

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.	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.
10.	At that meeting Councillor Humphries made reference to information having disappeared down a black hole in connection with [REDACTED]	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]. It is clear in Ms Densham's version that 'black hole' is a reference to instructions not being followed rather than [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.	
	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>	