Frances Mills (01672) 520466.

Friday 14
October



Pewsey, Milton Lilbourne & Easton Royal Branch

AN EVENING OF SKITTLES

AND FISH & CHIPS

At Woodborough Social Club.

7.00 pm.

Enquiries: Mrs Pat Dunn (01672) 852256 (after 5.00 pm).

Monday 17
October



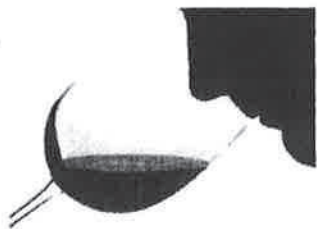
CLAIRE PERRY'S PATRONS CLUB LUNCHEON 2011

SPECIAL GUEST: Leader of the House of Commons
and Lord Privy Seal, Sir George Young MP.

At the Carlton Club, London.

To join Claire Perry's Patron's Club telephone the DCCA Office
(01672) 51275

Sunday 30
October



Upavon Area Branch

WINE TASTING & AUTUMN LUNCHEON

At Rushall Village Hall.

11.30 am. onwards

Wine Tasting by Guy Boursot Wines of Ardes, France

Tickets £17.50 (incl. 2 course lunch & wine tasting)

Tickets: Mrs Ann Merrett (01980) 671231.

Friday 4
November



European Supper with Ashley Fox MEP

7.00 for 7.30 pm.
The Ballroom, The Bear Hotel, Devizes.
Tickets £13.50 incl. two-course meal from Mrs Janet Giles (01380) 850327

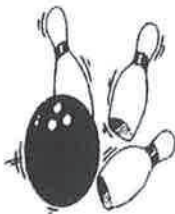
Friday 4
November

West Lavington Branch QUIZ NIGHT

7.30 pm.
Armed forces theme.
West Lavington Village Hall
EVERYONE WELCOME.
Tickets £6.00 including nibbles and a glass of wine available from Mrs Ann Sparkes (01380) 818853



Saturday 12
November



Burbage Branch SKITTLES EVENING

7.30 pm.
At the Cross Keys, Great Bedwyn. ALL WELCOME.
Tickets £13.50 including a buffet meal consisting of 7 exciting dishes
from Bernadette Willis (01672) 810285

Friday 18
November

**Ramsbury, Axford & Chilton Foliat Branch
BRIDGE AT MANTON GRANGE**

6.30 until 10.00 pm.
Tickets £100 per table - £25 per players (Including canapés, a glass of wine and supper)
Enquiries: Mr John Lewis (01672) 521156



Monday 21
November

CWCC LADIES CHRISTMAS LUNCHEON CLUB

At North Wiltshire Golf Club, Blacklands 12.15 for 12.30 pm Quiz. Licensed Bar.
Tickets £13.50 (Including two course lunch) available from Mrs Janet Giles (01380) 850327.

Saturday 25
November

CONSTITUENCY ANNUAL DINNER

7.00 for 7.30 pm.
The Ballroom, The Bear Hotel, Devizes.
A two-course dinner with Claire Perry MP and
Special Guest Speaker: The former head of the Army General Sir Mike Jackson



FULL DETAILS TO BE ANNOUNCED.
Enquiries: DCCA Office (01672) 512675.

Friday 2
December



**Shalbourne, Ham & Gratton Branch
CHRISTMAS DRINKS PARTY**

Coronation Hall, East Grafton .
FULL DETAILS TO BE ANNOUNCED.
With special guest Julie Girling MEP.
Enquiries: Mr Barnaby Smith (07802) 338199.



Saturday 3
March 2012

UNITARY COUNCIL ELECTIONS SEMINAR

FULL DETAILS TO BE ANNOUNCED.

Chris Humphries

From: Densham, Julia [Julia.Densham@wiltshire.gov.uk]
Sent: 15 June 2011 07:48
To: Humphries, Chris
Subject: RE: MAVCAP

My view is that we should support the idea of a CAP as per the Wiltshire Council pledge to support partnerships in community areas.

However, I think it is WfCAP's job to get a proper CAP started and when they have a credible organisation – that being a network of local organisations (NOT parishes) – they can formulate a work plan and look to us for support. The steering committee should have a parish rep – perhaps the parish forum chairman – but CAPs aren't about parishes. They should be focussed on the wider issues of health, transport, environment, etc.

The notion of transferring the plan back is untenable. MADT hold the contract. Does WfCAP mean transfer the management back or the whole plan? New CAP members wouldn't know where to start on the project. A CAP should be doing more than just the plan so what would it be doing once the plan is published next January? A new CAP should be looking forward to new projects in the community.

Other community areas do have the three organisations operating satisfactorily – however in the Marlborough community area they are all currently too fragile and I think the parish forum needs space to get on its feet, as does MAB. If WfCAP can get on with the job of creating a new partnership independently (as it is supposed to be an independent and autonomous organisation) fine, but if they want to lean on the area board that is also undergoing a transformative process it may prove too much and destabilise it.

I think being firm but fair is the way forward with WfCAP who clearly haven't understood fully the historic issues between the relationship between the board and MaVCAP. I think they have had a very one sided reporting of the difficulties with MAB as opposed to our difficulties with MaVCAP. I don't think committing the board to an organisation that is as yet unformed is a good idea and we would want to see that it is not a reprise of MaVCAP. I'm sure if a new CAP came up with a useful project we could give a community area grant to get it started without committing to the CAPA and the full funding immediately.

This may not appease Laura but surely the key word here is 'partnership working' and currently it feels like WfCAP are dictating the terms.

Julia

From: Chris Humphries [redacted]
Sent: 14 June 2011 11:56
To: Densham, Julia
Subject: FW: MAVCAP

FYI.

James views are similar to mine, particularly:

"There was concern at the time of the creation of the Parish Forum that three organisations (MAB, MaVCAP, MAPF) would be too much".

Also "Community Area Plan being transferred back to a reconstituted MaVCAP".

How do we appease Laura?

Chris

From: James Keith [REDACTED]
Sent: 14 June 2011 11:22
To: 'Chris H H'
Subject: MAVCAP

Dear Chris,

Thank you for asking my views on the situation in relation to MaVCAP.

For practical reasons I see no mileage in the Community Area Plan being transferred back to a reconstituted MaVCAP, or any other community organisation for that matter, mid way through the consultation period. The consultation exercise is now in the execution stage and is probably best left undisturbed until completed. I cannot see the value in changing ownership again or duplicating it. We are where we are.

I think it would be better, for future community efforts, to put some space between any new organisation and MaVCAP as it was.

In the very short term I think that the Parish Forum still needs some space and everyone's focus until it becomes established and therefore it might be best not to distract at the present time by re-launching a Community Forum immediately.

In the Medium Term:

- I most certainly believe that there is a need for a locus for community groups to come together to initiate projects, debate and ultimately to take ownership of the Community Area Plan.
- I believe that many of the Parish Councils may not be interested in becoming heavily involved in a new or re-constituted community organisation
 - There was concern at the time of the creation of the Parish Forum that three organisations (MAB, MaVCAP, MAPF) would be too much,
 - MaVCAP had failed to properly engage the Parishes, either because of duplication with MAB or because of lack of relevance to the Parish Councils. As hard as Michael Edmonds tried, it was very difficult for him to interest the Parish Councils.
- If there were to be a new Community Forum it would be entirely appropriate for the Parish Forum to have representation on it, and of course as many Parish Councils as wished in their own right. Currently many Parish Councils would be happy for the work to be done for them by the Parish Forum.

The above represents my personal view but it is influenced by conversations with Parishes. If you would like I can raise this issue formally with the Forum and ascertain all of their views.

Best wishes

James

James Keith

Tel (office): [REDACTED]
Tel (mobile): [REDACTED]
e-mail: [REDACTED]

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Chris Humphries

From: Densham, Julia [Julia.Densham@wiltshire.gov.uk]
Sent: 24 September 2009 20:03
To: Humphries, Chris
Subject: RE: 23 Sept Marlborough Special Meeting

Like your words - although ignoring him seemed like a better option?

Julia Densham

Senior Democratic Services Officer
 Wiltshire Council
 Tel: 01249 706610
 Email: julia.densham@wiltshire.gov.uk
 Website: www.wiltshire.gov.uk

From: Chris Humphries [REDACTED]
Sent: 24 September 2009 19:46
To: Densham, Julia
Subject: RE: 23 Sept Marlborough Special Meeting

Julia,

You could reply: "You are right it was a public meeting organised by the MAB to allow NHS Wiltshire to inform the public on/of their services, hence there were no motions proposed. You must approach Rich Pitts for further information on MAVCAP."

Thank you for your interest I hope this information is of assistance to you.

etc etc."

From: Densham, Julia [<mailto:Julia.Densham@wiltshire.gov.uk>]
Sent: 24 September 2009 09:51
To: Chris Humphries; Fogg, Nick; Milton, Jemima; Dow, Peggy A.
Cc: Sullivan, Alison
Subject: FW: 23 Sept Marlborough Special Meeting

Dear Councillors

I have received the message below from Michael Edmonds regarding last night's meeting.

Chris - I have thanked him for his email and informed him that I have passed it to the Area Board. Please let me know if you wish me to do anything else.

Best wishes
 Julia

Julia Densham
 Senior Democratic Services Officer
 Wiltshire Council
 Tel: 01249 706610
 Email: julia.densham@wiltshire.gov.uk
 Website: www.wiltshire.gov.uk

From: Micheal [REDACTED]
Sent: 24 September 2009 08:33
To: Densham, Julia
Cc: anthony prior
Subject: 23 Sept Marlborough Special Meeting

Dear ms Densham

An excellent presentation by NHS Wiltshire last night. But this was not a Board Meeting in any sense of the word. It was a public meeting which should have been presented as such. I have already communicated my disquiet to Jane Scott and John Thomson about the way in which Parish Council inputs are being sidelined. I believe that last night Froxfield, Chilton Foliat, Aldbourne and Berwick Bassett were not represented and in any case would simply have been there as members of the public. At the first Marlborough Board the representative from Baydon PC was told that PC inputs to the Board should come from the Partnership. The Marlborough Partnership met in late July, since then no minutes and no sign of another meeting before the Board meeting in October. I have pointed out that in the run up to the setting up of the boards more effort should have been made to involve the Parish Councils. Parish Councils are the first layer in local democracy yet their role at Board meetings appears to be the same as any member of the public who rolls up to release the particular bee in his bonnet. PC publicize their meetings and encourage members of the public to attend and voice their wishes and complaints. This should be the input route to the Boards. There is also attempts to introduce youth participation at the Boards. The correct path for this is via Youth Councils not through ad hoc exercises such as CAYPIG.

Yours sincerely
Michael Edmonds

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CHS

Humphries, Chris

From: Densham, Julia
Sent: 10 November 2009 18:54
To: Humphries, Chris
Subject: FW: Community Grant Scheme

Chris

Will do. I have a meeting tomorrow with Miranda Gilmour to discuss the finer details of the various grants and their processes and will respond to Sandra Fowkes when I know more.

I spoke to Richard Rogers today, pointing out that we had had a successful meeting on Friday and had discussed the issues and the way forward. He would, however, still like to meet with you I think just to be sure you feel as comfortable as you can be given the situation. He will contact you directly to arrange.

Rich Pitts also phoned me this morning and I reiterated the need for the CAPA to be signed - Friday had signified a fresh start and he needed to move his own 'baggage' along (non-payment of the administrator, etc) He promises this will appear very shortly...he has invited me to hound him on the subject so I will.

Marie Todd, John Quinton and Richard Rogers are still discussing terms regarding my 'role' but I have emphasised to all the urgency in 'keeping the show on the road'.

That brings you up to date...sorry I sent you the partial email earlier - finger trouble.

Julia

Julia Densham
 Senior Democratic Services Officer
 Wiltshire Council
 Tel: 01249 706610
 Email: julia.densham@wiltshire.gov.uk
 Website: www.wiltshire.gov.uk

From: Chris Humphries [REDACTED]
Sent: 10 November 2009 17:46
To: Densham, Julia
Cc: 'Sandra Fowkes'
Subject: FW: Community Grant Scheme

Julia,

Can you assist on this issue and respond direct?

Thanks

Chris

From: Sandra Fowkes [REDACTED]
Sent: 10 November 2009 09:17
To: Chris Humphries
Subject: Re: Community Grant Scheme

Chris

Is there any news regarding the Grant Scheme?

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Sandra Fowkes

----- Original Message -----

From: Chris Humphries
To: 'Sandra Fowkes'
Cc: 'Sullivan, Alison'
Sent: Sunday, October 11, 2009 5:25 PM
Subject: RE: Community Grant Scheme

Sandra,

Thank you.

I am forwarding your request email to Alison Sullivan our Area Board manager. Alison will respond to you and explain the criteria for Area Board grants in respect of the Reward Grant Scheme.

Don't despair if you do not get an immediate response as Alison is taking some well deserved leave.

Chris

Alison,

Please respond and copy me in when you receive this email.

Thanks

Chris

From: Sandra Fowkes [redacted]
Sent: 11 October 2009 12:54
To: [redacted]
Subject: Community Grant Scheme

Dear Mr Humphries

Ogbourne St Andrew Parish Council

Following your email regarding the Performance Reward Grant Scheme the Parish Chairman has asked me to look into the possibility of obtaining help with our project in converting part of the parish church into dual use as a village hall.

I understand that any request for funding must be authorised by the Area Board before it is considered by Wiltshire Council and it would be very helpful if you could confirm that the changes we propose to the church fall within the guidelines.

If our project is acceptable what will your committee require from us when submitting an application and is there any indication of the amounts to be granted to each successful applicant.

If you wish to contact me my telephone number is 01672 841000.

Sincerely

Sandra Fowkes - Parish Coucillor

04/09/2011

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Chris Humphries

From: Conn, Andy [andy.conn@wiltshire.gov.uk]
Sent: 22 August 2011 08:44
To: [REDACTED]
Subject: RE: Compton Bassett
Attachments: Cliff Carter.vcf

Morning Mr Humphries

Cliff Carter is a useful contact for arranging visits to Hills at Lower Compton.

(Not sure whether they take old buggers)

Regards

Andy Conn
Head of Waste Management
Department of Neighbourhood and Planning
Wiltshire Council
01225 713422
andy.conn@wiltshire.gov.uk

www.recycleforwiltshire.com

From: W Humphries & Co. [mailto:[REDACTED]]
Sent: 21 August 2011 14:05
To: Conn, Andy
Subject: FW: Compton Bassett

Andy,

Please request message to me below. Can you please advise mw on how best to progress this?

Graham is also Clerk to two of my Parish Councils.

Regards

Chris Humphries

From: [REDACTED]
To: [REDACTED]
Subject: Compton Bassett
Date: Tue, 16 Aug 2011 16:21:57 +0100

Hi Chris

I would be grateful if you could deal with this when you return from holiday please.

I am the Social Chairman of Marlborough Probus Club and they have expressed interest in visiting the recycling plant at Compton Bassett. Could you organise a visit for around 20 old buggers in early November for me please? Morning best I think then we can retire to the White Swan for refreshments!

Graham

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Chris Humphries

From: Densham, Julia [Julia.Densham@wiltshire.gov.uk]
Sent: 27 June 2011 08:56
To: Humphries, Chris; Dow, Peggy; Humphries, Chris; Milton, Jemima; Nick Fogg; Nick Fogg; Peggy Dow
Subject: Annual Leave

Dear Councillors

I am now on annual leave from today for a couple of weeks. If you have any questions, please contact Steve Milton (steve.milton@wiltshire.gov.uk) on 07827 082366.

Chris: I, therefore, will not be attending the meeting tonight as it was arranged after my leave was booked. I am aware of the content as it has been discussed at our team meetings. I hope it goes well and will catch up with any outcomes on my return.

Best wishes
Julia

Julia Densham
Marlborough Community Area Manager

Wiltshire Council
Area Boards Team - North team
Communities, Libraries, Heritage & Arts
Department of Community Services
Wiltshire Council
Monkton Park
Chippenham
Wiltshire
SN15 1ER

Tel: 01249 706496
Mob: 07776 450615
Email: julia.densham@wiltshire.gov.uk
Website: www.wiltshire.gov.uk

Click [here](#) to view the Marlborough community area web-page.

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Lindsay, Marie

From: Densham, Julia [Julia.Densham@wiltshire.gov.uk]
Sent: 11 July 2011 14:49
To: Humphries, Chris
Subject: RE: Contact and enquiry

Thanks. Yes, I spoke to Andrew Jack, our partnership officer, who attended. Jemima has also passed on your observation regarding the lack of a quorum at the meeting.

I see they have arranged an AGM for 13 September. It will be interesting to see if they are quorate then.

Julia

Julia Densham
Marlborough Community Area Manager
Wiltshire Council

From: Chris Humphries [redacted]
Sent: 11 July 2011 14:38
To: Densham, Julia
Subject: RE: Contact and enquiry

Julia,

Evening 27 July to 27 August, I could return sooner if I feel like it or get bored!! You will get this again when I circulate my dates later. Are you up to speed on the MAVCAP non event?

Chris

From: Densham, Julia [mailto:Julia.Densham@wiltshire.gov.uk]
Sent: 11 July 2011 14:20
To: Humphries, Chris
Subject: RE: Contact and enquiry

Chris

Back today – thanks for your emails and voicemail.

Regarding the Baydon grant, our administrator Angela has spoken with Rowan who will return the grant when they have received the full amount they expect from the S106 (it seems they haven't yet).

I will ask Nick if he wishes to attend the Community First event as I am already committed.

Do you have your holiday dates confirmed – if so may I have them to add to my calendar please?

Thanks
Julia

Julia Densham
Marlborough Community Area Manager
Wiltshire Council

From: Chris Humphries [REDACTED]
Sent: 09 July 2011 14:52
To: Densham, Julia
Subject: Contact and enquiry

Julia,

I hope you are well, I have not heard from you for some time, can I assume you are in harness?

Please find attached an invite received today as Chairman of the Area Board. I cannot make the 14th, would you be interested in going to represent me? If not maybe you could ask Nick whether or not he would like to attend.

I look forward to hearing from you.

Chris

Tel: [REDACTED]
Fax: [REDACTED]
Mob: [REDACTED]
Web Site : [REDACTED]

 Before printing, think about the environment

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Humphries, Chris

From: [REDACTED]
Sent: 29 September 2011 11:10
To: Humphries, Chris
Subject: [REDACTED]

Thank you Chris hope you are well - I will try and remember for future meetings.

From: Humphries, Chris
Sent: 27 September 2011 20:09
To: [REDACTED]
Subject: [REDACTED]

[REDACTED]
Sorry it was my typo [REDACTED] is Aldbourne Parish Council, we always meet on the first Wednesday of the month.

Chris

From: [REDACTED]
Sent: 27 September 2011 14:28
To: Humphries, Chris
Subject: [REDACTED]

Hi Chris, thanks for being the 1st to reply, the [REDACTED] is actually on [REDACTED] - was this a typo?

From: Humphries, Chris
Sent: 27 September 2011 12:11
To: [REDACTED]
Subject: [REDACTED]

[REDACTED]
Sorry I can't attend on the [REDACTED] I have a Parish Council meeting in Aldbourne.

Regards

Chris

From: [REDACTED]
Sent: 27 September 2011 12:04
To: 'Amy Wallis'; Humphries, Chris; 'Devotion'; Dow, Peggy; 'Tippetts, David'; Densham, Julia; 'KDavis'
Cc: Harris, Richard
Subject: [REDACTED]

Hi all, since the last [REDACTED] where we discussed the [REDACTED] the consultation process has been completed and the proposal (attached) was presented to full-cabinet this month, which as now been

accepted . The proposal (now amended to [REDACTED] will be discussed at next weeks [REDACTED] which as been organised for [REDACTED] arrival [REDACTED] to begin at [REDACTED] prompt finishing at [REDACTED]

There will be a chance for a Q & A session after feedback on the proposal. Hope you can make it and if those of you who work with [REDACTED] are able to bring a group along (especially those who attend the last [REDACTED] in July) that would be great.

If you are unable to attend, please let me know.

Thanks

[REDACTED]

Chris Humphries

From: Densham, Julia [Julia.Densham@wiltshire.gov.uk]
Sent: 23 November 2010 16:18
To: Humphries, Chris
Subject: Briefing note
Attachments: Chris' briefing note doc

For you!

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Area Board Feedback - Marlborough 06.09.11

CHIO

Feedback	1	2	3	4	5	6	7	8	9	10	11									Response Total	Average Rating	
Was the venue appropriate?	G	G	G	S	G	G	E	E	G	G	S									11	G	
Was the room layout appropriate?	S	G	G	S	G	E	E	E	G	G	S									11	G	
Did you feel welcome at the meeting?	S	S	G	G	G	E	E	E	G	G	G									11	G	
Did you feel involved?	G	S	G	G	G	E	E	E	G	E	E									11	G/E	
Did everyone have the opportunity to speak?	G	S	G	G	S	E	E	E	G	E	E									11	E	
How did you rate the agenda?	S	S	S	G	S	G	G	E	S		E									10	S	
How did you find the presentation/s?	S	G	G	S	G	G	G	E	G	G	S									11	G	
How did the Chair control the meeting?	S	G	G	S	S	G	E	E	G	E	G									11	G	
Was the meeting well prepared?	S	G	S	G	S	E	E	E	G	E	G									11	G/E	
was the meeting well publicised?	S	S	S	S	S	G	S	E	G	S	G									10	S	
How did you rate the meeting overall?	S	S	S	G	G	G	G	E	G	G	G									11	G	
Comments																						

Key
P - Poor
S - Satisfactory
G - Good
E - Excellent

8.2.11

Feedback	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Score	Response Total	Average Rating
Questions																											
How was the Venue?	5	5	6	5	5	6	6	5	6	6	2														57	11	5.2
Did you feel welcome?	5	5	6	5	5	6	6	5	6	6	5														60	11	5.5
Did you feel involved?	5	5	1	5	5	6	5	5	6	5	6														54	11	4.9
Did everyone have the chance to speak?	5	6	3	5	6	6	5	5	6	5	6														58	11	5.3
How did you rate the Agenda?	2	5	2	3	5	4	5	3	6	4	3														42	11	3.8
How did the Chair run the meeting?	3	4	3	5	5	5	5	2	5	5	6														48	11	4.4
How did you rate the meeting overall?	3	5	2	4	5	5	5	3	5	5	4														46	11	4.2
Comments																											

Key
 Red - A member of the public Green - A member of the Community Partnership (ChAP) Black - A Town/Parish Council Representative
 Blue - A representative of another organisation Purple - A District/County Councillor

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Area Board Evaluation - Marlborough 31.10.10

Feedback	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Score	Response Total	Average Rating	
Questions																												
How was the Venue?	2	6	6	6	5	6	6	4		5	4	6	5	6	6										73		4.8	
How was the room layout?	2	5	5	6	6	5	4	3	1	5	6	6	5	6	6										71		4.7	
Did you feel welcome?	1	2	4	4	5	5	3	5	6	5	5	4	6	6	6										67		4.5	
Did you feel involved?	1	1	4	4	6	5		4	6	5	2	4	6	6	6										60		4	
Did everyone have the chance to speak?	4	6	5	6	6	5	5	4	6	5	6	5	6	6	5										80		5.3	
How did you rate the agenda?	3	4	5	5	4	5	5	3		4	2	5	4	5	5										59		3.9	
What did you think of the DVD?																												
How did the Chair run the meeting?	4	5	5	5	5	4	5	5	5	5	5	4	6	5	5										73		4.9	
How did you find the meeting overall?	2	4	5	5	5	4	4	4	5	5	2	4	5	5	5										64		4.3	
Comments																												

Key
 Red - A member of the public Green - A member of the Community Partnership (ChAP) Black - A Town/Parish Coucil Representative
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Area Board Evaluation - Marlborough 31.08.10

Feedback	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Score	Response Total	Average Rating	
Questions																												
How was the Venue?	6	3	6	6	6	6	6	6	6	5															56	10	5.6	
How was the room layout?	6	2	6	6	6	5	6	5	5	4															51	10	5.1	
Did you feel welcome?	6	3	5	6	6	6	5	6	5	5															53	10	5.3	
Did you feel involved?	6	3	5	6	6	2	5	6	5	4															48	10	4.8	
Did everyone have the chance to speak?		4	6	6	6	6	6	6	5	5															50	10	5	
How did you rate the agenda?	1	4	4	2	4	4	2	1	5	2															29	10	2.9	
What did you think of the DVD?																												
How did the Chair run the meeting?	6	5	5	6	6	6	5	6	3	5															53	10	5.3	
How did you find the meeting overall?	3	4	5	4	5	4	1	3	4	4															37	10	3.7	
Comments																												

Key
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Area Board Evaluation - Marlborough 07.12.09

Feedback	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	Total Score	Response Total	Average Rating
Questions																											
How was the venue?	3	3	2	2	5	1	1	1	1	3	5	2	4	4	2	1	6	1							47	19	2.5
How was the room layout?	4	2	5	1	4		3	5	5	4	5	1	5	5	6	2	2	6	4						69	19	3.6
Did you feel welcome?	3	3	3	4	3	3	5	5	4	4	5	5	6	5	5	4	5	6	6						84	19	4.4
Did you feel involved?	3	3	4	4	4	3	5	5	4	3	5	3	5	4	3	3	4	6	3						74	19	3.9
Did everyone have the chance to speak?	3	3	5	5	4	5	5	6	5	5	6	4	5	5	5	4	4	6	5						90	19	4.7
How did you rate the agenda?	2	3	4	3	3	5	2	4	3	4	3	2	5	4	3	3	2	4	4						63	19	3.3
What did you think of the DVD?	1		2	1			1	1			1		1	1	1	1	1	1	1						12	19	0.6
How did the Chair run the meeting?	4	2	5	4	3	5	4	6	5	3	4	4	3	5	6	4	3	6	6						82	19	4.3
How did you find the meeting overall?	2	3		3	3	4	3	6	4	3	4	1	3		5	3	3	5	1						56	19	2.9
Comments																											

Key
 Red - A member of the public Green - A member of the Community Partnership (ChAP) Black - A Town/Parish Council Representative
 Blue - A representative of another organisation Purple - A District/County Councillor

Code of Conduct case reference – WC39/11

Statement of – Councillor N Fogg

Complainant/Subject Member/Witness – Witness

Date of interview – 24 October 2011

Place of interview – Telephone interview

Interviewer – Mrs Marie Lindsay

This statement, consisting of 1 page each signed and dated by me, is true to the best of my knowledge.

There are statutory restrictions on the disclosure of information obtained by the Monitoring Officer. This is covered by section 63 of the Local Government Act 2000 and disclosure of information contrary to this is a criminal offence.

Signature - *J.N. Fogg.*

Dated – *2nd November, 2011.*

Councillor Fogg confirmed that he ~~probably~~ did attend the Marlborough Area Board briefing meeting on 26 August 2010. He attends virtually all of the briefing meetings and rarely misses one.

Councillor Fogg cannot recall any offensive language being used at the meeting. He points out that the meeting in question was almost 14 months ago and unless something was said that was ~~so~~ unbelievably blatant then he wouldn't remember it 14 months later.

Councillor Fogg states that if he had heard Councillor Humphries refer to something as an 'abortion of a mess' then, although it is not a form of words that he himself would use, he would not find it particularly offensive. As it is, he cannot recall any offensive comments being made.

Please note two minor changes.

Signature - *J.N. Fogg*

Dated – *2nd November, 2011.*

Code of Conduct case reference – WC39/11

Statement of – Councillor Jemima Milton

Complainant/Subject Member/Witness – Witness

Date of interview – 20 October 2011

Place of interview – Wiltshire Council Offices, Bythesea Road, Trowbridge

Interviewer – Mrs Marie Lindsay

This statement, consisting of 3 pages each signed and dated by me, is true to the best of my knowledge.

There are statutory restrictions on the disclosure of information obtained by the Monitoring Officer. This is covered by section 63 of the Local Government Act 2000 and disclosure of information contrary to this is a criminal offence.

Signature -

Dated –

Councillor Milton confirmed that she is a member of the Marlborough Area Board and she usually attends the Area Board briefing meetings. Councillor Milton is pretty sure that she was present at the Area Board briefing meeting on 26 August 2010.

Councillor Milton recalls that at one briefing meeting Councillor Humphries made comments of a personal nature about [REDACTED]. She does not remember Councillor Humphries' exact words but she does recall that his comments referred to why [REDACTED] what he had allegedly done to people and how other people [REDACTED] had complained about him. These comments were made as part of a conversation about [REDACTED]. Councillor Milton's reaction was that Councillor Humphries' comments were inappropriate and that this matter should not be being discussed. Her view at the time was that people shouldn't know about all this. Councillor Milton was aware at the time, as a lot of people were, [REDACTED] although she did not know [REDACTED].

Councillor Milton cannot remember exactly what was being discussed at the time that Councillor Humphries made his comments about [REDACTED] and she cannot say whether the meeting was still underway or had finished. She does not know whether she responded to Councillor Humphries at the time although with hindsight she would say that she probably didn't.

Signature -

Dated –

Councillor Milton cannot recall whether, in addition to herself, Councillor Humphries and Ms Densham, anyone else was present at the time. Councillor Milton cannot recall Ms Densham making any response to Councillor Humphries.

Councillor Milton does recall a Marlborough Area Board briefing meeting which took place in late 2010 or early 2011 at which Councillor Humphries made a comment about [REDACTED]. She recalls that Councillor Humphries said something along the lines of 'the trouble is, if you give paperwork to [REDACTED] it always goes into a black hole'. Councillor Milton does not know whether these comments were made during or after the briefing meeting but she does remember that Ms Densham was present.

Councillor Milton's view of Councillor Humphries' comments about [REDACTED] is that Councillor Humphries probably thought he was being funny and that he was probably not intentionally being racist. There were ongoing issues with [REDACTED] and Councillor Milton did not challenge Councillor Humphries about his comments on this occasion, although she has picked him up on comments that he has made in the past. She took these comments of his to mean that if you gave [REDACTED] some paperwork then nothing further would be seen of it.

Councillor Milton explains that she has worked with Councillor Humphries since she became a Wiltshire Councillor in 2009 although she has known of him for longer than that. Since she has worked with him his manner has always been one of constant niggling and undermining and she has witnessed this type of behaviour towards Ms Densham and others. She considers that his style can be perceived as bullying although she is not sure that he always realises what he is doing and the effect that his comments have on other people. Councillor Milton's view is that Councillor Humphries wants control of everything, hence his style of implying 'you're an officer and you're going to work for me' and 'I'm going to tell you what to do and you're going to do it'. To put this into context, there are difficulties within the Marlborough area, specifically with regard to the dynamics of the Marlborough Area Board, which she thinks present difficulties for Councillor Humphries. He tries to show, by his comments and behaviour, that he is in control and that he holds all the strings. The comments Councillor Humphries made at the Area Board briefing meeting about [REDACTED] are, in her view, indicative of his style to imply that he knows more about an issue than anyone else.

For these reasons Councillor Milton was not surprised to receive Ms Densham's email dated 8 June 2011 in which Ms Densham expresses her concerns over Councillor Humphries' behaviour. Councillor Milton did not respond to Ms Densham

Signature -

Dated -

in writing but she believes that she may have spoken to her to offer her some support.

Councillor Milton concludes by saying that she is sure that Councillor Humphries is a hard working councillor, albeit one that has old fashioned ways that are more in tune with the 1970's. She does not consider that Councillor Humphries' comments are always said with malice but rather that he thinks that he is being funny and clever. Councillor Milton is sad that events have got to this point before something has happened and in her view someone should have pulled him up a long time ago.

Signature -

Dated -

Lindsay, Marie

From: Milton, Jemima
Sent: 03 November 2011 16:07
To: Lindsay, Marie

Dear Marie

I have put in a couple of changes nothing very different.

Kind Regards

Jemima

Code of Conduct case reference – WC39/11

Statement of – Councillor Peggy Dow

Complainant/Subject Member/Witness – Witness

Date of interview – 4 October 2011

Place of interview – Telephone interview

Interviewer – Mrs Marie Lindsay

This statement, consisting of 2 pages each signed and dated by me, is true to the best of my knowledge.

There are statutory restrictions on the disclosure of information obtained by the Monitoring Officer. This is covered by section 63 of the Local Government Act 2000 and disclosure of information contrary to this is a criminal offence.

Signature - *P Dow*

Dated – *9-10-11*

Councillor Dow stated that she cannot recall whether or not she attended the meeting of the Marlborough Community Area Transport Group on 7 October 2010. She confirmed that she would normally attend these meetings.

Councillor Dow does not recall Councillor Humphries referring, at the beginning of the meeting, to a visit made by Ms Densham to his house.

Councillor Dow does not recall Councillor Humphries referring, at the end of the meeting, to the biscuits provided by Ms Densham. She did not hear Councillor Humphries say 'as we know, Julia enjoys a nibble'. Councillor Dow states that if she had heard Councillor Humphries say this then she would have objected and said something along the lines that his comments were out of order. In her view comments such as these would have been unacceptable in the workplace. However, she cannot recall Councillor Humphries making such comments, although it is usual practice for Councillor Humphries to thank those present for their contribution to the meeting.

Councillor Dow confirms that she does not usually hang around after the close of meetings and usually makes her way home as soon as the meeting has finished. She never stays whilst the room is being cleared or tidied up and would not have been present whilst the projector was being dismantled.

Signature - *P Dow*

Dated – *9-10-11*

Councillor Dow states that there was always a lot of friendly banter between Ms Densham and Councillor Humphries which, being in a large hall, is not always heard clearly. Her view is that there is a lot of respect between the two of them and that the banter is usually nothing rude.

Councillor Dow wishes to add that at the time of the meeting in October 2010 she was suffering from depression, which may account for the fact that she cannot recall the events of the meeting.

Signature -

P Dow

Dated -

9-10-11

Code of Conduct case reference – WC39/11

Statement of – Councillor Alexander Kirk Wilson

Complainant/Subject Member/Witness – Witness

Date of interview – 4 October 2011

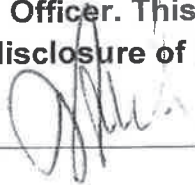
Place of interview – Telephone interview

Interviewer – Mrs Marie Lindsay

This statement, consisting of 2 pages each signed and dated by me, is true to the best of my knowledge.

There are statutory restrictions on the disclosure of information obtained by the Monitoring Officer. This is covered by section 63 of the Local Government Act 2000 and disclosure of information contrary to this is a criminal offence.

Signature -



Dated –

10/10/11

Councillor Kirk Wilson confirmed that he did attend the meeting of the Marlborough Community Area Transport Group on 7 October 2010. He was present at the start of the meeting and although he cannot recall if he stayed until the end he expects that he would have done so out of courtesy.

Councillor Kirk Wilson attended the meeting in his capacity as Chairman of the Community Minibus Committee and not as Deputy Mayor of Marlborough Town Council. He does not usually attend the meetings unless there is an item of specific interest to him.

Councillor Kirk Wilson does not recall Councillor Humphries referring, at the beginning of the meeting, to a visit made by Ms Densham to his house. He goes on to state that if such comments had been made merely as a bald statement of facts then he wouldn't expect to remember them as they would not have been noteworthy. If such comments had been made in a leery or suggestive manner then perhaps he would have remembered them.

Councillor Kirk Wilson does not recall Councillor Humphries referring, at the end of the meeting, to the biscuits provided by Ms Densham. He did not hear Councillor Humphries say 'as we know, Julia enjoys a nibble'. Councillor Kirk Wilson

Signature -



Dated –

10/10/11

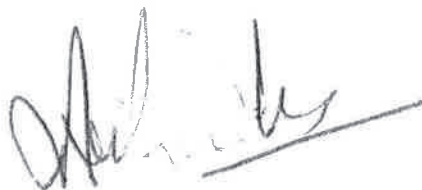
states that if he had heard such a comment he would have regarded it as jocular banter and it would have been instantly forgettable along with the other background noise of such meetings.

With regard to the collapsing of the projector at the end of the meeting, Councillor Kirk Wilson does recall that there was a projector at the meeting but not who dismantled it. He does not recall if he was present when the projector was being dismantled although it is possible that he was still at the meeting. He does not remember hearing Councillor Humphries make any comments about the collapsing of the telescopic poles and neither does he remember witnessing any sexual innuendo by Councillor Humphries about how the poles fit together. If he did giggle, as suggested by Ms Densham, then it would have been, as much as anything, out of politeness but he cannot recall doing so. He states that at the end of this meeting he believes he went over to his friend Sue Rogers for a chat and, that being the case, he would probably have had his back to the projector for some time.

Councillor Kirk Wilson states that if he had witnessed any sexual innuendo or inappropriate explanation by Councillor Humphries about the how the telescopic poles slide together then he would have considered this to be in poor taste and not the mark of a gentleman. He confirmed that although he is sensitive to such comments he would have viewed this as a bit of a joke and not offensive to women.

Councillor Kirk Wilson states that he is especially alert to the behaviour of Councillor Humphries in view of Councillor Humphries' holiday preferences and the fact that he regularly takes lengthy holidays in Thailand without his wife. He says that he would be on the alert for something said by Councillor Humphries that is suggestive or demeaning towards women more so than he would be with most people.

Signature -



Dated -



Code of Conduct case reference – WC39/11

Statement of – Ms Karen Scott

Complainant/Subject Member/Witness – Witness

Date of interview – 6 October 2011

Place of interview – Wiltshire Council Offices, Bythesea Road, Trowbridge

Interviewer – Mrs Marie Lindsay

This statement, consisting of 2 pages each signed and dated by me, is true to the best of my knowledge.

There are statutory restrictions on the disclosure of information obtained by the Monitoring Officer. This is covered by section 63 of the Local Government Act 2000 and disclosure of information contrary to this is a criminal offence.

Signature -

Dated –

Ms Karen Scott confirmed that she is currently employed by Wiltshire Council as a Volunteering Development Manager.

At the time of the Marlborough Area Board briefing meeting on 26 August 2010 Ms Scott was the Acting Marlborough Community Area Manager. Her role was to brief the chairman about the agenda items for the forthcoming area board meeting. She believes that Ms Densham attended the meeting to in order to provide holiday cover for the role of Democratic Services Officer.

Ms Scott states that she cannot recall all the details of the meeting but what stands out to her very clearly is what was said by Councillor Humphries. A discussion was taking place about the items on the agenda, the order of the items and how much time to give them. The Leisure Review was due to be considered and area boards were being encouraged to use new interactive voting handsets. Councillor Humphries became very angry, particularly about the Leisure Review and the handsets, and he began shouting. He said something along the lines of 'I won't have officers telling me what to do' and then his exact words were 'It's a fucking abortion'.

Ms Scott cannot recall exactly who was present, other than herself and Ms Densham. All members of the area board are invited to attend the briefing meetings and she believes that Councillor Fogg may have been present. Certainly Councillor

Signature -

Dated –

Milton and Councillor Dow were not in the room at the time. Ms Scott recalls that Councillor Humphries' outburst occurred right at the very end of the meeting. She cannot remember who was sitting or standing at the time.

Ms Scott's reaction to Councillor Humphries comments was one of shock. It was not just the language that he used but the aggressive nature of the outburst. Councillor Humphries was very unwilling to have a reasonable conversation and dialogue.

After Councillor Humphries' had made his comments she felt stunned and didn't know how to respond. She remembers that both she and Ms Densham looked at each other but no one challenged Councillor Humphries at the time. Ms Scott was only acting up as Community Area Manager at the time, which she did for a short period from August 2010 to October 2010. She did not have a working relationship with Councillor Humphries at the time and she did not feel that she could challenge him.

Ms Scott states that she remembers having a coffee with Ms Densham after the meeting but she does not remember whether she told her that she was going to raise the matter with Steve Milton or specifically that she was going to send an email to him.

Ms Scott adds that she had thought that she was immune to bad language but the language and manner of Councillor Humphries had shocked her. She is not adverse to using bad language herself and has experienced other councillors using bad language, although this has always been done in a non-threatening manner. Ms Scott did not receive a reply to her email to Steve Milton dated 26 August 2010 although she did speak to him about the incident at the area board meeting a week or so later. As far as she is aware the incident was not raised directly with Councillor Humphries by Steve Milton.

At the time Ms Scott also mentioned the incident to her brother who works on the motorways and is surrounded by men who regularly swear. Her brother said that he regularly hears men swearing and using all sorts of inappropriate language but that he had never heard anything on the roads that he considered quite as offensive as this. He expressed his shock and concern that she should have to tolerate this at work as, in his view, a man speaking to women using such terminology was behaving abusively.

Signature -

Dated -

From: Scott, Karen
Sent: 10 October 2011 11:13
To: Lindsay, Marie
Subject: RE: Record of Interview

Many thanks Marie

Yes I am happy to sign this statement. I am in the office tomorrow pm and Weds am, so could sign a copy then, otherwise am in next Tuesday and Wednesday

Kind regards

Karen

Karen Scott
Volunteering Development Manager
Communities & Voluntary Sector Support
Wiltshire Council
Library HQ
Bythesea Rd
Trowbridge
Wiltshire. BA14 8BS

Tel: 07917 721369

Code of Conduct case reference – WC39/11

Statement of – Mr Martin Cook

Complainant/Subject Member/Witness – Witness

Date of interview – 20 October 2011

Place of interview – Wiltshire Council Offices, Bythesea Road, Trowbridge

Interviewer – Mrs Marie Lindsay

This statement, consisting of 2 pages each signed and dated by me, is true to the best of my knowledge.

There are statutory restrictions on the disclosure of information obtained by the Monitoring Officer. This is covered by section 63 of the Local Government Act 2000 and disclosure of information contrary to this is a criminal offence.

Signature -

Dated –

Mr Martin Cook began by stating that he was definitely present at the meeting of the Marlborough Community Area Transport Group on 7 October 2010. He remembers the meeting because it was the inaugural meeting of the group and there were approximately eight people present, mainly officers. The Transport Group meets approximately every three months, usually prior to the Area Board meetings.

Mr Cook recalls that during the introductions at the start of the meeting Councillor Humphries made a reference to the fact that Ms Densham had been to his house. He cannot remember the exact words used but it was along the lines of 'she also comes out to your private house'. This was said during the opening comments and introductions at what was the inaugural meeting. Ms Densham had newly taken on her role and these new transport groups were being set up.

Councillor Humphries' comments did not seem odd to Mr Cook. The nature of his job requires him to meet people in their private homes and he didn't think anything of the fact that Ms Densham had been to Cllr Humphries' house. He assumed that other officers are also required to make home visits. The time of Ms Densham's visit to Councillor Humphries' house wasn't mentioned so it wasn't as if Councillor Humphries had said the visit had happened outside work hours, which would have seemed odd to him.

Mr Cook does recall that there was an awkward silence after Councillor Humphries had made his comments, which probably lasted only for a few seconds. He got the impression that Councillor Humphries was waiting for a response or a smile from

Signature -

Dated –

someone but Mr Cook cannot recall anyone responding.

At the end of the meeting Councillor Humphries thanked everyone for attending and he thanked Ms Densham for arranging the refreshments. Mr Cook cannot remember Councillor Humphries' exact words but he states that Councillor Humphries said something about Julia nibbling biscuits. Although he cannot recall Councillor Humphries' manner at the time, Mr Cook's view is that, knowing Councillor Humphries, it would probably have been said with upraised eyebrows to create a double entendre. He cannot remember what happened next because this was at the end of the meeting and those present at the meeting would have been packing up and shuffling papers.

As the other officers and the public left the meeting, Mr Cook decided to stay behind and offer to tidy up. It was the first time he had met Ms Densham and he thought that, as they would need to work quite closely in the future, he would take the opportunity to talk to her. As Mr Cook approached Ms Densham he could see that she was perturbed and concerned about something. Ms Densham asked him what impression he had got from Councillor Humphries' comments and he replied that it had looked a bit awkward. He then offered to stay behind with her but she told him 'no it's ok, I'll have a word'. Mr Cook then left the meeting.

Mr Cook cannot recall the projector being dismantled at the end of the meeting. He cannot actually recall there being a projector present at the meeting at all.

Mr Cook states that he has had dealings with Councillor Humphries in a professional capacity since 1996 and that he has been aware of him, and attended meetings with him, since 1989. His view of Councillor Humphries is that he is someone who shoots from the hip and that it is his way to make comments using innuendo. Councillor Humphries has behaved in this way ever since Mr Cook has known him and, in Mr Cook's view, it is Councillor Humphries' nature to turn things around the wrong way and make these kind of comments.

Mr Cook tends to take Councillor Humphries' comments with a pinch of salt. He either ignores them or fires a comment back. However he does consider that Councillor Humphries' comments could be construed as being belittling and degrading, depending upon your background and the context in which they are taken. Mr Cook states that Councillor Humphries often refers to him as 'the bald headed bastard', even referring to him as such to members of the public. Mr Cook is used to working in a male environment and doesn't care about such comments. Mr Cook goes on to say that once a comment of a similar nature has been fired back to Councillor Humphries he then settles down. This is the way the Mr Cook deals with him.

Signature -

Dated -

Lindsay, Marie

From: Cook, Martin
Sent: 08 November 2011 12:29
To: Lindsay, Marie
Subject: RE: Code of Conduct complaint

Hello Marie.

Sorry, I haven't got back to you.

As you know I was away, then I have been given a new lap top & what with the day job, I had plain forgotten.

I noticed this today while doing housekeeping.

Please accept this E-mail as confirmation that I consider your record of the interview that took place on the 20th October 2011 to be a correct representation.

I trust this is acceptable. Should you require any further information or assistance please don't hesitate to contact me.

01249 705037. Direct.

Regards.

Martin Cook

Martin Cook. EngTECH. AIHE

Area Highway Engineer.

Dept of Neighbourhood & Planning.

Wiltshire Council.

Marlborough & Calne.

0300 456 0100.

Code of Conduct case reference – WC39/11

Statement of – Mr Kevin Fielding

Complainant/Subject Member/Witness – Witness

Date of interview – 24 October 2011

Place of interview – Wiltshire Council Offices, Monkton Park, Chippenham

Interviewer – Mrs Marie Lindsay

This statement, consisting of 2 pages each signed and dated by me, is true to the best of my knowledge.

There are statutory restrictions on the disclosure of information obtained by the Monitoring Officer. This is covered by section 63 of the Local Government Act 2000 and disclosure of information contrary to this is a criminal offence.

Signature -

Dated –

Mr Kevin Fielding began by stating that he was present at the Marlborough Area Board briefing meeting on 18 November 2010. At the time Mr Fielding was the Democratic Services Officer for Marlborough and part of his role was to attend the briefing meetings. The purpose of the briefing meetings are to run through the agenda for the next Area Board meeting and there are no formal minutes taken. Mr Fielding takes notes of any required actions for his own use but these are not published.

Mr Fielding states that he can recall a conversation taking place during the meeting about [REDACTED] He recalls that Councillor Humphries said something to the effect that [REDACTED] was seeing a woman. He does not recall any further detail about the conversation other than Councillor Humphries also making reference to the connection between [REDACTED]

[REDACTED] Mr Fielding cannot remember anyone else joining in the conversation and as far as he is aware the meeting just moved on. He does not remember anyone stating [REDACTED]

Mr Fielding cannot remember how the conversation arose but if he had to surmise he would say that, because the purpose of the briefing meeting was to run through the agenda, it may have arisen as a result of [REDACTED]

Signature -



Dated – 24/10/11

Mr Fielding was not shocked by Councillor Humphries' comments. Mr Fielding's reaction was one of surprise because he hadn't been aware of [REDACTED]
[REDACTED] He was vaguely acquainted with [REDACTED] although he had never met [REDACTED]

Mr Fielding cannot recall making any response to Councillor Humphries' comments and neither can he recall anyone else at the meeting responding to Councillor Humphries. If he did say something at the time about [REDACTED]
[REDACTED] then he cannot remember doing so.

At the time Mr Fielding was unaware of [REDACTED]
[REDACTED]

Signature -



Dated - 9-11-11

Code of Conduct case reference – WC39/11

Statement of – Mr Dave Roberts

Complainant/Subject Member/Witness – Witness

Date of interview – 11 October 2011

Place of interview – Wiltshire Council Offices, Monkton Park, Chippenham

Interviewer – Mrs Marie Lindsay

This statement, consisting of 2 pages each signed and dated by me, is true to the best of my knowledge.

There are statutory restrictions on the disclosure of information obtained by the Monitoring Officer. This is covered by section 63 of the Local Government Act 2000 and disclosure of information contrary to this is a criminal offence.

Signature -

Dated –

Mr Dave Roberts is currently employed by Wiltshire Council as the Community Area Manager for Corsham. There is a 'buddy' system in place amongst the Community Area Managers and Mr Roberts has been attending the Marlborough Area Board meetings for quite some time as the buddy for Ms Densham. He was allocated this position due to his previous experience as a community planner for the Marlborough area.

Mr Roberts advises that when he arrived at the Marlborough Area Board briefing meeting on 7 June 2011 he heard the very end of a discussion between Ms Densham and Councillor Humphries. As he entered the room he heard Councillor Humphries say 'I couldn't care less what Steve Milton said, you'll do it this way'. He cannot recall hearing Councillor Humphries swear or use bad language although he would describe Councillor Humphries' manner as forceful. Mr Roberts confirms that he heard, rather than saw, the incident. He carried on entering the room, sat down, and carried on with the general discussion that was now taking place.

The meeting had still not begun and there was still only Ms Densham, Councillor Humphries and himself in the room. Councillor Humphries then said to Mr Roberts something along the lines of 'I'm glad you're here because she's crap'. Mr Roberts cannot remember Councillor Humphries' exact words.

Mr Roberts states that he got the feeling that Councillor Humphries was trying to undermine Ms Densham with his comments. Whilst Councillor Humphries had not

Signature -

Dated –

raised his voice, his comments were said in an undermining manner. Mr Roberts states that he has worked with Councillor Humphries for a long time and that he has a general manner which can fluctuate between undermining and jovial all in the same sentence, and that he can appear to be quite forceful at times. Mr Roberts tends to shrug off Councillor Humphries' comments by not responding and he does not think that he responded on this occasion.

At this point other people began to arrive and the meeting began. The business of the meeting was discussed and Mr Roberts felt that there was a tension in the room which he attributed to the fact that he had not risen to Councillor Humphries' challenge. During the general discussions Mr Roberts offered some advice to Councillor Humphries to which Councillor Humphries responded with a dismissive hand gesture as if to wave him away. Mr Roberts cannot remember the exact words spoken by Councillor Humphries but the impression that he was given by the hand gesture was that Councillor Humphries had made it clear that he was not listening. Mr Roberts considers part of his role to be to give advice and he states that on most occasions members do take advice from officers. He goes on to say that a lot of Marlborough Area Board meetings and briefings are tense and challenging but on this occasion he felt that Councillor Humphries' dismissive gesture was payback for not colluding with him earlier.

Mr Roberts spoke to Ms Densham about the incidents after the meeting. Ms Densham had been upset by what had happened and she told Mr Roberts that she felt threatened by Councillor Humphries. Mr Roberts suggested to Ms Densham that she shouldn't get into a situation again where she was alone at a meeting with Councillor Humphries and he offered to meet her first in the future so that they could go along to meetings together.

Mr Roberts adds that he was known Councillor Humphries since 1992 or 1993 and that in that time he has always perceived him to be a bit of a bully and at times not politically correct in the things that he says. He cannot recall specific incidents but he states that Councillor Humphries' general demeanour could be found by some people to be intimidating. Councillor Humphries tends to make undermining comments and tries to undermine people by making dismissive comments in a public arena. Mr Roberts himself does not feel intimidated by a lot of people and he does not feel intimidated by Councillor Humphries.

In the past Mr Roberts has turned down the offer becoming the Marlborough Community Area Manager. His reasons for turning down the position were to do with general difficulties in the Marlborough Area and the ongoing issues between councillors.

Signature -

Dated -

Lindsay, Marie

From: Roberts, Dave
Sent: 12 October 2011 12:41
To: Lindsay, Marie
Subject: RE: Code of Conduct complaint

Marie

I am happy for this content to be recorded and used.

Kind Regards

Dave Roberts

Corsham Community Area Manager
Wiltshire Area Boards Team - North Team
Communities, Libraries, Heritage & Arts
Department of Community Services
Wiltshire Council
Monkton Park
Chippenham
Wiltshire
SN15 1ER

01249706380 Work
07979318504 Mobile
email: dave.roberts@wiltshire.gov.uk
website: www.wiltshire.gov.uk/areaboards

From: Lindsay, Marie
Sent: 12 October 2011 11:10
To: Roberts, Dave
Subject: Code of Conduct complaint

Hello Dave

Further to our interview yesterday please find enclosed a copy of a record of that interview together with a covering letter.

If you have any questions please do not hesitate to contact me.

Kind regards
Marie

Marie Lindsay
Ethical Governance Officer
Wiltshire Council
Bythesea Road
Trowbridge
Wiltshire BA14 8JN

Tel: 01225 718465
Fax: 01225 718339

Code of Conduct case reference – WC39/11

Statement of – Mr Richard Rogers

Complainant/Subject Member/Witness – Witness

Date of interview – 31 October 2011

Place of interview – Wiltshire Council Offices, Browfort, Devizes

Interviewer – Mrs Marie Lindsay

This statement, consisting of 3 pages each signed and dated by me, is true to the best of my knowledge.

There are statutory restrictions on the disclosure of information obtained by the Monitoring Officer. This is covered by section 63 of the Local Government Act 2000 and disclosure of information contrary to this is a criminal offence.

Signature -



Dated –

10th Jan 2012

Mr Richard Rogers confirmed that since January 2011 he has been employed by Wiltshire Council as the Community Area Manager for Devizes. Immediately prior to this Mr Rogers was employed as the Area Boards Team Leader (Northern Wiltshire) and, as such, he was Ms Densham's line manager. He began, however, to hand over some of his line managerial duties to Mr Steve Milton from October 2010.

With regard to his email of 6 September 2010 addressed to Councillor Humphries and Ms Densham, Mr Rogers states that the purpose of the proposed meeting was to discuss the lack of momentum with the Marlborough Area Board, ongoing issues with the Community Area Partnership and how Ms Densham would work with Councillor Humphries. Concerns raised by previous Community Area Managers as well as Ms Densham would also be discussed in order to try and prevent further difficulties in the future. Present at the meeting were Mr Rogers, Ms Densham and Councillor Humphries. Councillor Humphries' wife was also present in the house at the time.

Mr Rogers states that there had been a history of staff finding it awkward working with the Marlborough Area Board for many reasons and none of the Community Area Managers prior to Ms Densham had found it easy. A common thread amongst the issues raised by previous Community Area Managers and Ms Densham was around the way Councillor Humphries operates which, in Mr Rogers' opinion, could

Signature -



Dated – 10th Jan 12

at times be perceived as bullying. Mr Rogers himself acted as the Marlborough Community Area Manager for a period of 9 months prior to Ms Densham taking up the post and he states that he experienced some of the challenges first hand.

Mr Rogers' experience of Councillor Humphries' behaviour is that Councillor Humphries sometimes expects the Community Area Manager to take responsibility for decisions that are not theirs to make. Councillor Humphries can also swear a lot in meetings, which is sometimes difficult to deal with.

Mr Rogers states that it is difficult to know whether some of the problems experienced were to do with the general difficulties within the Marlborough Area Board or with the behaviour of Councillor Humphries. Mr Rogers considers that if he had gone in to the role without previous experience, he is not sure that he would have coped.

When Ms Densham was offered the role of Marlborough Community Area Manager permanently Mr Rogers spoke to her to ask her if she was going to be able to cope with the position. He had concerns that she had needed to step down from the role when she had been temporarily in the post but Ms Densham assured him that she was keen to take on the role even though she recognised that there would be challenges. Mr Rogers put Ms Densham's previous difficulty to cope very well with the role down to personal problems that she had been experiencing at the time.

With regard to Ms Densham's email to him dated 8 October 2010 Mr Rogers advises that he was disappointed and concerned to receive it. It was his view that if Councillor Humphries had behaved in the way suggested by Ms Densham then his behaviour would amount to harassment. In Mr Rogers' view these actions, if true, were unacceptable. Mr Rogers suggested in his email reply to Ms Densham that she should never be alone with Councillor Humphries. This is a procedure that he would apply to any female member of staff who had expressed concerns such as those mentioned by Ms Densham. Mr Rogers was concerned that it hadn't worked out for any of the female members of staff who had taken on the position of Marlborough Community Area Manager.

With regard to the meeting on 3 February 2011 between Ms Densham, Mr Rogers and Mr Milton, Mr Rogers confirms that the meeting was arranged as a result of a number of individual discussions between the three of them. The purpose of the meeting was to listen to what Ms Densham had to say and to see how they could help her. Mr Rogers also had concerns about the bigger picture as this was not the first breakdown between member/officer relationships. Mr Milton was present at the meeting as the manager of both Mr Rogers and Ms Densham.

Signature -



Dated - 10th Jan 2012

Mr Rogers cannot recall what specific incidents Ms Densham referred to at the meeting however his notes do state that one of the agreed outcomes was for 'Steve Milton to arrange a meeting with Ms Densham and HR re sexual harassment'. He does remember that Ms Densham was keen to do something that followed the correct procedures.

Mr Rogers does recall that another outcome of the meeting was to ask Councillor John Thomson to address the issue of member relationships within the Marlborough Area Board. Councillor Thomson was not asked to address the issue of Councillor Humphries' behaviour. Ms Graves was allocated to the Area Board in order to provide more support to the Board and not as a result of Councillor Humphries' behaviour.

To conclude, Mr Rogers states that he has no reason to doubt the word of Ms Densham. Whilst he was not present at the incidences described to him by Ms Densham he has been personally present when Councillor Humphries has sworn a lot.

Signature -



Dated -

11th Jan 2012

Code of Conduct case reference – WC39/11

Statement of – Mr Steve Milton

Complainant/Subject Member/Witness – Witness

Date of interview – 7 November 2011

Place of interview – Wiltshire Council Offices, Bythesea Road, Trowbridge

Interviewer – Mrs Marie Lindsay

This statement, consisting of 4 pages each signed and dated by me, is true to the best of my knowledge.

There are statutory restrictions on the disclosure of information obtained by the Monitoring Officer. This is covered by section 63 of the Local Government Act 2000 and disclosure of information contrary to this is a criminal offence.

Signature -

Dated –

Mr Steve Milton confirmed that he is the Head of Community Governance at Wiltshire Council. Until 25th March he was responsible for three Area Boards Team Leaders who had line management responsibility for the Community Area Managers. Until this time Mr Richard Rogers was employed as the Area Board Team Leader (Northern Wiltshire) and, as such, Mr Rogers was Ms Densham's line manager.

Mr Milton confirmed that he had previously received Ms Karen Scott's email of 26 August 2010 concerning the Marlborough Area Board briefing meeting which had taken place earlier that same day. Mr Milton was not totally surprised by the suggestion that bad language had been used at the meeting because this does happen from time to time. Mr Milton spoke to Ms Scott about the incident, who considered the language used by Councillor Humphries to have been more serious than usual. Mr Milton was aware from his conversation with Ms Scott that the expression 'it's an abortion' had been used by Councillor Humphries. Mr Milton had himself heard the expression used before colloquially in Wiltshire (but not by Councillor Humphries).

Mr Milton did not consider that it was a matter over which he needed to take direct action at the time. Mr Rogers was responsible for the line management of Ms Densham and Ms Densham did not consider it necessary to make a formal complaint at the time.

Signature - 

Dated – 2/12/11

With regard to Ms Densham's email of 8 October 2010 addressed to Mr Rogers and Mr Quinton regarding Councillor Humphries alleged behaviour at a meeting of the Marlborough Community Area Transport Group, Mr Milton is sure this email was not copied to him at the time by either Ms Densham or Mr Rogers. He cannot recall when he became aware of the allegations made in the email. It is Mr Milton's view that the phrases alleged to have been used by Councillor Humphries might be considered as inappropriate depending on the context and circumstances in which they were used. Mr Milton adds that while he did not condone the alleged remarks in any way, such banter is not uncommon. Mr Milton explained that it was hard for him to comment on the specific details as he was not present at the meeting and he was not aware of the situation or context in which the remarks were made.

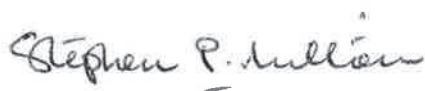
Mr Milton does recall that Ms Densham raised an incident involving a scarf with both him and Mr Rogers. Ms Densham's allegation was that Councillor Humphries 'took hold of my scarf as if trying to strangle me'. Mr Milton believes that this is the sort of thing that Councillor Humphries might consider to be a non-threatening humorous act. However, Mr Milton was aware that Ms Densham had found the act to be very intimidating.

Mr Milton subsequently attended an Area Boards Chairs' meeting with Councillor Humphries. Mr Milton cannot recall the date of the meeting but it was after he had been made aware of the alleged incident with the scarf. At the meeting Councillor Humphries spoke to Mr Milton to say 'I think I got off on the wrong foot with Julia'. Councillor Humphries went on to tell Mr Milton that he was sorry that he had upset Ms Densham, that Ms Densham had dealt with the matter very professionally, that his working relationship with Ms Densham would not be affected by the incident and that he thought she would be a very competent Community Area Manager. Mr Milton was reassured by these comments and felt that the relationship between Councillor Humphries and Ms Densham was being managed in a mature and effective manner.

Mr Milton does recall the meeting between himself, Ms Densham and Mr Rogers on 3 February 2011. Mr Milton confirms that it was clear from what Ms Densham was telling them that she needed additional support. Ms Graves was assigned to the Marlborough Area Board as a result of general concerns raised by Ms Densham and to keep an oversight of any issues between Ms Densham and Councillor Humphries. Ms Graves' role was to provide support to Ms Densham with regard to political relationships.

Another outcome of the meeting on 3 February 2011 was an agreement that Mr Milton would discuss matters with Councillor John Thomson to ascertain whether he wished to involve himself with the general issues raised by Ms Densham. Again, this

Signature -



Dated - 2/12/11

was not in connection with the issues raised specifically about Councillor Humphries behaviour. One outcome that was directly linked to the relationship between Ms Densham and Councillor Humphries was the agreement that arrangements would be made for Ms Densham to meet with Human Resources. Mr Milton was happy for Ms Densham to do this although he does not know what the outcome was.

With regard to Ms Densham's email of 8 June 2011 to Councillor Milton, Mr Milton confirms that he did receive a copy of the email. Whether the behaviour described in the email is unacceptable Mr Milton is unable to say – as he did not witness the events described. He was, however, concerned that such matters had been raised by Ms Densham directly with Councillor Milton and felt this could exacerbate the tensions that existed. Mr Milton subsequently advised Ms Densham that she should refer such concerns to him and avoid such correspondence with individual councillors in the future. At the time Mr Milton was speaking to Ms Densham about all the issues that she had raised with regard to the Marlborough Area Board on a regular basis. It was clear to him that Ms Densham felt that there had been a serious breakdown in the relationship between herself and Councillor Humphries. Mr Milton recalls that he and Ms Densham discussed the practicalities of making a formal complaint about the matter. Mr Milton advised Ms Densham to take advice upon the matter from her Trade Union and Ms Wilton in the Legal Department before embarking on such a course of action.

Mr Milton advises that he has worked closely with Councillor Humphries in the past, in connection with both the Local Government Reorganisation and the shadow area boards. Mr Milton's view is that Councillor Humphries can on occasion be bluff in manner. He has experienced Councillor Humphries using heavy sarcasm but he has not personally heard him use foul language and he has never been personally offended by Mr Humphries behaviour. However, he can understand why this might have affected Ms Densham differently.

Mr Milton confirms that there is a difficult political dynamic in Marlborough and the job of Community Area Manager can be stressful at times. There are a lot of complex issues in Marlborough and, as the Community Area Manager; Ms Densham was under considerable pressure in her role. For example, there were issues around a lack of information being passed to the other members of the area board by the Chairman but these were resolved by opening up the briefing meetings to allow all members to attend. It was clear to Mr Milton that Ms Densham felt that Councillor Humphries' behaviour was making it difficult for her to undertake her role effectively.

Mr Milton confirms that until the complaint is determined and in order to prevent further distress for Ms Densham he considered it necessary to put procedures in place to physically separate contact between Ms Densham and Councillor

Signature -



Dated - 2/12/11

Humphries. Initially, he agreed that Ms Densham should restrict contact to email communication. Mr Milton confirms that he did not seek to ban Councillor Humphries from correspondence with Ms Densham.

Mr Milton confirmed that none of the previous issues raised by former Community Area Managers working in the area have been of a sexual harassment nature.

Finally, Mr Milton adds that he had been advised by Ms Densham that she considered Councillor Humphries' behaviour to be part of a process of grooming through remarks and advances of an intimate, sexual and predatory nature. Mr Milton states that, because he did not witness the incidents personally, it is difficult for him to form a view upon the matter. He has not had access to Councillor Humphries response to the complaint and feels that it is improper for him to form a view or make speculative judgements about the case.

Signature -

Stephen P. Dutton

Dated - 21/2/11

Code of Conduct case reference – WC39/11

Statement of – Mr Martin Cook

Complainant/Subject Member/Witness – Witness

Date of interview – 8 December 2011

Place of interview – Mr Cook's place of work

Interviewer – Mrs Marie Lindsay

This statement, consisting of 2 pages each signed and dated by me, is true to the best of my knowledge.

There are statutory restrictions on the disclosure of information obtained by the Monitoring Officer. This is covered by section 63 of the Local Government Act 2000 and disclosure of information contrary to this is a criminal offence.

Signature -

Dated –

Mr Martin Cook confirmed that he has been a member of the Marlborough Area Development Trust (MADT) since it came into existence in 2000 and that he has been the Chairman for six years. As the Chairman of MADT Mr Cook sits on the Marlborough Area Board although he does not attend the Area Board briefing meetings.

Mr Cook has known Councillor Humphries for approximately 15 years, originally as the teacher of Councillor Humphries' children. Mr Cook has had a working relationship with Councillor Humphries since 2000 through his membership of MADT and he has known Councillor Humphries as a parish, district and unitary councillor.

Mr Cook confirmed that his connection with Councillor Humphries has always been on a professional basis and that they do not socialise together.

Mr Cook regards Councillor Humphries' conduct in meetings as being professional in its approach. He conducts meetings according to the relevant procedures and he has a very fair attitude in terms of ensuring that everyone who wants to contribute has an opportunity to do so.

Signature -

Dated –

Mr Cook states that the post of Area Board Manager has been occupied by a number of officers and that it is sometimes difficult to know who will be dealing with particular issues next. However, this does not seem to have affected Councillor Humphries' behaviour, which has always been professional.

Mr Cook states that Councillor Humphries can come across as having an unsophisticated style, in the sense that he may try to make things lighter and more semi-formal. Mr Cook considers that this is Councillor Humphries' natural style and that the purpose is to try to make people who may not be familiar with particular circumstances feel more comfortable. This unsophisticated style sees Councillor Humphries using terms that Mr Cook might not use himself, although he has never heard Councillor Humphries be offensive and he believes that Councillor Humphries would be horrified if he thought he had caused offence.

For example, in the early days of the Marlborough Area Board Mr Cook heard Councillor Humphries refer, at an area board meeting, to some meetings with the Marlborough Community Area Partnership as being an 'abortion of an exercise'. This is not an expression that Mr Cook would have chosen to say but, when viewed in context, he does not consider it to be offensive. It caused Mr Cook to raise his eyebrows and nothing more. Mr Cook does not think that Councillor Humphries set out to cause offence and that his use of the term 'abortion' had nothing to do with women or family planning. Mr Cook does not consider that Councillor Humphries' use of this expression is either deliberately or unintentionally offensive and he goes on to add that this is the extreme of anything that Councillor Humphries would say.

Mr Cook's view of Councillor Humphries is that he generally has a happy countenance. Those present at meetings with Councillor Humphries have all shared eyebrow raising moments but Mr Cook does not recall ever being approached directly by any officer about Councillor Humphries' behaviour.

Mr Cook's impression of Councillor Humphries and Ms Densham is that they have a sound working relationship. There is no doubt that there are tensions connected with their roles, as there are tensions for everyone in connection with the Community Area Partnership. However, if there are personality tensions then they have been kept out of view. Mr Cook has had discussions with Ms Densham about the tensions related to the Community Area Partnership. Despite the tensions that exist for them all Councillor Humphries has remained professional, even where opportunities have been presented where he might have been indiscrete or inappropriate about non-council related personalities.

Mr Cook's experience of Councillor Humphries is that he treats all officers, councillor and members of voluntary organisations fairly across the board.

Signature -

Dated -

Lindsay, Marie

From: MJCook [REDACTED]
Sent: 21 December 2011 13:15
To: Lindsay, Marie
Subject: RE: Code of Conduct complaint

Marie,

I can formally state that this is a true record of our interview and that I am happy for it to be submitted to your enquiry.

Thank you,
Martin

Martin Cook
[REDACTED]

And
Chairman,
Marlborough Area Development Trust.

From: Lindsay, Marie [mailto:Marie.Lindsay@wiltshire.gov.uk]
Sent: 21 December 2011 10:32
To: MJCook; MJ Cook
Subject: FW: Code of Conduct complaint

With regard to my email below, I have decided not to put the amended statement in the post to you.

Instead, I have attached it by email. If you could confirm, also by email, that you are happy with the revised statement then this will be fine. It will also save time with postage at this time of year.

Kind regards
Marie

From: Lindsay, Marie
Sent: 21 December 2011 10:19
To: 'MJCook'
Subject: RE: Code of Conduct complaint

Dear Mr Cook
Many thanks for your prompt response.
I will put a hard copy of the amended record in the post for you to sign and return.

Kind regards
Marie

Marie Lindsay
Ethical Governance Officer
Wiltshire Council
Bythesea Road
Trowbridge
Wiltshire BA14 8JN

B3.1

DECISION NOTICE: REFERRAL FOR INVESTIGATION

Reference WC – 39/11

Subject Member

Councillor Chris Humphries of Wiltshire Council

Complainant

Ms Julia Densham

Consideration Sub-Committee Membership

Mr Gerry Robson OBE, Chairman (Independent)
Mr Paul Neale (Parish Councillor)
Councillor Nigel Carter (Wiltshire Council)

Deputy Monitoring Officer

Nina Wilton

Parties are reminded that they must not discuss the matters that are the subject of the decision notice with any other parties, in order to avoid compromising their position or the conduct of the investigation. This does not preclude them from seeking legal advice, should they wish to do so.

Complaint

On 20 June 2011 the Monitoring Officer received a complaint from Julia Densham against Councillor Christopher Humphries, a member of Wiltshire Council.

Ms Densham is the Marlborough Community Area Manager and Councillor Humphries the Chairman of Marlborough Area Board. The complaint relates to Councillor Humphries' alleged behaviour towards Ms Densham, over a period of months, which has made her feel ineffective in her professional responsibilities and vulnerable in her dealings with Councillor Humphries.

Decision

In accordance with Section 57A(2) of the Local Government Act 2000, as amended, the assessment Sub-Committee of the Standards Committee decided to refer the allegation to the Monitoring Officer for investigation.

Potential breaches of the Code of Conduct identified

We have identified below the paragraphs of the Code of Conduct which may apply to the alleged conduct.

- 3(1) - You must treat others with respect;
- 3(2)(a) - You must not do anything which may cause your authority to breach any of the equality enactments (as defined in section 33 of the Equality Act 2006(a));
- 3(2)(b) - You must not bully any person;



This decision notice is sent to the person making the allegation, and the member against whom the allegation was made.

What happens now?

- Investigation – Please see the attached guide on the investigations process

Additional Help

If you need additional support in relation to this or future contact with us, please let us know as soon as possible. If you have difficulty reading this notice we can make reasonable adjustments to assist you, in line with the requirements of the Disability Discrimination Act 2000.

We can also help if English is not your first language.

Signed

A handwritten signature in black ink, appearing to read 'V. G. 2018'.

Chair of the Wiltshire Council Assessment Sub-Committee

B3.2

25 July 2011

Marie Lindsay
Ethical Governance Officer
Wiltshire Council

Your ref: ML
Our ref: IRGWC 39/11

Dear Mrs Lindsay,

Appointment as Investigating Officer - Complaint against Councillor C Humphries

I am writing as Monitoring Officer in exercise of the powers available to me under section 82A of the Local Government Act 2000 to appoint you to act on my behalf as the Investigating Officer in respect of allegations by Ms Julia Densham (the complainant) concerning the alleged conduct of Councillor Christopher Humphries, a member of Wiltshire Council.

Details of the complaint are set out in the enclosed papers, comprising:

1. Report to the Assessment Sub-Committee of Wiltshire Council's Standards Committee dated 13 July 2011
2. Decision Notice: Referral for Investigation
3. File of correspondence to date

I would be obliged if you would investigate the complaint in accordance with the statutory framework for dealing with complaints under the Members' Code of Conduct, and guidance issued by Standards for England, in particular the Guidance Note "How to Conduct an Investigation"

As set out in the guidance you should prepare an investigation plan and send this to me for review. Your investigation plan should set out the proposed timescale for completing your investigation report. I would also like you to report to me on your progress with the investigation at regular intervals to be agreed.

You should maintain confidentiality throughout the investigation in accordance with the Standards Committee (England) Regulations 2008 and the Standards for England Guidance.

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Thank you for undertaking this role.

Yours sincerely



Ian Gibbons
Solicitor to the Council and Monitoring Officer
Direct Line: 01225 713052
Fax Number: 01225 718399
Email: ian.gibbons@wiltshire.gov.uk



INVESTOR IN PEOPLE

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The allegations made by Ms Densham against Councillor Humphries

Incident	Brief Summary of Allegation
10 December 2009 - Email from Councillor Humphries to Ms Densham	In his email Councillor Humphries states 'Well done, I could not have thought of such bovine effluent as this'.
Late 2009 or early 2010 - Marlborough Area Board briefing meeting	Councillor Humphries made reference to informatino provided to [redacted] as having disappeared down a black hole.
26 August 2010 - Marlborough Area Board briefing meeting	Councillor Humphries used offensive language by referring to an issue as being 'an abortion of a mess'.
24 September 2010 - Email from Councillor Humphries to Ms Densham	In his email Councillor Humphries states 'Also, who is the good looking bird at the bottom? I did not realise that colour photography had been around so long'.
[redacted] - Marlborough and Villages Community Area Partnership briefing meeting	Following the meeting Councillor Humphries and Ms Densham continued a discussion in Councillor Humphries' car. During the discussions Councillor Humphries discussed confidential information using offensive language, stroked Ms Densham's arm and enquired about her daughters.
7 October 2010 - Marlborough Community Area Transport Group meeting	At the meeting Cllr Humphries' made comments about the fact that Ms Densham had been to his house and he also stated 'Julia enjoys a nibble'. Additionally that he used sexual innuendo to explain how the telescopic poles of the projector fit together.
20 October 2010 - Email from Cllr Humphries to Ms Densham	In response to Ms Densham asking whether he liked his new photograph Cllr Humphries responded 'Thank you, more to the point do you?!'.
18 November 2010 - Marlborough Area Board briefing meeting	At the meeting Councillor Humphries again discussed [redacted]
Towards the end of 2010	During two telephone calls to Ms Densham Councillor Humphries asked her 'So how are your domestic arrangements?'
25 January 2011 - Marlborough Community Area Transport Group meeting	Prior to the start of the meeting Cllr Humphries grabbed Ms Densham's scarf and made a playful gesture as if to strangle her with it.
8 February 2011 - Marlborough Area Board meeting	At the meeting Cllr Humphries' made a comment that 'My Community Area Manager tells me, and we do have to do everything she says'.
6 June 2011 - Email from Councillor Humphries to Ms Densham	With regard to a mix up over the timings of briefing meetings Councillor Humphries stated 'if you have brought forward the briefing time then please advise me'.
7 June 2011 - Marlborough Area Board briefing meeting	During the meeting Cllr Humphries' stated 'Steve Milton can go to hell'. He also commented that Ms Densham was rubbish at her job and was overly harsh to Mr D Roberts, using a dismissive had gesture.
17 August 2011 - Email from Councillor Humphries to Ms Densham	Councillor Humphries asked Ms Densham to deal with a request for a visit to the Compton Basset recycling plant

A summary of the findings of the Investigating Officer

Incident	Brief Summary of Allegation	Relevant Code of Conduct paragraph	Breach found
10 December 2009 - Email from Councillor Humphries to Ms Densham	In his email Councillor Humphries states 'Well done, I could not have thought of such bovine effluent as this!!'.	3(1) - respect; 3(2)(b) - bullying	3(1); 3(2)(b)
Late 2009 or early 2010 - Marlborough Area Board briefing meeting	Councillor Humphries made reference to informant provided to [redacted] as having disappeared down a black hole.	3(1) - respect; 3(2)(a) - equality enactments; 3(2)(b) - bullying	None
26 August 2010 - Marlborough Area Board briefing meeting	Councillor Humphries used offensive language by referring to an issue as being 'an abortion of a mess'.	3(1) - respect; 3(2)(b) - bullying	None
24 September 2010 - Email from Councillor Humphries to Ms Densham	In his email Councillor Humphries states 'Also, who is the good looking bird at the bottom? I did not realise that colour photography had been around so long'.	3(1) - respect; 3(2)(a) - equality enactments; 3(2)(b) - bullying	3(1); 3(2)(a); 3(2)(b)
[redacted] - Marlborough and Villages Community Area Partnership briefing meeting	Following the meeting Councillor Humphries and Ms Densham continued a discussion in Councillor Humphries' car. During the discussions Councillor Humphries discussed [redacted] information using offensive language, stroked Ms Densham's arm and enquired about her daughters.	3(1) - respect; 3(2)(a) - equality enactments; 3(2)(b) - bullying; [redacted]	3(1); 3(2)(a); 3(2)(b)
7 October 2010 - Marlborough Community Area Transport Group meeting	At the meeting Cllr Humphries' made comments about the fact that Ms Densham had been to his house and he also stated 'Julia enjoys a nibble'. Additionally that he used sexual innuendo to explain how the telescopic poles of the projector fit together.	3(1) - respect; 3(2)(a) - equality enactments; 3(2)(b) - bullying	3(1); 3(2)(a); 3(2)(b)
20 October 2010 - Email from Cllr Humphries to Ms Densham	In response to Ms Densham asking whether he liked his new photograph Cllr Humphries responded 'Thank you, more to the point do you?!'.	3(1) - respect; 3(2)(a) - equality enactments; 3(2)(b) - bullying	None
18 November 2010 - Marlborough Area Board briefing meeting	At the meeting Councillor Humphries again discussed [redacted] information about [redacted]	[redacted]	None
Towards the end of 2010	During two telephone calls to Ms Densham Councillor Humphries asked her 'So how are your domestic arrangements?'	3(2)(a) - equality enactments;	N/A - No finding of fact found
25 January 2011 - Marlborough Community Area Transport Group meeting	Prior to the start of the meeting Cllr Humphries grabbed Ms Densham's scarf and made a playful gesture as if to strangle her with it.	3(1) - respect; 3(2)(a) - equality enactments; 3(2)(b) - bullying	3(1); 3(2)(a); 3(2)(b)
8 February 2011 - Marlborough Area Board meeting	At the meeting Cllr Humphries' made a comment that 'My Community Area Manager tells me, and we do have to do everything she says'.	3(1) - respect	N/A - not investigated
6 June 2011 - Email from Councillor Humphries to Ms Densham	With regard to a mix up over the timings of briefing meetings Councillor Humphries stated 'If you have brought forward the briefing time then please advise me'.	3(1) - respect; 3(2)(b) - bullying	None
7 June 2011 - Marlborough Area Board briefing meeting	During the meeting Cllr Humphries' stated 'Steve Milton can go to hell'. He also commented that Ms Densham was rubbish at her job and was overly harsh to Mr D Roberts, using a dismissive hand gesture.	3(1) - respect; 3(2)(b) - bullying	3(1); 3(2)(b)
17 August 2011 - Email from Councillor Humphries to Ms Densham	Councillor Humphries asked Ms Densham to deal with a request for a visit to the Compton Bassett recycling plant	3(1) - respect; 3(2)(b) - bullying	None

Standards for England Guidance

Standards for England guidance in respect of the relevant provisions of the Code of Conduct is as follows:

Paragraph 3(1) - Respect

In politics, rival groupings are common, either in formal political parties or more informal alliances. It is expected that each will campaign for their ideas, and they may also seek to discredit the policies and actions of their opponents. Criticism of ideas and opinion is part of democratic debate, and does not in itself amount to bullying or failing to treat someone with respect.

Ideas and policies may be robustly criticised, but individuals should not be subject to unreasonable or excessive personal attack. This particularly applies to dealing with the public and officers. Chairs of meetings are expected to apply the rules of debate and procedure rules or standing orders to prevent abusive or disorderly conduct.

Whilst it is acknowledged that some members of the public can make unreasonable demands on members, members should, as far as possible, treat the public courteously and with consideration. Rude and offensive behaviour lowers the public's expectations and confidence in its elected representatives.

Paragraph 3(2)(a) - Equality Enactments

Equality laws prohibit discrimination on the grounds of sex, race, disability, religion or belief, sexual orientation and age.

The provisions of these laws are complex. In summary, there are four main forms of discrimination:

- *Direct discrimination: treating people differently because of their sex, race, disability, religion or belief, sexual orientation or age.*
- *Indirect discrimination: treatment which does not appear to differentiate between people because of their sex, race, disability, religion or belief, sexual orientation or age, but which disproportionately disadvantages them.*
- *Harassment: engaging in unwanted conduct on the grounds of sex, race, disability, religion or belief, sexual orientation or age, which violates another person's dignity or creates a hostile, degrading, humiliating or offensive environment.*
- *Victimisation: treating a person less favourably because they have complained of discrimination, brought proceedings for discrimination, or been involved in complaining about or bringing proceedings for discrimination.*

Equality laws also impose positive duties to eliminate unlawful discrimination and harassment and to promote equality. They also impose specific positive duties on certain authorities.

Under equality laws, your authority may be liable for any discriminatory acts which you commit. This will apply when you do something in your official capacity in a discriminatory manner.

You must be careful not to act in a way which may amount to any of the prohibited forms of discrimination, or to do anything which hinders your authority's fulfilment of its positive duties under equality laws. Such conduct may cause your authority to break the law, and you may find yourself subject to a complaint that you have breached this paragraph of the Code of Conduct.

Paragraph 3(2)(b) - Bullying

You must not bully any person including other councillors, council officers or members of the public.

Bullying may be characterised as offensive, intimidating, malicious, insulting or humiliating behaviour. Such behaviour may happen once or be part of a pattern of behaviour directed at a weaker person or person over whom you have some actual or perceived influence. Bullying behaviour attempts to undermine an individual or a group of individuals, is detrimental to their confidence and capability, and may adversely affect their health.

This can be contrasted with the legitimate challenges which a member can make in challenging policy or scrutinising performance. An example of this would be debates in the chamber about policy, or asking officers to explain the rationale for the professional opinions they have put forward. You are entitled to challenge fellow councillors and officers as to why they hold their views.

It is important that you raise issues about poor performance in the correct way and proper forum. However, if your criticism is a personal attack or of an offensive nature, you are likely to cross the line of what is acceptable behaviour.







Advice from the Head of Legal Services, Wiltshire Council

Legal advice from the Head of Legal Services of Wiltshire Council in respect of the equality enactments, as defined in Section 33 of the Equality Act 2006, is as follows:

The Sex Discrimination Act 1975 was repealed by section 211(2) of the Equalities Act 2010 (the Act) which repealed all legislation included in schedule 27 of The Act.

Therefore the test that needs to be applied is that found within the Equalities Act 2010.

The Law

Section 13 sets out the test for direct discrimination.

Section 19 sets out the test for indirect discrimination.

Direct discrimination is if one person treats another less favourably because of a protected characteristic. Pursuant to section 11 of the Act the sex of a person is a protected characteristic.

Indirect discrimination is if a person (A) applies to another person (B) a provision, criterion or practice which is discriminatory in relation to a relevant protective characteristic of B. In other words if A does not intend to discriminate against B but applies a criteria that is discriminatory against a characteristic of B then this is indirect discrimination.

Section 26 (1) of the Act provides that a person (A) harasses another (B) if A engages in unwanted conduct related to a relevant protected characteristic (which includes sex) and the conduct has the purpose or effect of violating B's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for B.

Section 26(4) of the Act provides in deciding whether conduct has the effect of creating an intimidating, hostile, degrading, humiliating or offensive environment the perception of B, the other circumstances of the case and whether it is reasonable for the conduct to have had that effect must be taken into account.

Section 149(1) of the Act requires that public bodies must have due regard to the need to eliminate discrimination, harassment, victimisation and foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Section 149(5) the fostering of good relations involves having due regard, in particular, to the need to tackle prejudice and promote understanding.

Summary

Therefore in respect of this case discrimination is the treating of a person less favourably because of their sex, race or religion. Harassment is if a person engages

in unwanted conduct related to sex, race or religion either with the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment. When considering whether the conduct creates such an environment the perception of the recipient, the circumstances and whether it is reasonable for the conduct to have had that effect must be taken into account.

Wiltshire council has a public duty to have regard in its action to eliminating discrimination and fostering good relations between differing groups within its community.

The Equality Act applies to all citizens and the s149 duty applies to Wiltshire Council as a whole and therefore all officers/members when acting on Wiltshire Council business would be obliged to have regard to these duties. A breach of the Equality Act in an official capacity would amount to a breach of the code of conduct and would fit within the category of not treating a person with respect. However a failure to treat somebody with respect would not automatically mean a breach of the Equality Act.

Ref	Finding of Fact	Agreed Y/N	Councillor Humphries Comments
1		Y	
2		Y	
3		Y	I accept the dates as I have not recorded them.
4		Y	I accept the dates as I have not recorded them.
5		Y	I accept the dates as I have not recorded them.
6		Y	
7		Y	
8		N	I intended my email to be a compliment. The applicant to whom Ms Densham was responding was being turned down for a grant. It wasn't an easy message to give. Ms Densham did it very well. I am sorry if my comment offended her.
9		N	
10		N	I would never use the term "black hole" in connection with [REDACTED] or any other person.
11		Y	I don't remember but will accept the record of the meeting.
12		Y	
13		Y	As described in the Concise Oxford English dictionary, describing a "failure of a project or action". It was used in the context described.
14		Y	I only saw what was produced as a copy email in evidence.
15		Y	

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C1.1

16		Y	This was after there had been a previous discussion on photographs for public display between Ms Densham and me. I did not like the Council recorded one of me and Ms Densham agreed. My intention in making the remark was to be complimentary about Ms Densham's photograph. If it offended I am sorry - it was the furthest thing from my mind to cause offence.
17		Y	I accept the dates as I have not recorded them
18		Y	
19		Y	I only referred to [REDACTED] I did not go into detail. [REDACTED]
20		Y	I was only discussing Miss Howes' non attendance and did not disclose any confidential information.
21		N	I do not use that form of language, it is not in my vocabulary.
22		Y	
23		N	
24		Y	I accept the dates as I have not recorded them.
25		Y	
26		Y	I commented in passing when referring to a policy issue; we discussed many Board issues at my house.
27		N	I made a comment about nibbling biscuits in response to Mr Stansby thanking Ms Densham for providing biscuits as he enjoyed a nibble during the meeting. Therefore both I and Mr Stansby made comments about nibbling biscuits. My comments were only challenged after the meeting by Ms Densham not by Councillor Peggy Dow.
28		N	I tried to help Ms Densham dismantle the screen and walked away when someone else (I believe Martin Cook) offered to help her. I made no sexual innuendo and did not use inappropriate actions.
29		Y	Ms Densham only challenged me about the nibbling comment and referred to no other "behaviour".

30		Y	
31		Y	I only saw what was produced as a copy email in evidence.
32		Y	
33		Y	It was a concluding remark after previous discussions about photographs.
34		Y	I will accept the dates as I have not recorded them.
35		N	I only referred to [REDACTED] I did not go into detail.
36		Y	
37		Y	
38		Y	
39		Y	I will accept the dates as I have not recorded them.
40		N	
41		Y	
42		Y	I accept the dates as I have not recorded them.
43		Y	They are well documented issues, no tensions.
44		Y	The comments were that we as Area Board members make the decisions not Steve Milton.
45		N	
46		N	

47	N	At meetings I chair I gesticulate with my hands and tend to point to indicate the next speaker. I have never been criticised for this involuntary action before.	
48	Y	I accept the dates as I have not recorded them.	
49	Y	Also copied to other officers.	
50	Y	Mr Conn's reply is recorded.	
51	Y	I was advised by Mr Steve Milton on August 18 that I should send him all email correspondence and copy it to a new corporate email address.	

Lindsay, Marie

From: Julia Densham [REDACTED]
Sent: 13 February 2012 21:39
To: Lindsay, Marie
Subject: Councillor Complaint

Dear Marie

I would like to make the following comments about some of the observations in your report about my complaint:

6.37 The chairman cites as his reason for commenting about [REDACTED] as an advisory to me [REDACTED]. Given that the meeting we both attended was not a Wiltshire Council meeting why would I [REDACTED] at this particular meeting? His reasoning is illogical. Plenty of people [REDACTED] for all sorts of reasons.

6.59 The stress about nibbling biscuits seems awry here. The chairman's actual comments were 'Julia enjoys a nibble', again with a pause and much innuendo which gave rise to the observation by Martin Cook the Highways Engineer in his testimony that it was said with a raised eyebrow and double entendre, the implication that his comment had nothing to do with biscuits. 6.58 points out that Martin Cook remembered the incident therefore something must have lodged in his mind about that comment. While I am happy with your findings on this incident (ie in my favour) I feel there is too much comment about 'nibbling biscuits' rather than 'enjoying a nibble' which comes across as a sexually-charged comment. The report fully establishes the chairman's use of innuendo / double entendre and it was within this atmosphere that he made his comments.

6.61 - 6.64/6.69 A trivial point - one collapses the projection screen, not the projector.

6.101 There should be a distinction made between the comments made by, and about, the individual Mr Edmonds who acts as a member of the public, a parish councillor and very latterly as vice chairman of the partnership; and those made about the organisation he represents: Marlborough and Villages Community Area Partnership with whom we have a written contract and to whom the area board has made significant payments. The chairman has supplied two emails - pp120-121 and pp122-123. The incident this information attempts to support relates to the Chairman's treatment of me on 7 June 2011. Cllr Humphries refers to the two emails as evidence of the difficulties with the partnership.

The first email is a response in September 2009 to Mr Edmonds as a member of the public and a parish councillor - he was not the vice chair at this date and which is why Cllr Humphries recommends Mr Edmonds speaks to Rich Pitts, then the chairman of MaVCAP. Mr Edmonds had a somewhat vexatious relationship with the area board councillors.

The second email referring to 'keeping the show on the road' specifically refers to keeping the area board operational when its previous community area manager was stood down. Hence my comment in the email about speaking to key officers - Marie Todd, John Quinton, etc - regarding 'my role'. My comments in the second email about keeping the show on the road did not relate to the Marlborough and Villages Community Area Partnership or Mr Edmonds in any way.

By 7 June 2011, Rich Pitts, the chairman of the partnership, had resigned leaving Mr Edmonds, the vice chair, in the leading role. If I was to follow Cllr Humphries instructions to keep Mr

Edmonds away from area board discussions regarding the production of the community area plan, a project commissioned by the area board to be delivered by the partnership, I would be keeping the partnership in the dark therefore breaking our commitment as a council to open, honest decision-making, and to our policy framework with respect to the role of partnerships and our contractual arrangements with WFCAP (the Wiltshire Forum of Community Area Partnerships). The partnership needed to be kept in the loop whether the Cllr Humphries liked its vice-chair or not.

6.117 This is incorrect according to information given to me by Mr Milton on 15 August (see email sent separately.) (now para. 6.118)

8.13 If you believe that the use of the term 'information disappearing down a black hole' a) occurred, b) was an unwise choice of words and c) that it was meant it as a joke, how can there not be a breach of the equalities' code? It did create a hostile environment because, whilst I did not contradict the chairman at the time (being excessively fearful of him at this stage), I was offended by his comment and cited it as such at my interview as an example of his sexualised use of language. I can't see how the comment can be agreed to be a joke but not racist and sexist? This incident was another use of innuendo in my mind as the chairman paused after making his comment with a smile seemingly waiting for me to 'get' the joke. What alternative inference was I draw from it? I would also challenge the chairman's statement that he had a good relationship with [REDACTED] in the light of Cllr Milton's comments around the tensions with [REDACTED] tensions which were documented, at the request of Cllr Humphries, by my previous line manager Richard Rogers who was asked to write to [REDACTED] asking 'just what [REDACTED] did do in her job'. This is recorded in the notes of the meeting at which that request was made. (now para. 8.15)

8.25 Not that I enjoyed nibbling biscuits but that 'I enjoyed a nibble' / projection screen, not projector. (now para 8.27)

8.48/8.49 As above - his comment was not that I enjoyed nibbling biscuits but that 'I enjoyed a nibble' as per your findings and Cllr Humphries agreement detailed at 6.60. (now paras. 8.50/8.51)

8.68 Given all the incidents of sexual harassment at this point, I found his comments intimidating because I considered them to be in the same vein and I felt vulnerable not knowing quite what he meant - why should it be more important for me to like photos of the chairman than the chairman himself and what should I infer from the exclamation/question mark? He seemed to me to be implying that I should hold his pictures in some kind of special regard. If there had been no other incidents of harassment I might have ignored the comment as a throw-away remark. (now para. 8.70)

8.80 No arrangements were made for me to meet with Human Resources. Mr Milton said that he would make arrangements for an interview which never came to pass (see email sent separately.) (now para. 8.82)

p161 An oversight on Mr Milton's part I think. He actually met Cllr Humphries where the chairman discussed 'getting off on the wrong foot' with me as a result of the 'enjoying a nibble' comments made at the CATG meeting on 7 Oct 2010. Mr Rogers told me that Mr Milton had spoken with the chairman in Oct 010 whereas the scarf incident occurred on 25 January 2011.

Finally, thanks for the enormous amount effort and research you have put into this report when I understand you are working on a number of other cases at the same time. I do feel that most of the report accurately reflects what I have been enduring in terms of the behaviour of the chairman of the Marlborough Area Board.

Best wishes
Julia

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Lindsay, Marie

From: Julia Densham [REDACTED]
Sent: 13 February 2012 20:52
To: Lindsay, Marie
Subject: Councillor complaint - Supporting information

Dear Marie

The email below relates to my comments on section 6.117 of your report detailed in my full, separate email of responses to your report.

Thanks
Julia

From: Milton, Steve
Sent: 15 August 2011 16:24
To: Densham, Julia
Subject: RE: Councillor complaint

Dear Julia,

Thank you for your email and I acknowledge the Duty of Care notice it contains.

I have contacted Niki to try and find a more permanent solution to the situation (we will talk in the next couple of days about the possibility of moving you from Marlborough to another area) and in the meantime I have taken advice and I will write to Cllr Humphries asking him to refrain from direct contact with you either in person, by phone or email.

Yours sincerely

Steve Milton
Head of Community Governance

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Department of Communities
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Steve Milton

From: Densham, Julia
Sent: 12 August 2011 14:43
To: Milton, Steve
Cc: Wilton, Nina
Subject: Councillor complaint

Dear Steve

Further to our conversation yesterday regarding operational arrangements in Marlborough, I have taken advice from Unison.

They strongly advise that I have no contact with Cllr Humphries for the duration of the complaint. Given the nature of the complaint, harassment and bullying, I am potentially placing myself at further risk and request that I have no contact during this period of investigation.

Given your duty of care towards me, I believe it would be better to nominate an alternative point of contact for the chairman.

I look forward to hearing from you.

Best wishes
Julia

Julia Densham
Marlborough Community Area Manager

Wiltshire Council
Area Boards Team - North team
Communities, Libraries, Heritage & Arts
Department of Community Services
Wiltshire Council
Monkton Park
Chippenham
Wiltshire
SN15 1ER

Tel: 01249 706496
Mob: 07776 450615
Email: julia.densham@wiltshire.gov.uk
Website: www.wiltshire.gov.uk

Click [here](#) to view the Marlborough community area web-page.

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Lindsay, Marie

From: Julia Densham [REDACTED]
Sent: 13 February 2012 21:08
To: Lindsay, Marie
Subject: Councillor Complaint - Supporting Evidence

Dear Marie

The email below relates to my comments on section 8.80 of your report detailed in my full, separate email of responses to your report.

Thanks
Julia

From: Milton, Steve
Sent: 04 February 2011 13:19
To: Densham, Julia
Subject: RE: Meeting

Hi Julia,

That is all fine with me. I think Kevin can cover the meeting and report back on anything I need to pick up.

I'll follow the other matters up with HR

Best

Steve

From: Densham, Julia
Sent: 04 February 2011 11:19
To: Milton, Steve; Rogers, Richard
Subject: Meeting

Dear Both

Thanks for meeting with me yesterday. I hope I gave a reasonably clear idea about what's happening in the Marlborough area with regard to all the key players (or non-players as the case is).

I think it would be good if I took some time off – I have booked the week commencing 14 Feb with a mix of annual leave and flexi and would like to take the following week as well. Do I have to do anything especially or just take it? I have the Marlborough ABC on 23 Feb – the agenda is started – perhaps I can finish this off next week and someone else can do the meeting or just Kev?

Let me know if I have to do anything re the OT and HR procedures of which we spoke.

Julia

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Lindsay, Marie

From: Milton, Steve
Sent: 29 February 2012 10:39
To: Lindsay, Marie
Subject: FW: Email address for Marlborough CAM

Hi Marie,

Julia is right in her recollection about the action I took to prevent any contact between her and Cllr Humphries – here is the confirmation I sent to Julia on 19th August 2011. I had first discussed this with Nina Wilton and Niki Lewis and spoken to Cllr Humphries and explained the matter to him – this conversation would have been before the issue of this email but I have no record of the date. I have further emails that confirm this to be the case – I will send them separately.

I will check the other things raised about my statement.

Best

Steve

Steve Milton

Head of Community Governance
Wiltshire Council
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PO Box 2281
SP2 28X

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www.wiltshire.gov.uk/areboards

From: Milton, Steve
Sent: 19 August 2011 10:08
To: Densham, Julia; Sutcliffe, Angela
Cc: Wilton, Nina; Lewis, Niki
Subject: Email address for Marlborough CAM

Hi Julia and Angela,

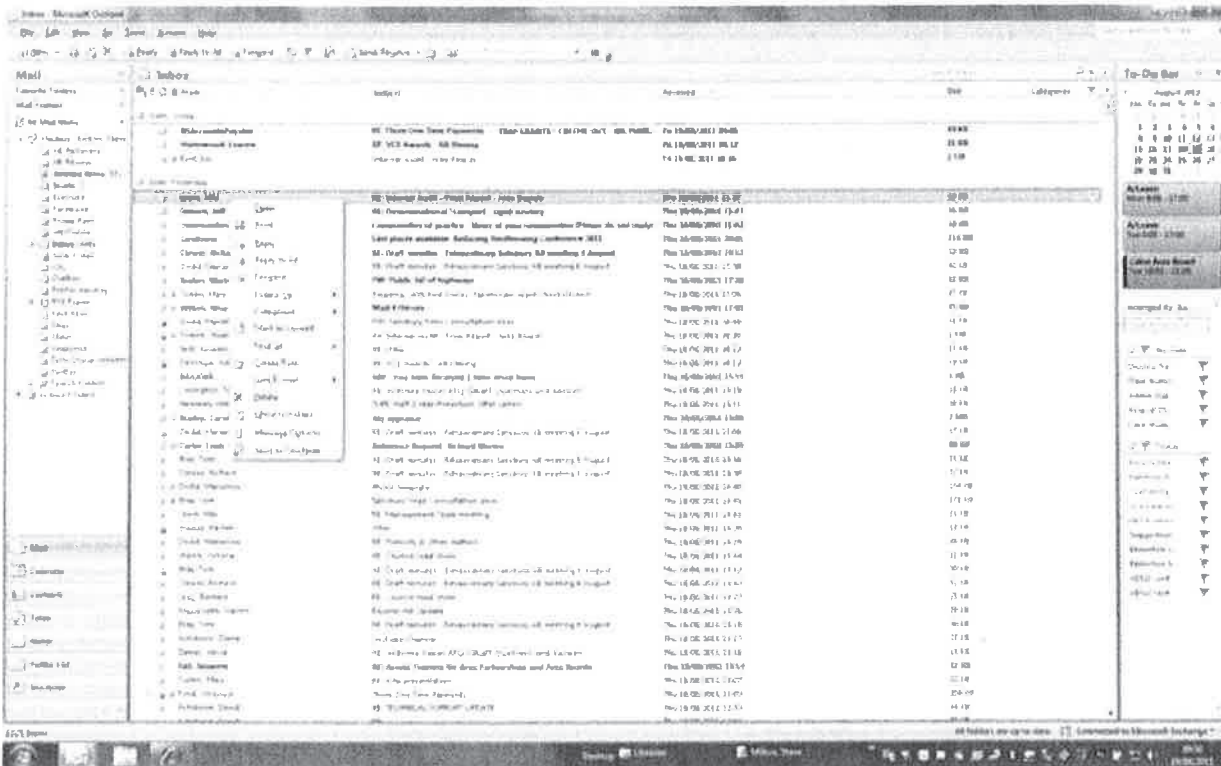
I have asked Cllr Humphries to use the cam.marlborough@wiltshire.gov.uk address for contact with us in future. We can all access this 'public' email box by opening outlook, clicking on file, open other people folders and selecting cam.marlborough. We need to ensure this is monitored every couple of days and responses provided promptly.

Julia – you may wish to monitor this box and forward to me or Angela any email from Chris that you feel we should handle. Also, please set your personal inbox to immediately re-direct emails from Cllr Humphries into this email box.

Follow these steps to set up the diversion...

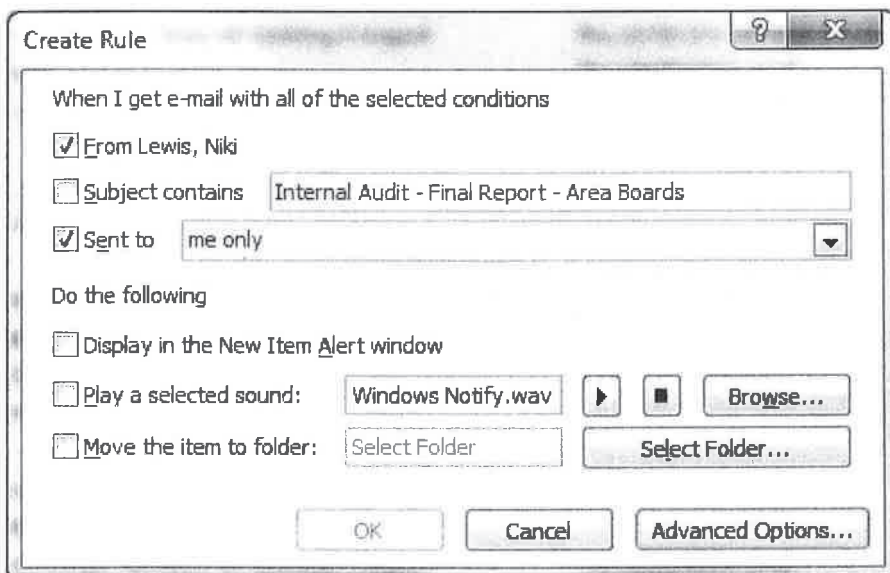
Step 1

Right click on the sender and a dialogue box will be shown – select 'create rule'



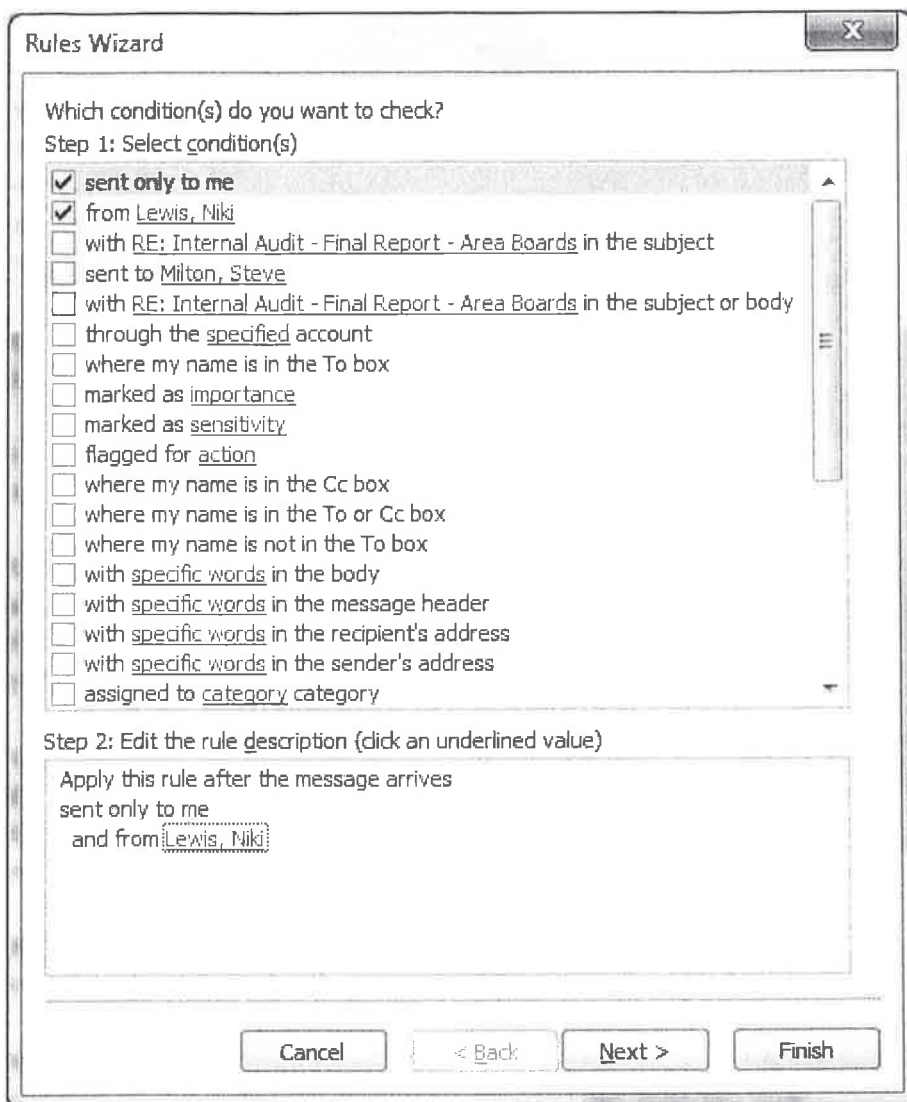
Step 2

Select the sender and sent to 'me only', then click advanced options...



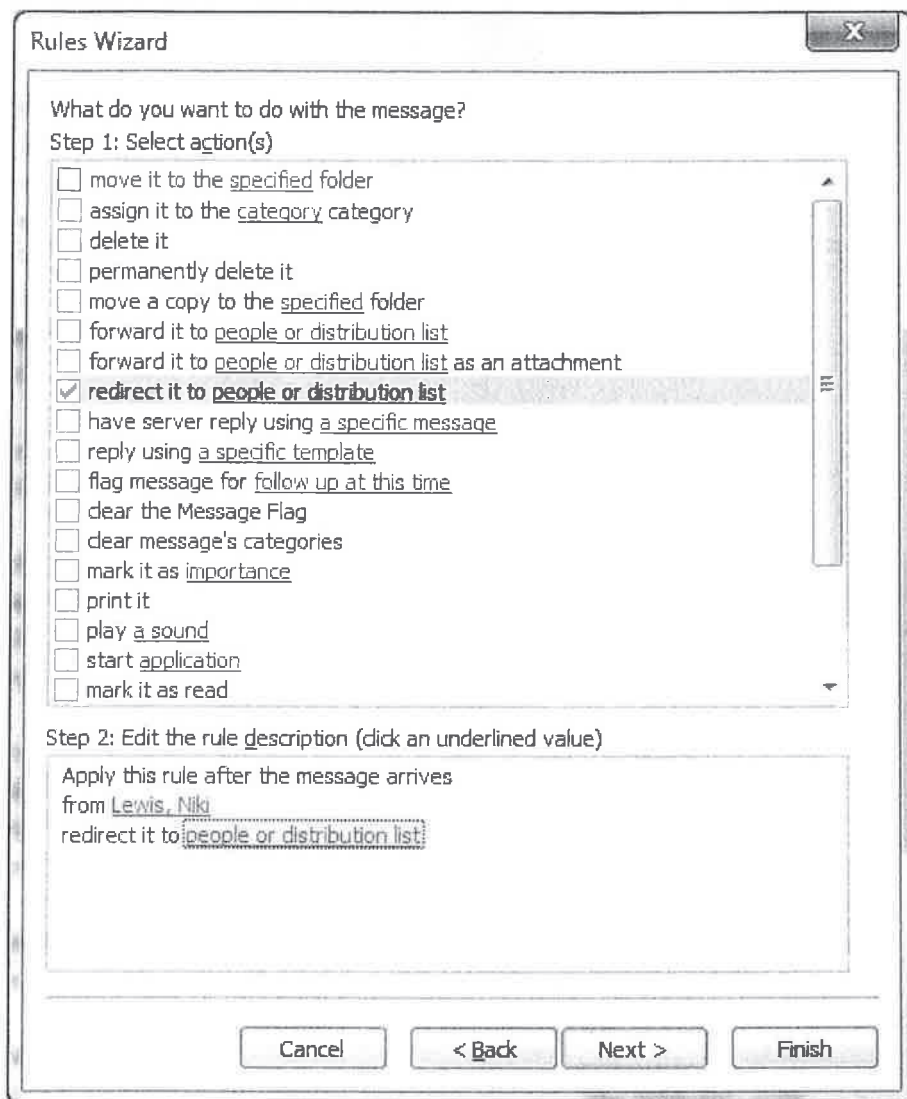
Step 3

Click on 'next'...



Step 4

Click on 're-direct to people' and click on the hyperlink to select the email address to forward the emails to and select cam.marlbrough – then click 'finish'



This should ensure all emails from the sender are re-routed to the public mail box.

I have asked Cllr Humphries to use my phone contact for the immediate future, if you receive any calls simply indicate that you have been advised not to take any calls from him until the complaint is resolved, refer him to me and end the call.

Very best wishes

Steve Milton

Head of Community Governance

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Lindsay, Marie

From: Milton, Steve
Sent: 29 February 2012 11:02
To: Lindsay, Marie
Subject: FW: Meeting

Hi Marie,

This email from 4 Feb 2011, outlines the outcome of my discussion with Julia and Richard. You will see that there were many complex issues involved. We did agree that Julia should meet with HR and that a referral to OT would be appropriate. I agreed that Julia should take a break from the role for a few weeks, while I dealt with the issues raised at the meeting.

Steve

Steve Milton
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From: Rogers, Richard
Sent: 04 February 2011 15:18
To: Densham, Julia; Milton, Steve
Subject: RE: Meeting

Julia

Thank you for being open, honest and reasonable when we met yesterday. I hope you found it helpful just to be able to talk about some of your concerns and see that there are ways that we can help to alleviate them. As I understand it, your main concerns fell into four areas: and we agreed certain actions to tackle them as outlined below.

1. Chairman

Concerns are:

- Inappropriate behaviour
- Lack of professionalism
- Not signed up to the WC vision for localism
- Undermining any positive work that takes place

Actions to be taken are:

- Set up a meeting between HR and JD to document what has taken place (SM)

[REDACTED]

[REDACTED]

[REDACTED]

Dave or I can go to the ABC on the 23rd if required

Thanks

Richard

From: Densham, Julia
Sent: 04 February 2011 11:19
To: Milton, Steve; Rogers, Richard
Subject: Meeting

Dear Both

Thanks for meeting with me yesterday. I hope I gave a reasonably clear idea about what's happening in the Marlborough area with regard to all the key players (or non-players as the case is).

[REDACTED]

[REDACTED] have to do anything re the OT and HR procedures of which we speak

Julia

Lindsay, Marie

From: Milton, Steve
Sent: 29 February 2012 11:11
To: Lindsay, Marie
Subject: FW: Confidential

Hi Marie,

Here is another email that sets out how I tried to work through the issues with Julia in February 2011. We agreed Julia should take a break from the role for a few weeks while I took action to ease some of the pressure points – you will see the actions detailed. Julia and I met on her return to follow up any further actions that were needed, and we continued to meet regularly after that. I discussed the situation with Jane Margetts in HR, Niki Lewis and Sue Redmond and subsequently with Julia.

Best

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From: Milton, Steve
Sent: 10 February 2011 15:05
To: Densham, Julia
Cc: Redmond, Sue; Graves, Christine
Subject: Confidential

Hi Julia,

I met with Sue Redmond and Christine Graves yesterday to follow up on our conversation last Friday. I think Sue is going to get in touch with you direct to offer her personal support. Jemima has written to Sue and she is very supportive and sympathetic and very much wants you to stay in the Marlborough area. JT is going to talk to Chris and Jemima privately – we will have to see what comes of that but I have a feeling this might resolve some of the more difficult issues. Christine is now fully briefed on the situation and is happy to attend ABC meetings and meet with you periodically to give extra support – she is politically very astute and extremely sympathetic so this will be a big help (please send her the ABC dates) .

Sue had some good ideas about how we handle the next few months. Basically, the plan is to throw our support and some resources into the Health Fayre, the Parish Forum, the Transport Initiatives and the launch of the Energy Monitors at Marlborough Library. We really want to associate the Board with the positive things achieved since you arrived. We also plan to send in WfCAP to handle the closedown of MaVCAP and open the dialogue with MADT – so you can ease out of that.

As we discussed last week, I think it would be a good idea for you to take some time out to get away from the Board work for a week or two – could you organise that? Very happy to give you the time. Let's get together again soon - can you look in my diary and book a half day (very happy to come to you). We will keep these 1-2-1s going and in the meantime please do give me a bell any time if there is anything you want to talk about.

Finally, I thought you handled the AB meeting superbly – your presentations and interventions were extremely professional and impressive - really well done. I am very sorry things have reached such a low point - I will do everything I can to help you through the current challenges.

Very best wishes

Steve

PS In answer to your question, generally CAMs do not need CRB checks – we always have a CRB checked officer present when we engage with young people or older/vulnerable people. However, happy to fund the check if you feel that it will help you in the role.

From: Densham, Julia
Sent: 10 February 2011 12:40
To: Milton, Steve
Cc: Sutcliffe, Angela
Subject: CRB Check

Hi Steve

I have been asked by a couple of organisations I work with in Marlborough if I am CRB checked. Can I go ahead and organise this and do I use the general SAP code?

Thanks
Julia

Julia Densham
Marlborough Community Area Manager
Wiltshire Council
Tel: 01249 706496
Mob: 07776 450615
Email: julia.densham@wiltshire.gov.uk
Website: www.wiltshire.gov.uk

Lindsay, Marie

From: Milton, Steve
Sent: 29 February 2012 11:24
To: Lindsay, Marie
Subject: RE: Code of Conduct Complaint

Hi Marie,

Finally, just to be clear. It is right that I did not arrange a meeting between Julia and HR. We sought to resolve matters in a slightly different way – as you will have seen from the previous emails.

Julia is correct to state that the I was wrong in my recollection of the details of the 'scarf' incident – this occurred after my discussion with Cllr Humphries. Therefore my discussion with Cllr Humphries must have related to the 'nibble' incident as stated correctly by Julia.

Best wishes

Steve Milton
Head of Community Governance
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From: Lindsay, Marie
Sent: 28 February 2012 11:45
To: Milton, Steve
Subject: Code of Conduct Complaint

Dear Steve

I refer to the Code of Conduct complaint that has been made by Julia Densham against Councillor Humphries and the statement that you made on 7 November 2011.

I have now issued my draft report and Julia has provided her comments to me on that draft report. A couple of her comments relate to the statement that you made and require further clarification.

I have attached a copy of your original statement. I have also attached a details of those comments of Julia's that relate to your statement (including additional evidence provided by her).

Please could you review Julia's comments and let me have your response at your earliest convenience.

I will then review these and other issues raised by both Julia Densham and Councillor Humphries before issuing my final report.

Please note that one of the issues raised by Julia, i.e. whether or not Councillor Humphries was advised to have no contact with her, has also been questioned by Councillor Humphries and I have included his comments on the attached document.

If you have any questions at all please do not hesitate to get back to me.

Kind regards

Marie

Marie Lindsay

Ethical Governance Officer

Governance Team

Wiltshire Council

Bythesea Road

Trowbridge

Wiltshire BA14 8JN

T: 01225 718465

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Wiltshire Council

Standards Hearing Sub-Committee

Pre-Hearing Process Summary

Authority	Wiltshire Council
Subject Member	Cllr Christopher Humphries
Complainant	Ms Julia Densham
Case reference number	WC 39/11
Chairman of the Standards Hearing Sub-Committee	Mr Stuart Middleton, Chairman (Independent)
Other Members	His Hon David MacLaren Webster QC (Parish Councillor) Councillor Julian Johnson (Wiltshire Council)
Monitoring Officer / Legal Adviser to the Standards Hearing Sub-Committee	Mr Ian Gibbons
Clerk of the hearing	Ms Pam Denton
Investigator	Mrs Marie Lindsay
Date of Pre-Hearing Review	30 May 2012
Summary of the complaint	The complaint concerns Councillor Humphries' alleged behaviour towards Ms Densham, over a period of time, which has made her feel ineffective in her professional responsibilities and vulnerable in her dealings with Councillor Humphries.
Relevant sections of the Code of Conduct	Paragraph 3(1) – You must treat others with respect Paragraph 3(2)(a) – You must not do anything which may cause your authority to breach any of the equality enactments. Paragraph 3(2)(b) – You must not bully any person

Date, time and place of the hearing	3 July 2012 at 10 am in the Council Chamber, Council Offices, Monkton Park, Chippenham
Findings of fact in the investigation report that are agreed	See Appendix A - Investigator's Report and Form A responses (combined version attached for ease of reference)
Findings of fact in the investigation report that are not agreed	See Appendix A - Investigator's Report and Form A responses (combined version attached for ease of reference)
Does the subject member disagree with any findings of the investigation report, including reasons for any of these disagreements?	<p>Yes - all findings of breach are contested.</p> <p>See Cllr Humphries e-mail dated 24 May 2012 raising 3 procedural points which the Sub-Committee will consider as preliminary issues at the hearing.</p>
Does the subject member wish to give evidence to the standards committee, either orally or in writing?	Yes
Does the subject member wish to be represented at the hearing by a solicitor, barrister or any other person?	<p>Yes.</p> <p>Mr Peter Keith-Lucas, Solicitor Partner at bevan Brittan, Bristol</p>
Does the subject member want to call relevant witnesses to give evidence to the standards committee?	None, save that Cllr Humphries reserves the right to request that further witnesses are called after considering the additional witnesses the Sub-Committee wish to attend the hearing - see below.

Does the subject member want any of the hearing to be held in private?	No
Does the subject member want any part of the investigation report or other relevant documents to be withheld from the public?	No
Will the Investigator be attending the hearing?	Yes - she will be represented by Frank Cain, Head of Legal
Proposed procedure for the hearing	The Procedure will follow the Council's Procedure for Determination of Referred Complaints by the Standards Committee (attached) as explained by the Chairman at the Pre-hearing Review. This is based on the Standards Committee (England) Regulations 2008 and Standards for England guidance.
Additional Directions	<p>As requested by the Sub-Committee, a revised summary table is attached for use at the hearing. This shows the 7 findings which have been referred for hearing; references to the corresponding findings of fact in Appendix A; the corresponding paragraphs in the investigator's report and a note of the facts which are disputed by Cllr Humphries. It also includes details of the findings which have been found to breach the code, where this has been requested by Cllr Humphries in Form A.</p> <p>The Sub-Committee would like the following witnesses to attend the hearing to give evidence in addition to the complainant:</p> <ul style="list-style-type: none"> • Councillor Jemima Wilton • Mr Martin Cook, Area Highway Engineer • Mr Dave Roberts, Corsham Community Area Manager <p>The Investigating Officer will arrange for these persons to attend.</p>

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From: Chris Humphries [REDACTED]
Sent: 24 May 2012 19:52
To: Wilton, Nina; Browne, Anna; Gibbons, Ian
Cc: Peter Keith-Lucas
Subject: Code of Conduct Pre-Hearing

Dear Ms Wilton

Please find attached Forms A to E duly completed.

My solicitor is unable to attend the Pre-Hearing and sends his apologies. However at the Pre-Hearing I would invite the panel to consider the following procedural points:-

1. Request that all complaints relating to matters which were more than 12 months old at the date of the complaint be dismissed as individual complaints and be admissible merely as "similar fact" evidence, in accordance with SBE Guidance - link http://genesis/inhouse/legal/regulatory/local_government/standards/SBE%20Local%20assessment%20of%20complaints%202008.pdf
2. Request that all findings under Paragraph 3(2)(a) in the absence of any evidence or suggestion that Councillors Humphries alleged conduct influenced or constituted any action by or on behalf of the authority. Paragraph 3(2)(b) requires that Councillor Humphries' conduct caused the authority to be in breach of any of the equality enactments, and no evidence has been proffered, and no finding of fact made that this is the case; and
3. Request that the element of the complaint in respect of [REDACTED] be dismissed on the basis that it is outside the jurisdiction of the Standards Committee. This matter was not within the complainant's original complaint, which was the "matter" which was referred by the Standards Committee to the Monitoring Officer for investigation under Section 57(2)(a) of the LGA 2000. Upon reference to the Monitoring Officer, Regulation 14 of the Standards Committee Regulations 2008 provide that the Monitoring Officer shall arrange for the investigation of the "matter". Accordingly, there is no jurisdiction for the local investigation to extend to additional matters (in contrast to an ESO investigation under Section 59(1)(b) of the LGA 2000.

Please confirm receipt of this email.

As previously advised, I confirm that I will attend the Pre-Hearing in County Hall (please advise room location) at 9.30am on Wed 30th May 2012.

Regards
Chris Humphries

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FORM A Please enter the number of any paragraph where you disagree with the findings of fact in the investigator’s report and give your reasons and your suggested alternative.

Member’s response to the evidence set out in the investigator’s report

Paragraph number from the investigator’s report	Reasons for disagreeing with the findings of fact provided in that paragraph	Suggestion as to how the paragraph should read
8.	I intended my email to be a compliment to Ms Densham and it was made in a humorous form. (Ms Densham uses terms such as “crap” and “bullshit”.) The applicant to whom Ms Densham was responding was being turned down for a grant. It wasn’t an easy message to give but Ms Densham did it very well. I am sorry if my comment offended her but I fail to see how Codes 3(1) and 3(2)(b) were breached.	Not applicable.
9.	Confusion regarding the meeting dates. <ul style="list-style-type: none"> • Investigating officer states late 2009 or early 2010 • Ms Densham and Councillor Milton state late 2010 or early 2011 The investigation can only relate to the original Complaint; this matter appeared afterwards, therefore the Hearing Panel has no jurisdiction over this matter.	Not applicable.
10.	I would never use the term “black hole” in connection with ██████████ or any other person. Minutes of all four meetings referred to in 9. above do not reflect any reference to ██████████ It is clear in Ms Densham’s version that ‘black hole’ is a reference to instructions not being followed rather than ██████████	Not applicable.
21.	I did not use that form of vulgar language; it is not in my vocabulary.	Not applicable.

Paragraph number from the investigator's report	Reasons for disagreeing with the findings of fact provided in that paragraph	Suggestion as to how the paragraph should read
23.	This alleged conversation did not take place. I knew that Ms Densham was married with children but had no idea of their sex or ages.	Not applicable.
17. to 23.	Please explain which of the alleged events listed in para.17 to 23 are alleged to be a breach of Codes 3(1), 3(2)a and, 3(2)b. It is not apparent in the Schedule of Findings of Fact.	Not applicable.
27.	<p>Mr Stansby thanked Ms Densham stating that he "enjoyed a nibble during the meeting". I made my comments to reinforce his thanks for providing biscuits and my comment meant that she also liked biscuits, an entirely altruistic gesture on her part.</p> <p>I was not aware of and did not intend any sexual innuendo. I was surprised that she found such innuendo when she commented to me privately after the meeting. I apologised for any unintended offence. I was so upset that I may have caused her offence that I sent Ms Densham an email that evening.</p> <p>I was not challenged by anyone else attending this meeting.</p>	Not applicable.
24. to 31.	Please explain which of the three separate alleged events listed in para. 24 to 31 are alleged to be a breach of Codes 3(1), 3(2)a and, 3(2)b. It is not apparent in the Schedule of Findings of Fact.	
28.	I did not use inappropriate actions and sexual innuendo. I tried to help Ms Densham dismantle the screen but walked away when somebody else, (I believe Martin Cook) offered to help her as I was unable to assist.	Not applicable.
35.	I only referred to ██████████ association with ██████████. I did not go into any detail. All details were available. ██████████ ██████████ and therefore the public domain.	Not applicable.

Paragraph number from the investigator's report	Reasons for disagreeing with the findings of fact provided in that paragraph	Suggestion as to how the paragraph should read
40.	This alleged incident did not take place.	Not applicable.
45.	I did not make comments about Mr Milton in a forceful manner as I hold him in high regard. I may have informed the meeting that Mr Milton is not an Area Board decision maker but derogatory and forceful terms were not used.	Not applicable.
46.	I did not refer to Ms Densham's performance in a negative manner nor use the word "crap".	Not applicable.
47.	I did not silence Mr Roberts with a dismissive hand gesture. I have known and worked with Mr Roberts for 10 years and value his input. During meetings that I chair I have a strong tendency to gesticulate with my hands and point to indicate the next speaker. There is no evidence from Mr Roberts that he took offence or felt that I was being disrespectful.	Not applicable.

End.

24/5/2012

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FORM B Please set out below, using the numbered paragraphs any other evidence you feel is relevant to the allegation made about you.

Other evidence relevant to the allegation

Paragraph number	Details of the evidence
Not applicable	<p>On either the 4th or 5th May 2011 Ms Densham telephoned me to say she had something for me that needed delivering. I cannot remember what the package contained but it could have been a mobile telephone. Ms Densham offered to deliver it personally to my home; this she duly did, handing over the package to me on my doorstep.</p> <p>Given that Ms Densham stated very clearly in both her Complaint Form and her Written Statement that she felt very vulnerable in my presence why did she come to my home unaccompanied?</p> <p>This evidence is contained in my written statement but has been ignored by the investigating officer despite my highlighting it on several occasions (via email). Ms Densham has also failed to comment on it in during the Draft Report review.</p>
8.	Ms Densham uses terms such as “crap” and “piss”; (pg.65 of Final Report - her email to Cllr Jemima Milton dated 8/6/2011) and “bullshit”; (pg 91 of Final Report - her Statement).
16.	My email was meant as a compliment in the context of a complete exchange of emails.
40.	I am very careful about unsolicited physical contact. I will shake hands and/or pat someone on their back (by way of congratulation), but would not have other physical contact with people I work with.
46.	If I had concerns about the performance of an officer I would raise it with their line manager. The words alleged against me are completely uncharacteristic as I would never criticise an officer to their face or in front of a third party. The use of the word “crap” comes from Mr Roberts’ statement but he could not recall the exact words. The use of “crap” is not alleged in Ms Densham’s Complaint and denied by myself. On the balance of probabilities, the word was not used.

End.

24/5/2012

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FORM C Please set out below using the numbered paragraphs, any factors that the Standards Committee should take into account if it finds that a member has failed to follow the Code of Conduct.

Representations to be taken into account if a member is found to have failed to comply with the Code of Conduct.

Please note that no such finding has yet been made.

Paragraph number	Factors for the Standards Committee to take into account when deciding whether or not to order any censure, restriction of resources or allowances, suspension or partial suspension
No response.	No response.

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FORM D

Arrangements for the Standards Committee hearing

*Please delete as appropriate

<p>1 The proposed date for the Standards Committee hearing is given in the accompanying letter. Are you planning to attend the hearing?</p> <p>If 'No', please explain why.</p>	<p>*YES/NO</p>	<p>Reason:</p>
<p>2 Are you going to present your own case?</p>	<p>*YES/NO</p>	<p>Reason: It is my right to counsel.</p>
<p>3 If you are not presenting your own case, will a representative present it for you?</p> <p>If 'Yes', please state the name of your representative</p>	<p>*YES/NO</p>	<p>Name: Mr Peter Keith-Lucas</p>
<p>4 Is your representative a practising solicitor or barrister?</p> <p>If 'Yes', please give his or her legal qualifications then go to Question 6</p> <p>If 'No', please go to question 5</p>	<p>*YES/NO</p>	<p>Qualifications: Solicitor; Partner at Bevan Brittan</p>
<p>5 Does your representative have any connection with your case?</p> <p>If 'Yes', please give details</p>	<p>*YES/NO</p>	<p>Details:</p>

<p>6 Are you going to call any witnesses?</p> <p>If 'Yes', please fill in Form E</p>	<p>*YES/NO</p>	
<p>7 Do you, your representative or your witness have any access difficulties (for example, is wheelchair access needed)?</p> <p>If 'Yes', please give details</p>	<p>*YES/NO</p>	<p>Details:</p>
<p>8 Do you, your representative or witness have any special needs (for example, is an interpreter needed)?</p> <p>If 'Yes', please give details</p>	<p>*YES/NO</p>	<p>Details:</p>
<p>9 Do you want any part of the hearing held in private?</p> <p>If 'Yes', please give reasons.</p>	<p>*YES/NO</p>	<p>Reasons:</p>
<p>10 Do you want any part of the relevant documents to be withheld from public inspection?</p> <p>If 'Yes', please give reasons.</p>	<p>*YES/NO</p>	<p>Reasons:</p>

FORM E

Details of proposed witnesses to be called.

Name of witness or witnesses	1 2 3	Cllr Chris Humphries
<p>WITNESS 1</p> <p>A Will the witness give evidence about the allegation?</p> <p>If 'Yes', please provide an outline of the evidence the witness will give</p> <p>B Will the witness give evidence about what action the Standards Committee should take if it finds that the Code of Conduct has not been followed?</p> <p>If 'Yes', please provide an outline of the evidence the witness will give</p>	<p>*YES/NO</p> <p>*YES/NO</p>	<p>Outline of evidence:</p> <p>As per Forms A & B</p> <p>Outline of evidence:</p>

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Appendix A

Schedule of findings of fact

Case No: WC 39/11

	Investigating Officer's findings of fact	Councillor Humphries' comments
	General	
1.	Councillor Christopher Humphries was at the relevant time a member of Wiltshire Council.	
2.	Councillor Humphries is the Chairman of the Marlborough Area Board.	
3.	Ms Densham was from 1 April 2009 to November 2009 the Senior Democratic Services Officer to the Marlborough Area Board.	
4.	From December 2009 to February 2010 Ms Densham took on the role of temporary Marlborough Community Area Manager, before returning to her substantive role in Democratic Services.	
5.	In June 2010 Ms Densham was offered the post of Marlborough Community Area Manager on a permanent basis. Towards the end of her three month notice period she began to take on some of her new responsibilities.	
	1 December 2009	
6.	On 1 December 2009 Councillor Humphries sent an email to Ms Densham in which he states 'Well done, I could not have thought of such bovine effluent as this!!'	
7.	Councillor Humphries sent his email in response to an email from Ms Densham an applicant for a grant from the Area Board, and which had been copied to him.	

8.	Councillor Humphries' email of 1 December 2009 expresses his view that he considers Ms Densham's initial email to contain a load of bullshit.	I intended my email to be a compliment to Ms Densham and it was made in a humorous form. (Ms Densham uses terms such as "crap" and "bullshit".) The applicant to whom Ms Densham was responding was being turned down for a grant. It wasn't an easy message to give but Ms Densham did it very well. I am sorry if my comment offended her but I fail to see how Codes 3(1) and 3(2)(b) were breached.
Late 2009 or early 2010		
9.	A briefing meeting of the Marlborough Area Board was held in late 2009 or early 2010 at which Ms Densham, Councillor Humphries and Councillor Milton were present.	<p>Confusion regarding the meeting dates.</p> <ul style="list-style-type: none"> Investigating officer states late 2009 or early 2010 Ms Densham and Councillor Milton state late 2010 or early 2011 <p>The investigation can only relate to the original Complaint; this matter appeared afterwards, therefore the Hearing Panel has no jurisdiction over this matter.</p>
10.	At that meeting Councillor Humphries made reference to information having disappeared down a black hole in connection with [REDACTED]	<p>I would never use the term "black hole" in connection with [REDACTED] or any other person. Minutes of all four meetings referred to in 9. above do not reflect any reference to [REDACTED]</p> <p>It is clear in Ms Densham's version that 'black hole' is a reference to instructions not being followed rather than [REDACTED]</p>
26 August 2010		
11.	On 26 August 2010 a briefing meeting of the Marlborough Area Board was held. The meeting was attended by Councillor Humphries, Ms Densham, Ms K Scott and Councillor N Fogg.	
12.	No objections were raised at the meeting to any bad language that had been used by anyone present.	
13.	At the meeting Councillor Humphries used the term 'abortion of a mess'.	

14.	Later the same day Ms Scott sent an email to Mr Steve Milton expressing her views about the meeting.	
	24 September 2010	
15.	On 24 September 2010 Ms Densham sent an email to Councillor Humphries asking him to approve new Marlborough Area Board agenda covers.	
16.	Councillor Humphries replied to Ms Densham by email on the same day. His email included the phrase 'Also who is the good looking bird at the bottom? I did not realise that colour photography had been around so long'. These comments were directed towards Ms Densham.	
	28 September 2010	
17.	On 28 September 2010 a meeting of the Marlborough and Villages Community Area Partnership was held at Marlborough Town Hall. Councillor Humphries and Ms Densham were both present at the meeting.	Please explain which of the alleged events listed in para.17 to 23 are alleged to be a breach of Codes 3(1), 3(2)a and, 3(2)b. It is not apparent in the Schedule of Findings of Fact.
18.	After the meeting had finished Councillor Humphries and Ms Densham were having a discussion outside Marlborough Town Hall when it started to rain.	
19.	Councillor Humphries invited Ms Densham to finish the conversation in his car, to which she agreed. The conversation turned towards the allegations surrounding [REDACTED] [REDACTED] [REDACTED]	
20.	The conversation about [REDACTED] arose as a result of discussions about [REDACTED] and [REDACTED] [REDACTED] (Amended since the draft report as a result of Councillor Humphries' additional comments – see Appendix C1.1, page 179)	

21.	Councillor Humphries made reference to the specifics of the allegations about ██████████ and, in doing so, used the expression 'rod-ing'.	I did not use that form of vulgar language; it is not in my vocabulary.
22.	Councillor Humphries did not stroke Ms Densham's arm.	
23.	A conversation took place between Ms Densham and Councillor Humphries about Ms Densham's children although it is unclear what questions were asked by Councillor Humphries and exactly what information was exchanged.	This alleged conversation did not take place. I knew that Ms Densham was married with children but had no idea of their sex or ages.
7 October 2010		
24.	On 7 October 2010 a meeting of the Marlborough Community Area Transport Group meeting was held. Present at that meeting were, amongst others, Ms Densham, Councillor Humphries, Councillor P Dow, Councillor A Kirk Wilson and Mr M Cook, Highways Engineer.	Please explain which of the three separate alleged events listed in para. 24 to 31 are alleged to be a breach of Codes 3(1), 3(2)a and, 3(2)b. It is not apparent in the Schedule of Findings of Fact.
25.	Prior to the meeting Ms Densham and Mr Rogers had attended a meeting at Councillor Humphries' house.	
26.	At the meeting on 7 October 2010 Councillor Humphries made a comment about the fact that Ms Densham had been to his house	
27.	At the meeting Councillor Humphries made a comment about Ms Densham liking/enjoying a nibble. The only comments made at the meeting to nibbling were those made by Councillor Humphries. Councillor Humphries' comments were challenged by Ms Densham and Councillor Dow at the time. (Amended since the draft report as a result of Ms Densham's additional comments – see Appendix D1.1, page 183)	Mr Stansby thanked Ms Densham stating that he "enjoyed a nibble during the meeting". I made my comments to reinforce his thanks for providing biscuits and my comment meant that she also liked biscuits, an entirely altruistic gesture on her part. I was not aware of and did not intend any sexual innuendo. I was surprised that she found such innuendo when she commented to me privately after the meeting. I apologised for any unintended offence. I was so upset that I may have caused her offence that I sent Ms Densham an email that evening. I was not challenged by anyone else attending this meeting

28.	At the meeting Councillor Humphries used inappropriate actions and sexual innuendo to explain how the telescopic poles of the projection screen fit together. (Amended since the draft report as a result of Ms Densham's additional comments – see Appendix D1.1, page 183)	I did not use inappropriate actions and sexual innuendo. I tried to help Ms Densham dismantle the screen but walked away when somebody else, (I believe Martin Cook) offered to help her as I was unable to assist.
29.	Immediately after the meeting Ms Densham challenged Councillor Humphries about comments made by him at the meeting that she likes/enjoys a nibble'. (Amended since the draft report as a result of both Councillor Humphries' and Ms Densham's additional comments – see Appendices C1.1, page 179 and D1.1, page 183)	
30.	Later that same day Councillor Humphries sent an email to Ms Densham in which he writes 'Thank you for your advice today, it will be heeded'.	
31.	Ms Densham forwarded this email to Mr Rogers and Mr Milton on 8 October 2010, adding her comments about what took place at the Transport Group meeting the previous day.	
	20 October 2010	
32.	On 20 October 2010 Ms Densham sent an email to Councillor Humphries enclosing a new photograph of him that had been taken for area board purposes, asking him 'hope you like the attached'.	
33.	Councillor Humphries replied that same day saying 'Thank you, more to the point do you!?'	
	18 November 2010	
34.	On 18 November 2010 a meeting of the Marlborough Area Board was held. Present at that meeting were Ms Densham, Councillor Humphries, Mr Fielding and Councillor Milton.	

35.	Councillor Humphries made reference at that meeting to specific allegations against ██████ regarding ██████ alleged behaviour at ██████ and about some prior allegations made against ██████	I only referred to ██████ association with ██████ I did not go into any detail. All details were available, ██████ and therefore the public domain. <i>(Investigating Officer's note: the Consideration Sub-Committee accepted a finding of no breach in respect of this alleged incident)</i>
36.	No suggestion was made at the meeting that the information being discussed was of a confidential nature.	
37.	Councillor Humphries was not challenged about these comments at the time.	
	End of 2010	
38.	Councillor Humphries did not ask Ms Densham about her domestic arrangements on two occasions towards the end of 2010.	
	25 January 2011	
39.	On 25 January 2011 a meeting of the Marlborough Community Area Transport Group was held. Ms Densham and Councillor Humphries both attended the meeting.	
40.	As Councillor Humphries entered the room he walked towards Ms Densham and grabbed her scarf, making a playful gesture as if to strangle her with it. As he did so the back of his hand was in contact with her body. He picked up the knot of her scarf and moved it upwards towards her chin. He then let go and sat down.	This alleged incident did not take place.
	6 June 2011	
41.	On 6 June 2011 Councillor Humphries sent Ms Densham an email in response to a mix up over the timings of briefing meetings. In his email Councillor Humphries asks Ms Densham 'If you have brought forward the briefing time then please advise me'.	

	7 June 2011	
42.	On 7 June 2011 a briefing meeting of the Marlborough Area Board was held. Ms Densham, Councillor Humphries and Mr Dave Roberts attended the meeting.	
43.	At the time there were issues concerning the Area Board's relationship with MaVCAP. (Amended since the draft report as a result of Councillor Humphries' additional comments – see Appendix C1.1, page 179)	
44.	At the meeting Councillor Humphries made it clear that he would not be taking into account the advice of Steve Milton but he did not express this in terms of 'Steve Milton can fuck off' or 'Steve Milton can go to hell'.	
45.	Councillor Humphries' comments about Mr Milton were said in a forceful manner.	I did not make comments about Mr Milton in a forceful manner as I hold him in high regard. I may have informed the meeting that Mr Milton is not an Area Board decision maker but derogatory and forceful terms were not used.
46.	At the meeting Councillor Humphries referred to Ms Densham's performance in a negative manner and used the word 'crap'.	I did not refer to Ms Densham's performance in a negative manner nor use the word "crap".
47.	Later on in the meeting Councillor Humphries silenced Mr Roberts with a dismissive hand gesture.	I did not silence Mr Roberts with a dismissive hand gesture. I have known and worked with Mr Roberts for 10 years and value his input. During meetings that I chair I have a strong tendency to gesticulate with my hands and point to indicate the next speaker. There is no evidence from Mr Roberts that he took offence or felt that I was being disrespectful.
48.	On 8 June 2011 Ms Densham sent an email to Councillor Milton about the briefing meeting that had been held on 7 June 2011 and which Councillor Milton had missed.	

	17 August 2011	
49.	<p>On 17 August 2011 Councillor Humphries sent an email to Ms Densham asking her whether she would be able to deal with a request to organise a visit to the Compton Bassett recycling plant. Councillor Humphries' email was also copied to Mr James Hazelwood, Senior Democratic Services Officer. (Amended since the draft report as a result of Councillor Humphries' additional comments – see Appendix C1.1, page 179)</p>	
50.	<p>Ms Densham did not respond and on 21 August 2011 Councillor Humphries forwarded the original request to Mr A Conn, Head of Waste Management, asking how best to progress the matter. Mr Conn replied on 22 August 2011. (Amended since the draft report as a result of Councillor Humphries' additional comments – see Appendix C1.1, page 179)</p>	
51.	<p>At the time that Councillor Humphries sent his email to Ms Densham on 17 August 2011 about the visit to the Compton Bassett Recycling Plant, he had not been advised to have no further email correspondence with her. He was advised of the new contact arrangements on 18 August 2011. (Amended since the draft report as a result of both Councillor Humphries' and Ms Densham's additional comments – see Appendices C1.1, page 179, and D1.1, page 183)</p>	

A summary of those findings of the Investigating Officer referred to the Determination Hearing by the Consideration Sub-Committee

Item no.	Incident	Brief Summary of Allegation	Relvant Code of Conduct paragraph	Breach found	Corresponding findings of fact in Appendix A of IO's report (pages 46-49)	Corresponding paragraphs in IO's report	Findings of facts disputed by Cllr Humphries
1	10 December 2009 - Email from Councillor Humphries to Ms Densham	In his email Councillor Humphries states 'Well done, I could not have thought of such bovine effluent as this!!'.	3(1) - respect; 3(2)(b) - bullying	3(1); 3(2)(b)	6 to 8	6.8 to 6.12 (pages 7-8)	8
2	Late 2009 or early 2010 - Marlborough Area Board briefing meeting	Councillor Humphries made reference to informatino provided to ██████████ as having disappeared down a black hole.	3(1) - respect; 3(2)(a) - equality enactments; 3(2)(b) - bullying	None	9 to 14	6.13 to 6.17 (pages 8-9)	9 and 10
3	24 September 2010 - Email from Councillor Humphries to Ms Densham	In his email Councillor Humphries states 'Also, who is the good looking bird at the bottom? I did not realise that colour photography had been around so long'.	3(1) - respect; 3(2)(a) - equality enactments; 3(2)(b) - bullying	3(1); 3(2)(a); 3(2)(b)	15 to 16	6.28 to 6.30 (page 10)	none
4	28 September 2010 - Marlborough and Villages Community Area Partnership briefing meeting	Following the meeting Councillor Humphries and Ms Densham continued a discussion in Councillor Humphries' car. During the discussions Councillor Humphries discussed confidential information using offensive language, stroked Ms Densham's arm and enquired about her daughters.	3(1) - respect; 3(2)(a) - equality enactments; 3(2)(b) - bullying; 4(a) - disclosure of confidential information	3(1); 3(2)(a); 3(2)(b)	17 to 23. The finding of fact which has been found to breach paragraphs 3(1), 3(2)(a) and 3(2)(b) is number 21.	6.31 to 6.45 (pages 11-13)	21, 23
5	7 October 2010 - Marlborough Community Area Transport Group meeting	At the meeting Cllr Humphries' made comments about the fact that Ms Densham had been to his house and he also stated 'Julia enjoys a nibble'. Additionally that he used sexual innuendo to explain how the telescoic poles of the projector fit together.	3(1) - respect; 3(2)(a) - equality enactments; 3(2)(b) - bullying	3(1); 3(2)(a); 3(2)(b)	24 to 31. Those findings of fact which have been found to breach paragraphs 3(1), 3(2)(a) ans 3(2)(b) are numbers 27 and 28.	6.46 to 6.70 (pages 13-17)	27 and 28
6	25 January 2011 - Marlborough Community Area Transport Group meeting	Prior to the start of the meeting Cllr Humphries grabbed Ms Densham's scarf and made a playful gesture as if to strangle her with it.	3(1) - respect; 3(2)(a) - equality enactments; 3(2)(b) - bullying	3(1); 3(2)(a); 3(2)(b)	39 to 40	6.85 to 6.91 (pages 19-20)	40
7	7 June 2011 - Marlborough Area Board briefing meeting	During the meeting Cllr Humphries' stated 'Steve Milton can go to hell'. He also commented that Ms Densham was rubbish at her job and was overly harsh to Mr D Roberts, using a dismissive had gesture.	3(1) - respect; 3(2)(b) - bullying	3(1); 3(2)(b)	42 to 48	6.96 to 6.112 (pages 21-24)	45,46 and 47

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Wiltshire Council

Arrangements for dealing with Code of Conduct Complaints under the Localism Act 2011

1 Context

- 1.1 These arrangements are made under Section 28 of the Localism Act 2011. They set out the process for dealing with a complaint that an elected or co-opted member of Wiltshire Council or of a parish, town or city council within its area has failed to comply with their Code of Conduct.
- 1.2 An overview of the complaints process is attached at Annex 2.
- 1.3 These arrangements are subject to the Council's Procedure for dealing with vexatious complaints.
- 1.4 The Monitoring Officer will determine as a preliminary issue whether a complaint relates to the Code of Conduct and is to be dealt with under these arrangements.
- 1.5 The Monitoring Officer will encourage complainants to explore whether the matter can be resolved without the need to submit a formal complaint under this process.

2 Interpretation

- 2.1 'Member' means a member or a co-opted member of Wiltshire Council, or of a parish, town or city council within its area, against whom a complaint has been made under the Code of Conduct.
- 2.2 'Council' means Wiltshire Council.
- 2.3 'Investigating Officer' means the person appointed by the Monitoring Officer to undertake an investigation of an allegation of misconduct by a Member.
- 2.4 'The Monitoring Officer' is a senior officer of the authority who has statutory responsibility for maintaining the register of members' interests and who is responsible for administering the arrangements for dealing with complaints of member misconduct. It includes any officer nominated by the Monitoring Officer to act on his or her behalf in that capacity.

- 2.5 'Independent Person' means a person appointed under Section 28(7) of the Localism Act:
- a. whose views must be sought and taken into account before a decision is made on an allegation of member misconduct under these arrangements;
 - b. who may be consulted by the Member about the complaint.
- 2.6 In order to avoid any conflict of interest two Independent Persons will be allocated to each complaint, one to advise and assist the Monitoring Officer and the Hearing Sub-Committee, and the other to be available for consultation by the Member.
- 2.7 'Parish Council' means a parish, town or city council within the area of Wiltshire Council.
- 2.8 'Code of Conduct' means the code of conduct for members which the Council and Parish Councils are required to adopt under Section 27 of the Localism Act 2011.
- 2.9 'Days' means working days.
- 2.10 'Parties' includes the Complainant, Member and the Investigating Officer.
- 2.11 The 'Hearing Sub-Committee' is a sub-committee of the Council's Standards Committee appointed to determine complaints of member misconduct under these arrangements.
- 2.12 The 'Review Sub-Committee' is a sub-committee of the Council's Standards Committee appointed to review a decision of the Monitoring Officer under sections 4 and 6 of these arrangements.
- 2.13 Where a complaint is made against a member of a Parish Council the Clerk to the Parish Council will be notified of the complaint and kept informed of the progress and outcome of the matter.
- 2.14 Documents will be deemed to have been received by the Parties on the seventh day after the date of posting.

3 Making a Complaint

- 3.1 A complaint against a Member under the Code of Conduct must be made in writing on the Council's standard form (*available from the Council's web-site and offices*) and addressed to the Monitoring Officer [*address / e-mail*] within 20 days of the date on which the complainant became aware of the matter giving rise to the complaint.
- 3.2 The Monitoring Officer will acknowledge receipt of the complaint within 5 days of receiving it, and will send a copy to the Member.

- 3.3 The Member will be invited to submit a written response to the complaint within 10 days of the date on which it is sent to them.
- 3.4 At any time during the complaints process the Member may seek advice and assistance in connection with the complaint from a friend or professional legal adviser, in confidence, and/or consult the Independent Person designated for that purpose.
- 3.5 Anonymous complaints will not be accepted for assessment unless the Monitoring Officer is satisfied that there would otherwise be a serious risk to the Complainant's personal safety, in which case the Monitoring Officer will decide how the complaint should be taken forward.

4. Initial Assessment

- 4.1 The Monitoring Officer will review the complaint within 5 days of receiving the Member's response and, after consultation with the Independent Person, will decide whether it merits formal investigation.
- 4.2 In reaching this decision the Monitoring Officer will have regard to the Standards Committee's assessment criteria.
- 4.3 The Monitoring Officer will inform the Parties of his or her decision and the reasons for it in writing.
- 4.4 The Monitoring Officer may seek to resolve the complaint informally, without the need for a formal investigation. This may involve mediation or other suitable action, including training or an apology by the Member.
- 4.5 Where the Member or the Council make a reasonable offer of local resolution, but the Complainant is not willing to accept that offer, the Monitoring Officer may take this into account in deciding whether the complaint merits formal investigation.
- 4.6 If the complaint identifies potential criminal conduct by any person, the Monitoring Officer may call in the Police or other regulatory agencies.
- 4.7 The Complainant or the Member may request a review of the Monitoring Officer's decision at the initial assessment stage.
- 4.8 A review will be determined by a Review Sub-Committee who may decide:
 - a. to dismiss the complaint or take no further action on the complaint;
 - b. to refer the complaint to the Monitoring Officer for investigation or other suitable action, including mediation.

5 Investigation

- 5.1 If the Monitoring Officer decides that a complaint merits formal investigation, he/she will appoint an Investigating Officer within 2 days of the decision to investigate and inform the Parties of the appointment.
- 5.2 The Investigating Officer will investigate the complaint in accordance with guidelines produced by the Monitoring Officer and will send a copy of the investigation report, including all documents relied upon as evidence, to the Parties, in confidence, within 30 days of the notification of the Investigating Officer's appointment.
- 5.3 The Parties will be invited to submit any written comments on the report to the Monitoring Officer within 10 days of the date on which the report is sent to them. The Member may request an extension of this timescale.

6 Consideration of Investigating Officer's Report

- 6.1 The Monitoring Officer will, as soon as reasonably practicable, review the Investigating Officer's report and any comments submitted by the Parties, in consultation with the Independent Person.
- 6.2 Where the Investigating Officer concludes that there is no evidence of a failure to comply with the Code of Conduct and the Monitoring Officer is satisfied that the Investigating Officer's report is sufficient, the Monitoring Officer will, after consultation with the Independent Person, inform the Parties that no further action is required.
- 6.3 If the Monitoring Officer is not satisfied that the investigation has been conducted properly, he/she may ask the Investigating Officer to reconsider his/her report and findings.
- 6.4 Where the Investigating Officer concludes that there is evidence of a failure to comply with the Code of Conduct the Monitoring Officer will, after consulting the Independent Person, either refer the matter for hearing before the Hearing Sub-Committee or seek an alternative resolution.
- 6.5 The Complainant may request a review of a decision by the Monitoring Officer, following consideration of the Investigating Officer's report, to dismiss the complaint.
- 6.6 A review will be determined by the Review Sub-Committee who may decide:
 - a. to dismiss the complaint;
 - b. to refer the complaint for hearing by the Hearing Sub-Committee
 - c. To refer the complaint to the Monitoring Officer to seek alternative resolution.

7. Alternative Resolution

- 7.1 Where the Monitoring Officer, in consultation with the Independent Person, considers that the matter can reasonably be resolved without the need for a hearing, he/she will consult with the Parties to seek to agree a fair resolution which also helps to ensure higher standards of conduct for the future.
- 7.2 Alternative resolution may involve mediation and may include the Member accepting that their conduct was unacceptable and offering an apology, and/or other remedial action by the Council or the Parish Council as the case may be. If the Member complies with the suggested resolution, the Monitoring Officer will report the matter to the Standards Committee, and the relevant Parish Council where appropriate, for information, but will take no further action.
- 7.3 The Member may elect to proceed to a hearing rather than accept alternative resolution.

8. Hearing

- 8.1 If the Monitoring Officer, after consultation with the Independent Person, considers that alternative resolution is not appropriate or, after exploring the possibility, concludes that it is unlikely to be achieved he/she will refer the matter to the Hearing Sub-Committee to conduct a local hearing to determine the complaint. A hearing will be held within 20 days of the date on which the Monitoring Officer refers the matter to the Hearing Sub-Committee for determination, subject to the Member's right to request an extension of time.
- 8.2 The Member may be represented at the hearing by a friend or legal representative.
- 8.3 The Hearing Sub-Committee, supported by the Monitoring Officer, will conduct a pre-hearing review to identify the issues, areas of agreement and disagreement, and to give directions for the efficient conduct of the hearing. This may either be conducted in writing or by a meeting with the Parties.
- 8.4 The Monitoring Officer will notify the Parties in writing of the directions for the hearing.
- 8.5 The Sub-Committee may exclude the press and public from the hearing where it appears likely that confidential or exempt information will be disclosed and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.
- 8.6 At the hearing, the Investigating Officer will present their report, call such witnesses as they consider necessary and make representations to substantiate their conclusion that the Member has failed to comply with the Code of Conduct.
- 8.7 The Complainant will have the right to make a statement in support of their complaint.

- 8.8 The Members of the Hearing Sub-Committee and the Member may ask questions of the Investigating Officer and any witnesses called.
- 8.9 The Member will have an opportunity to give their evidence, to call witnesses and to make representations as to why they consider that they did not fail to comply with the Code of Conduct.
- 8.10 The Members of the Hearing Sub-Committee and the Investigating Officer will have the opportunity to ask questions of the Member and any witnesses called.
- 8.11 The Parties may each make a concluding statement.
- 8.12 The Members of the Hearing Sub-Committee will then withdraw, with the Independent Person, to consider the case, taking advice from the Independent Person and, where necessary, from the Monitoring Officer on law and procedure.
- 8.13 The Hearing Sub-Committee may conclude that the Member did not fail to comply with the Code of Conduct, and so dismiss the complaint.
- 8.14 If the Hearing Sub-Committee concludes that the Member did fail to comply with the Code of Conduct, the Chairman will inform the Parties of this finding and the Hearing Sub-Committee will then consider what action, if any, should be taken as a result of the breach.
- 8.15 The Investigating Officer and the Member will be invited to make representations on the question of sanctions.
- 8.16 The Hearing Sub-Committee will, after consulting the Independent Person, determine what action, if any, to take (or recommend in the case of a parish councillor) in respect of the matter.

9. Sanctions

- 9.1 The Council has delegated to the Hearing Sub-Committee such of its powers to take action in respect of individual members of the Council as may be necessary to promote and maintain high standards of conduct. The Hearing Sub-Committee may therefore impose (or, in the case of a parish, town or city councillor, recommend) one or more of the sanctions set out in Annex 1.

10. Decision

- 10.1 At the end of the hearing, the Chairman will announce the decision of the Hearing Sub-Committee in summary form.
- 10.2 The Monitoring Officer will send the Parties, and where appropriate the relevant Parish Council, a formal decision notice, which will be published on the Council's web-site and made available for public inspection.

11. Revision of these arrangements

- 11.1 The Council may by resolution agree to amend these arrangements, and has delegated to the Monitoring Officer and the Hearing Sub-Committee the right to depart from these arrangements where they consider that it is expedient to do so in order to secure the effective and fair consideration of any matter.

12. Reviews

- 12.1 Any request for a review must be made in writing to the Monitoring Officer within 5 days of the date of receipt his/her decision and must set out the grounds for the review.
- 12.2 A review request will be determined by the Review Sub-Committee, after consulting the Independent Person, within 14 days of receipt of the request.

13. Appeals

- 13.1 There is no right of appeal for the Complainant or the Member against a decision of the Hearing Sub-Committee.

14. Confidentiality

- 14.1 All information regarding the complaint will remain confidential until determined otherwise by the Monitoring Officer or Hearing Sub-Committee.

Annex 1

Sanctions

Censure

1. Censure and report to the Council or relevant Parish Council; and/or

Removal from Committees, Sub-Committees, Cabinet and Outside Bodies

2. Recommend to the Member's Group Leader (or in the case of ungrouped members, recommend to Council or to Committees) that the Member is removed from any Committee or Sub-Committee of the Council;
3. Recommend to the Leader of the Council that the Member is removed from the Cabinet, or removed from particular portfolio responsibilities;
4. Remove the Member from any or all outside appointments to which he/she has been appointed or nominated by the Council or relevant Parish Council.

Training

5. Instruct the Monitoring Officer to arrange training for the Member.

Publish

6. Publish its findings in respect of the Member's conduct in the minutes of the Council or relevant Parish Council.

Note:

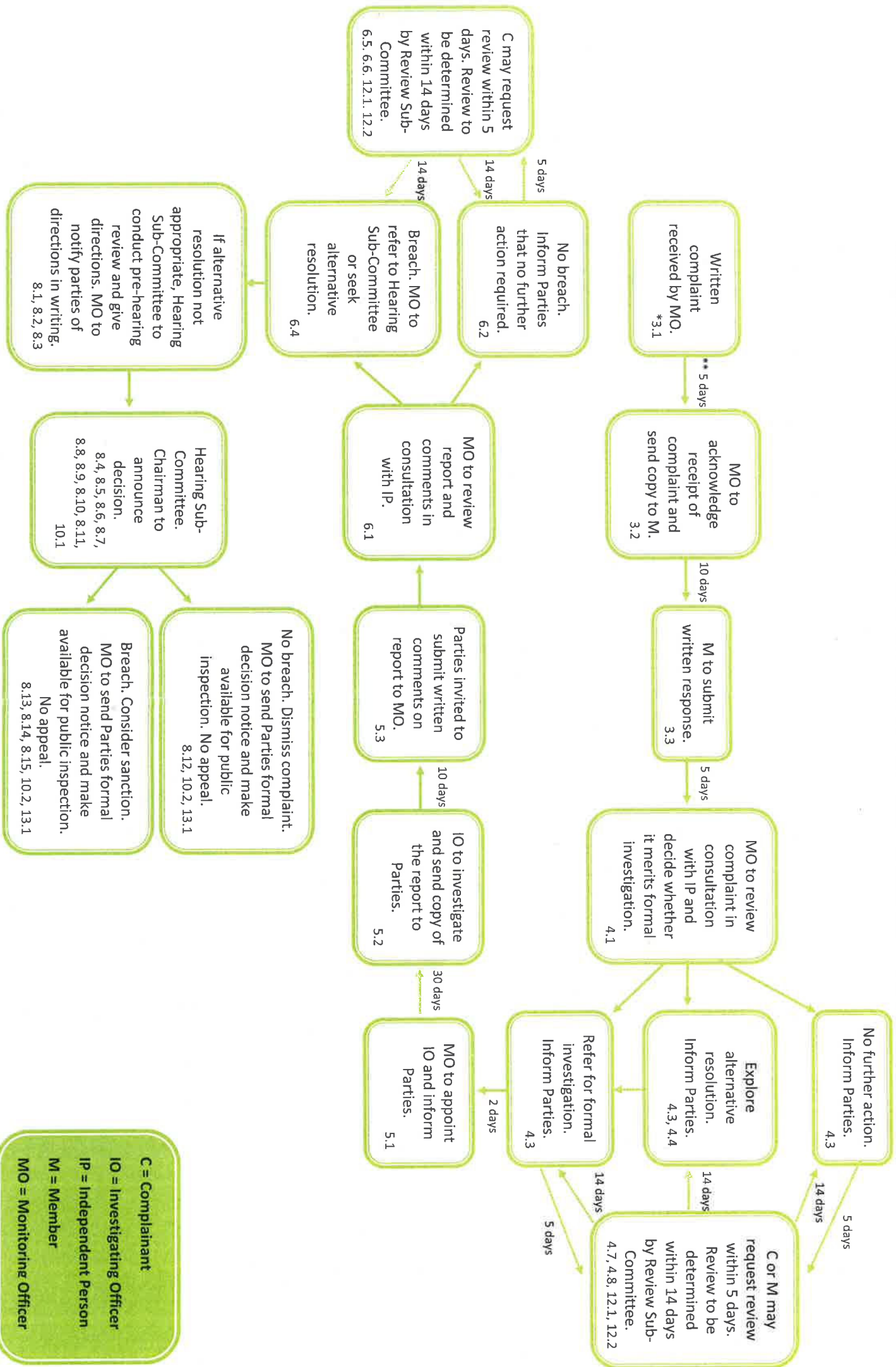
In the case of *R v Broadland District Council ex parte Lashley* the Court of Appeal recognised that it was within the Council's powers to take action that was calculated to facilitate and was conducive or incidental to, the council's functions (1) of maintaining its administration and internal workings in a state of efficiency and (2) of maintaining and furthering the welfare of its employees.

This may enable a Hearing Sub-Committee to impose restrictions on a member for the purpose of securing the efficient and effective discharge of the Council's functions. These might, for instance, include the withdrawal of certain facilities, such as a computer, e-mail and/or internet access, or exclusion from certain parts of the council's premises, provided that the measures do not interfere with the democratic process. However, this may not be used as a punitive measure nor, in particular, to justify the suspension or disqualification of a member.

Legal advice will need to be taken on the extent to which this potential option may be available in the particular circumstances of each case.

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Appendix A – Arrangements for dealing with Code of Conduct Complaints under the Localism Act 2011 – Overview



* Numbers refer to the relevant paragraphs in the Arrangements for dealing with Code of Conduct Complaints under the Localism Act 2011
 ** Days refer to working days

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