

## **Wiltshire Council**

### **Standards Hearing Sub-Committee 3 and 4 October 2012**

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#### **Consideration of an Investigator's report**

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

1. On 19<sup>th</sup> 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 13<sup>th</sup> 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 24<sup>th</sup> 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**

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Report Author: Marie Lindsay, Ethical Governance Officer

Tel: 01225 718465

Date of report: 20<sup>th</sup> September 2012

### **Background Papers**

Final Investigation Report – 20<sup>th</sup> March 2012