

Appendix 3 – Summary of Complaints Received since July 2012

| Reference | Brief description | Decision | Reasons for outcome | Investigation required under old Code of Conduct |
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| 16/12 | A Councillor at a meeting of the council acted in an aggressive and bullying manner when introducing a non agenda item; the councillor spoke indiscreetly on council matters and staff in a public place; the councillor has a criminal record | No further action | The complainant did not show the councillor's actions in relation to the first two allegations were capable of breaking the Code of Conduct. Further to this, the councillor had apologised for his behaviour at the meeting. In relation to the third allegation – spent convictions do not stop someone becoming a councillor. | Yes (bullying) Yes (disrepute) No (criminal record) |
| 17/12 | A Councillor failed to act in the public interest, and improperly conferred an advantage on a friend or close associate, by refusing to condemn abusive language allegedly directed at another member of the council and members of the public. | No further action | The complaint did not meet the initial tests as the councillor had resigned and was no longer a member of the council. | Yes |
| 18/12 | The complainant has alleged that a councillor, in e-mail correspondence with the complainant, breached the principles of selflessness and leadership required by the Code of Conduct on the grounds the tone of e-mails were dismissive and condescending. | No further action | The Councillor offered a reasonable explanation of the issues raised in the complaint, and no further action should be taken. | No |
| 19/12 | A Councillor failed to investigate a complaint made against another councillor and failed to ensure another complaint related to setting speed limits was investigated | No further action | One councillor is not responsible for the actions of another councillor; the setting of a speed limit is an operational matter, not a Code of Conduct matter, and a complaint should be made through the corporate | No |

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| | | | complaints process. | |
| 20/12 | That at a meeting of the Council, a Councillor failed to declare an interest in a pressure group and participated in the meeting. | No further action | Membership of the pressure group was not an interest that had to be declared under the Code of Conduct introduced on the 1st July 2012. | Yes (under old interests requirements) |
| 21/12 | A Councillor failed to declare an interest in meetings which took place between March 2010 and February 2011, and failed to declare a trusteeship in the register of interests. | No further action | The meetings took place over 18 months prior to the complaint being made; the complaints procedure sets a time limit of 20 days in which to make a complaint; it was considered the complaint was politically motivated; a trusteeship does not have to be declared in the register of interest. | Yes (under old interests requirements) |
| 22/12 | A Councillor promoted development proposals outside the proper processes of the council, circumvented proper processes and allowed her personal animosity towards the complainant to compromise the Council's duties towards the community. | No further action | The complaint, if proven, would be capable of breaching the parish council's code of conduct. However, the Councillor has offered a reasonable explanation of the issues raised in the complaint, and that it would not therefore represent an effective use of public resources to put this matter forward for investigation. | Yes |
| 23/12 | A Councillor promoted development proposals outside the proper processes of the council, circumvented proper processes and allowed his personal animosity towards the complainant to compromise the Council's duties towards the community. | No further action | The complaint, if proven, would be capable of breaching the parish council's code of conduct. However, the Councillor has offered a reasonable explanation of the issues raised in the complaint, and that it would not therefore represent an effective use of public resources to put this matter forward for investigation. | Yes – interests Yes - disrepute |

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| 24/12 | A Councillor failed to take into account the views of parishioners, called sub-committee meetings of the Council without notifying all the members, failed to follow Council standing orders in dealing with complaints and failed to chair a meeting correctly. | No further action | Alleged failure to follow proper meeting protocols is a procedural matter. Failure to take the views of parishioners into account is a matter for the proper democratic processes. The complaint as presented does not meet the initial tests. | No |
| 25/12 | A Councillor failed to take into account the views of parishioners, called sub-committee meetings of the Council without notifying all the members and failed to follow Council standing orders in dealing with complaints. | No further action | The subject member had resigned at the time of the complaint. An alleged failure to follow proper procedural requirements is a procedural matter which falls outside the Code. | No |
| 26/12 | At a Council meeting a Councillor made comments which cast doubt on the professional integrity of a witness and conferred a disadvantage on the complainant. | No further action | The complaint, if proven, would be capable of breaching the Council's code of conduct. However, there is no evidence that the Councillor improperly conferred a disadvantage on the complainant, nor is there any evidence that he made his decision on grounds other than the merits of the information that was before the Committee. Further, the Councillor has provided an unreserved apology. | Yes (disrespect). |
| 27/12 | At a Council meeting a Councillor unfairly influenced other committee members and demonstrated bias. | No further action | Members must not approach a decision with a closed mind such that they have predetermined that decision. No evidence of predetermination was provided. | No |

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| 28/12 | At a Council meeting a Councillor unfairly influenced other committee members and demonstrated bias (a different Councillor to that in 27/12). | No further action | Members must not approach a decision with a closed mind such that they have predetermined that decision. No evidence of predetermination was provided | No |
| 29/12 | At a Council meeting a Councillor interrupted a member of the public who was speaking and did not allow her the allotted time to speak. That the Councillor bullied and intimidated the complainant when he was speaking and interrupted a third member of the public when he was speaking. | No further action | None of the matters set out in the complaint would be capable, if proven, of breaching the Code of Conduct. | Yes– disrespect, bullying, disrepute |
| 30/12 | Concerns about how a planning decision was reached. | Not applicable | The meeting about which the allegations refer did not take place. | No |
| 31/12 | A Councillor did not contact the complainants about concerns relating to a club, of which the complainants are members, prior to the matter being discussed at a meeting of the parish council. | No further action | The Councillor is not a member of the parish council, and he was not formally representing the Council at the meeting. | No |
| 32/12 | A councillor acted in a disrespectful and discriminatory manner. | No further action | The complainants did not provide a copy of the relevant Code of Conduct nor identify which paragraphs they considered to have been breached. The complaint was assessed against the general principles of conduct for councillors established in the Localism Act 2011 and found to be not capable of | Yes Disrespect and failure to statutory requirements of Equalities Act |

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| | | | breaching the general principles. | |
| 33/12 | A Councillor failed to answer questions regarding a complaint about operational issues in beach of paragraphs 4 and 5 of the Code of Conduct. | No further action | Operational matters are the responsibility of officers and it is not appropriate to use the Code of Conduct to pursue a complaint about operational decisions. | No |
| 34/12 | A Councillor failed to answer questions regarding a complaint about operational issues in beach of paragraphs 4 and 5 of the attached Code of Conduct (a different Councillor to that in 33/12). | No further action | Operational matters are the responsibility of officers and it is not appropriate to use the Code of Conduct to pursue a complaint about operational decisions. | No |
| 01/13 | Allegations a councillor was abusive during an exchange in the street and leaked confidential information in the exchange | No further action | The councillor was neither on council business nor acting in their role of councillor at the time. Also, the councillor did not have access to the information allegedly leaked. | Yes - confidentiality |
| 02/13 | Allegations a councillor was abusive during an exchange in the street and leaked confidential information in the exchange (same councillor as above but different complainant) | Not applicable | The complainant failed to respond to letters and request for information | Yes - confidentiality |
| 03/13 | A councillor breached paragraphs – 1, 2, 5 and 6 of the Code of Conduct. | No further action | The councillor did not have a disclosable pecuniary interest; did not have a personal interest that needed to be declared; the councillors actions did not improperly confer advantage or disadvantage | No |

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| 04/13 | A councillor (same council as above, but second councillor) breached paragraphs – 1, 2, 5 and 6 of the Code of Conduct | No further action | The councillor did not have a disclosable pecuniary interest; did not have a personal interest that needed to be declared; the councillor's actions did not improperly confer advantage or disadvantage | No |
| 05/13 | A councillor (same council as above, but third councillor) breached paragraphs – 1, 2, 5 and 6 of the Code of Conduct. | No further action | The councillor did not have a disclosable pecuniary interest; did not have a personal interest that needed to be declared; the councillor's actions did not improperly confer advantage or disadvantage | No |
| 06/13 | Failure to treat with respect; bullying (as specifies in the previous, model code of conduct) | No further action | Against the relatively limited criteria set out in the Code of Conduct the Monitoring Officer was unable to conclude that if proven, the Councillor's behaviour was capable of breaching the Code of Conduct. | Yes -Disrespect, bullying |
| 07/13 | Paragraphs 1, 5 and 6 of the code (see attached) and acted in an intimidating way | No further action | The councillor was neither on council business nor acting in their role of councillor at the time. No personal interest was established. | No |
| 08/13 | The councillor demonstrated bias, intimidation, an inaccurate interpretation of the law, and that he falsely represented facts and failed to stop and have withdrawn, offensive comments | No further action | The actions did not breach the current code of conduct. The councillor in question had not stood for re-election and was no longer a member | Yes - Disrespect and disrepute |
| 09/13 | Planning irregularities, including favouring applications made by relatives and | Not applicable | Complainant failed to provide relevant Code of Conduct and confirmation of the | Yes under old interests |

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| | discussing applications outside formal meetings | | alleged breach | requirements |
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| 10/13 | Representing a personal view as the view of the council and making abusive comments during a phone call | No further action | The complaint was withdrawn following informal resolution between the parties | Yes. Disrespect. |
| 11/13 | Using their position as a councillor to promote and advantage their own view | No further action | The councillor was neither on council business nor acting in their role of councillor at the time. | No |
| 12/13 | Not declaring a personal interest and making biased and incorrect statements to give an advantage | No further action | Complaint withdrawn | Yes – interests |
| 13/13 | Sending email which were vindictive, offensive, defamatory and caused harassment | N/A | Further information requested but not received | Yes. Disrespect, bullying |
| 14/13 | Paragraphs 1 and 5 of the code and failure to declare a disclosable pecuniary interest | No further action | The Councillor provided a reasonable explanation of the issues raised by the complaint and the complaint did not meet the threshold for investigation. The Councillor had adequately completed his register of interests. | No. |
| 15/13 | Bullied via comments on a social media site | No further action | The complainant refers to bullying but the relevant Code is silent on bullying and it was not considered that the extracts provided by the complainant did evidence any harassment or bullying. | Yes. Disrespect and disrepute |

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| 16/13 | Councillor made inaccurate/misleading comments in a public forum in order to promote his own campaign against a planning application. | N/A | Not Code of Conduct, not taken forward | No |
| 17/13 | Councillor did not act with openness, honesty, integrity and objectivity during a council meeting – breach of paragraphs 4 and 5 of the Code. Furthermore, when the complainant questioned the minutes as not reflecting his perception of the previous meeting he was told that the council can put anything in the minutes. | No further action | The chair has control over a meeting and its procedures and therefore the chair's decision to disallow the questioning of members' individual use of a business was not considered in any way a breach of either paragraph 4 or 5. In respect of the minutes of a Council meeting, the minutes are draft until such time as they are considered by the Council. They are also always never a verbatim record of the discussion. However, it is the members who confirm the minutes as an accurate summary of what transpired at the previous meeting. | No |
| 18/13 | Failure to submit details of certain of their personal interests in the Register. | N/A | Councillor completed their Register following notification of complaint. No further action taken. | Yes - interests |
| 19/13 | Various procedural issues relating to councillor's chairmanship at a council meeting. Participation in debates relating to an issue in which the complainant considers the councillor has an interest and failure to disclose a relevant interest in the matter. | No further action | Not capable of breaching the Code of Conduct, in that this relates to the conduct of council meetings or the way in which the parish council discharges its functions. Councillor's interest is not a pecuniary interest as defined by the legislation, and is not therefore an interest that has to be | Yes – interests |

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| | <p>Councillor verbally abused the complainant during an incident outside a local school.</p> <p>Assessed in conjunction with WC 03/14</p> | | <p>declared or registered.</p> <p>There is no evidence that at the time of the incident the councillor was either acting in his capacity as a member of the parish council, or that he gave the impression that he was doing so.</p> | |
| 20/13 | <p>Councillor failed to ensure that all the relevant facts were before the Committee during the debate on an agenda item, and that he told a member of the public to be quiet in an arrogant and boorish manner.</p> | No further action | <p>Councillor provided a reasonable explanation of the issues raised by the complaint and the complaint does not meet the threshold for investigation.</p> | Yes - disrespect |
| 21/13 | <p>Repeated failure to declare a pecuniary interest and therefore a criminal offence.</p> | No further action | <p>No disclosable pecuniary interest arises under the statutory rules in these circumstances and, therefore, no question, of any potential criminal liability under those provisions.</p> | Yes – under old interests requirements |
| 22/13 | <p>The complainant alleges that the councillor has failed to act on allegations of malpractice by officers of the council.</p> | No further action | <p>On the basis of the information provided the complaint made was a general allegation that the Councillor had failed to act on some unspecified information in some unspecified way on dates that had not been made available. It was therefore concluded that there was insufficient information provided to sustain the complaint as presented, and that there should be no further action taken.</p> | No |
| 23/13 | <p>Councillor has dishonestly accused the complainant, by email and on a website, of lying to the council of which they are both members.</p> | Not assessed | <p>Complaint could not be assessed because the council of which the member was a councillor had failed to adopt a Code of Conduct</p> | Yes - disrepute |

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| 24/13 | Councillor breached paragraph 1 of the Code - you must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate. | No further action | The decision taken by the Council followed a lawful process and therefore there could be no improper conferring of a benefit. | No |
| 01/14 | Abusive, intimidating & bullying behaviour towards complainant's builder and unauthorised trespass. | N/A | Further information requested but not received. However, from available information, councillor was not acting in official capacity. | No |
| 02/14 | Failure to register and declare his (and his spouse's) pecuniary and non-pecuniary interests and inhibiting debate during a meeting. | Refer to Police for consideration | To refer the complaint to the police pursuant to s34 (5) of the Localism Act 2012. It will be for the police to determine whether it is considered to be in the public interest to pursue a prosecution. No action taken by Police as not in the public interest to pursue. | Yes - interests |
| 03/14 | Various procedural issues relating to councillor's chairmanship at a council meeting. Participation in debates relating to an issue in which the complainant considers the councillor has an interest and failure to disclose a relevant interest in the matter. Councillor verbally abused the complainant during an incident outside a local school. Assessed in conjunction with WC 19/13 | No further action | Not capable of breaching the Code of Conduct, in that this relates to the conduct of council meetings or the way in which the parish council discharges its functions. Councillor's interest is not a pecuniary interest as defined by the legislation, and is not therefore an interest that has to be declared or registered. There is no evidence that at the time of the incident the councillor was either acting in his capacity as a member of the parish council, | Yes - interests |

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| | | | or that he gave the impression that he was doing so. | |
| 04/14 | Councillor accused members of the public who were opposed to a planning application that was before the Committee of intimidating the applicant's employees, vandalising the applicant's car, and producing a defamatory leaflet about the planning application. Councillor also accused local residents of harassing the applicant. | No further action | Councillor offered a reasonable explanation of the issues raised in this complaint. | Yes – disrespect, disrepute |
| 05/14 | Councillor told those present at a meeting that the complainant had “manipulated officers” with regard to a planning application. The complainant alleged that the councillor has not complied with the Behaviours Framework. | No further action | Although the Code states that councillors should have regard to the Behaviours Framework, any failure to do so (if proven) would not result in a breach of the Code of Conduct and cannot, therefore, form the basis of an investigation. | Yes - disrespect |
| 06/14 | Councillor's behaviour towards the Clerk of Council has breached the council's Dignity at Work (Bullying and Harassment) Policy. | No further action | None of the provisions of the Council's Code of Conduct relate to bullying and so allegations of bullying are not, if proven, capable of breaching the council's Code of Conduct. | Yes – bullying, disrespect |
| 07/14 | That the councillor behaved in a rude, derogatory, impatient, defensive and aggressive manner during a council meeting. | N/A | Complainant withdrew complaint | Yes – disrespect, disrepute |
| 08/14 | Councillor breached Code in failing to follow the council's procedures for considering complaints brought under the | No further action | A number of complaints either from or about this councillor and other members of the Council have been received. This complaint, | No |

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| | council's complaints procedure. | | the subject member's response, and the other complaints show that there are interpersonal issues within the council which members appear to be seeking to address by means of complaints brought under the Code of Conduct for members. These complaints could reasonably be viewed as being 'tit for tat' complaints. A complaint will not be referred for investigation if, on the available information, it appears to be trivial, vexatious, malicious, politically motivated or 'tit for tat'". | |
| 09/14 | Councillor referred to complainant as a troublemaker in the course of an investigation she was conducting. Complainant considers that this demonstrates that she was biased in relation to the investigation. | No further action | It is not considered that referring to the complainant as "a trouble maker" would, if proven, be capable of breaching the Council's Code of Conduct. | No |
| 10/14 | Councillor refused to act on a formal complaint that complainant submitted about the Council. | No further action Assessment decision overturned on appeal - referred for investigation | The allegation that a councillor refused to act on the complainant's complaint is not, if proven, capable of breaching the Council's Code of Conduct. Further, the subject member's response shows that the council did respond to the complainant's complaint, although the council did not uphold the complaint. It is considered that the councillor's response offers a reasonable explanation. Outcome of investigation = no breach | No |
| 11/14 | Councillor breached the Code of Conduct in that she did not demonstrate adequate | No further action | All the points raised by the complainant, whilst directed towards the subject member | No |

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| | standards of honesty, integrity and objectivity and/or leadership whilst the complainant was trying to present a motion to amend the draft minutes of a previous meeting of the Council. | | as chair, are in fact issues of procedure of the Council's meeting and as such are not suitable for determination as a breach of the Code against an individual member. | |
| 12/14 | Councillor's behaviour and actions did not promote or support high standards of conduct as required by the Code of conduct. | No further action | The subject member's response included an acknowledgement that what he said was <i>"entirely inappropriate and in my view was indeed a breach of our member's Code of Conduct and I have apologized unreservedly to the complainant"</i> . | Yes – disrepute, disrespect |
| 13/14 | Councillor failed to comply with the Council's Social Media Etiquette Guidelines in an exchange of views on a social media site. | No further action Assessment decision overturned on appeal – referred for investigation | The relevant Code does not provide that any alleged failure to comply with the Council's Social Media Etiquette guidelines would, if proven, breach the Code. | No |
| 14/14 | Councillor and three other members of the council breached the code of conduct in dealing with a complaint that the complainant had bullied the clerk. | No further action | It is evident from the complaints that there are interpersonal issues between council members, and that these have given rise to the complaints. Members of the council appear to be seeking to address these interpersonal differences by means of complaints brought under the Code of Conduct for members. The complaints could reasonably be viewed as being 'tit for tat' | Yes – bullying, disrespect |

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| | | | complaints. A complaint will not be referred for investigation if, on the available information, it appears to be trivial, vexatious, malicious, politically motivated or 'tit for tat'. | |
| 15/14 | Councillor and three other members of the council (same council as above) breached the code of conduct in dealing with a complaint that the complainant had bullied the clerk. | No further action | It is evident from the complaints that there are interpersonal issues between council members, and that these have given rise to the complaints. Members of the council appear to be seeking to address these interpersonal differences by means of complaints brought under the Code of Conduct for members. The complaints could reasonably be viewed as being 'tit for tat' complaints. A complaint will not be referred for investigation if, on the available information, it appears to be trivial, vexatious, malicious, politically motivated or 'tit for tat'. | Yes - bullying, disrespect |
| 16/14 | Councillor and three other members of the council (same council as above) breached the code of conduct in dealing with a complaint that the complainant had bullied the clerk. | No further action | It is evident from the complaints that there are interpersonal issues between council members, and that these have given rise to the complaints. Members of the council appear to be seeking to address these interpersonal differences by means of complaints brought under the Code of Conduct for members. The complaints could reasonably be viewed as being 'tit for tat' complaints. A complaint will not be referred for investigation if, on the available information, it appears to be trivial, vexatious, malicious, politically motivated or 'tit for tat'. | Yes – bullying, disrespect |

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| 17/14 | Councillor and three other members of the council (same council as above) breached the code of conduct in dealing with a complaint that the complainant had bullied the clerk. | No further action | It is evident from the complaints that there are interpersonal issues between council members, and that these have given rise to the complaints. Members of the council appear to be seeking to address these interpersonal differences by means of complaints brought under the Code of Conduct for members. The complaints could reasonably be viewed as being 'tit for tat' complaints. A complaint will not be referred for investigation if, on the available information, it appears to be trivial, vexatious, malicious, politically motivated or 'tit for tat'. | Yes – bullying, disrespect |
| 18/14 | Failure to complete the Register of Interests and failure to disclose a prejudicial interest at a meeting. | N/A | Unable to assess as new Code not adopted by parish council in July 2012. Interest in question not a statutory interest so no Part 2 engagement | Yes - interests |
| 19/14 | Councillor was terse and aggressive in her manner at a council meeting and was totally unfamiliar with the role and responsibilities of her position as chairman. | No further action | The complaint did not meet the initial tests as the councillor had resigned and was therefore no longer a member of the council. | No |
| 20/14 | Councillor made a comment in a council meeting which breached paragraph 1 of the Code - "You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate." | No further action | In the light of the context to the subject member's remark which was provided in his response, it was considered that he offered a reasonable explanation of the remark. | Yes - interests |

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| 21/14 | Councillor, in an e-mail sent to members of the Council, wrote a comment which the complainant considers to be inflammatory, derogatory and inappropriate. | No further action | It is considered that the subject member has offered a reasonable explanation for his comment and the context in which it was made. | Yes - disrespect |
| 22/14 | Councillor behaved in an unprofessional and disrespectful manner towards complainant in a public meeting. | N/A | Complaint withdrawn following an apology to the complainant from the subject member. | Yes - disrespect |
| 23/14 | Councillor failed to promote and support high standards of conduct when serving in a public office by putting various comments on a social media site. | No further action | The complainant has alleged the words were contained within a Facebook page and despite indicating he was trying to obtain a copy has not provided the same. The subject member refutes breaching the code and has identified that no evidence has been supplied in support of the allegations. Even if there was evidence provided that the words complained of were printed on Facebook it was concluded that, whilst unwise, they would not breach the Code of Conduct. | No |
| 24/14 | Councillor breached the Code of Conduct in that he has not followed the requirements contained within the roles and Responsibilities of Councillors and the Behaviours framework. | Refer for investigation | Referred for investigation | Yes – disrespect |
| 25/14 | Threatening and bullying behaviour towards the complainant in a meeting and on the telephone. | N/A | Complainant failed to respond to requests for further information. | Yes – disrespect, bullying |
| 26/14 | Councillor made arrogant comments on a social media site, showed a lack of respect | N/A | Complainant failed to respond to requests for further information. | No – not acting in official capacity |

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| | and courtesy and brought the council into disrepute. | | | |
| 27/14 | Wrongful use and wrongful holding of public monies and mismanagement of public monies. Failure in duty of care and failure to disclose an interest. | No further action | With the exception of a failure to declare an interest all these complaints relate to the services provided by the Council and are therefore without the jurisdiction of the Standards regime. The subject member has confirmed that she has declared her interest on the register; furthermore the circumstances are background enquiries whereby the subject member or her family would have been communicating as the occupant of the land and not as a council member. | No |
| 28/14 | Councillor has blocked complainant's access to his Facebook page, thereby reducing the complainant's ability to engage in local dialogue, keep up to date with information, and constructively challenge on issues. | No further action | Local councils do provide a number of official channels for the provision of information about local issues, including their websites. They also provide opportunities for residents to engage and provide their views on local issues at council meetings. The subject member's Facebook page is a personal page and not an official means of communication between the council and local residents. When posting on Facebook and engaging in dialogue through this medium, the subject member is not representing his council. | No |
| 29/14 | Councillor deleted complainant's posts from a social media site, removed him from | N/A | Not Code of Conduct, not taken forward | No |

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| | a group and blocked him so that his ability to engage democratically via the facility on offer was removed. | | | |
| 30/14 | Councillor approached complainant in the street when she was fund-raising for a charity and conducted himself in an angry and aggressive manner. | No further action | Councillor was not acting in his official capacity at the time that the alleged incident took place. For this reason the Code of Conduct was not engaged. This complaint does not, therefore, meet the threshold for investigation and no further action will be taken. | No |
| 31/14 | Members of the council (five in total) held a private meeting from which the complainant (also a member of the council) was excluded. | No further action | It was accepted that the meeting was not a meeting of the council, but was specifically arranged to consider concerns about the complainant's conduct. The purpose of the meeting was to seek a way of addressing a situation that threatened to undermine the effective functioning of the council. This was also made clear in the responses of the four other councillors. No decisions on behalf of the electorate were made at the meeting. | No |
| 32/14 | Members of the council (five in total) held a private meeting from which the complainant (also a member of the council) was excluded. | No further action | It was accepted that the meeting was not a meeting of the council, but was specifically arranged to consider concerns about the complainant's conduct. The purpose of the meeting was to seek a way of addressing a situation that threatened to undermine the effective functioning of the council. This was also made clear in the responses of the four other councillors. No decisions on behalf of | No |

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| | | | the electorate were made at the meeting. | |
| 33/14 | Members of the council (five in total) held a private meeting from which the complainant (also a member of the council) was excluded. | No further action | It was accepted that the meeting was not a meeting of the council, but was specifically arranged to consider concerns about the complainant's conduct. The purpose of the meeting was to seek a way of addressing a situation that threatened to undermine the effective functioning of the council. This was also made clear in the responses of the four other councillors. No decisions on behalf of the electorate were made at the meeting. | No |
| 34/14 | Members of the council (five in total) held a private meeting from which the complainant (also a member of the council) was excluded. | No further action | It was accepted that the meeting was not a meeting of the council, but was specifically arranged to consider concerns about the complainant's conduct. The purpose of the meeting was to seek a way of addressing a situation that threatened to undermine the effective functioning of the council. This was also made clear in the responses of the four other councillors. No decisions on behalf of the electorate were made at the meeting. | No |
| 35/14 | Members of the council (five in total) held a private meeting from which the complainant (also a member of the council) was excluded. | No further action | It was accepted that the meeting was not a meeting of the council, but was specifically arranged to consider concerns about the complainant's conduct. The purpose of the meeting was to seek a way of addressing a situation that threatened to undermine the effective functioning of the council. This was also made clear in the responses of the four | No |

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| | | | other councillors. No decisions on behalf of the electorate were made at the meeting. | |
| 36/14 | Councillor showed clear self-interest in a planning application by failing to register an interest, failing to disclose an interest at a council meeting and then participating in the debate and voting at that meeting. | No further action | Councillor did not have a statutory interest in the planning application, and was not therefore required to register or declare an interest, and was not prohibited from participating in debate or voting. | No |
| 37/14 | Councillor participated in actively supporting a planning proposal in which he should have declared an interest and then voted for the approval of said proposal. Councillor has breached paragraphs 1, 3, 5 and 12 of the relevant Code. | No further action | No evidence of predetermination. Member's actions not capable of breaching Code. | No |
| 38/14 | Councillor voted on a planning application when as a director of an interested party he should not have done. | No further action | Evidence provided that member did not have a statutory interest, so not capable of breach. | Yes - interests |
| 39/14 | Councillor had clear pecuniary interest which he did not declare at a meeting. He should not have taken part in the debate or voting. | No further action | No statutory interest, so not capable of breach. | Yes - interests |
| 40/14 | Bullying behaviour towards council officer via email | No further action | Whilst the email may be considered impolite it was not considered that the contents of the email cross the threshold required to amount to a breach of the Code of Conduct. | Yes - disrespect |
| 41/14 | Failure to declare an interest at a council meeting, participating in the debate and voting at that meeting. | No further action | No statutory interest existed, so no breach. | Yes - interests |

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| 42/14 | Member has an interest in a planning application and did not abstain from voting on said application. | No further action | No statutory interest existed, so no breach | Yes, interests |
| 43/14 | Threatening behaviour by councillor | N/A | Complainant failed to respond to requests for further information. | Yes - disrespect |
| 44/14 | Complainant alleges subject member has breached paragraphs 3, 4 and 5 of the Code by not being aware of committee reports available in relation to an agenda item and therefore not considering all the relevant facts before voting on said item. | No further action | The committee report and conditions fully covered this item. It was this information that the subject member as a member of the committee needed to consider together with any submissions/evidence presented on the day. The evidence is that this is what the subject member did. The reasons for the decision are recorded in the minutes. | No |
| 45/14 | Councillor promised to represent the concerns of local residents at council meetings and keep them updated in respect of planning proposals. She has failed to do this and has now stopped responding to messages left by residents. | N/A | Complainant failed to respond to requests for further information. | No |
| 46/14 | Councillor has not responded to the complainant's letters regarding an operational matter. The complainant considers this behaviour to be arrogant. | No further action | Councillors are responsible for setting the strategic direction of the authority, but the conduct of staff/ complaints about operational matters fall to the line management of the staff involved. Wiltshire Council's Code of Conduct for members does not require them to investigate complaints about operational | No |

Appendix 3 – Summary of Complaints Received since July 2012

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| | | | matters, so the matter giving rise to this complaint would not, if proven, be capable of breaching the Code of Conduct. | |
| 47/14 | At a parish council meeting Councillor “lectured” the complainant and his tone of voice was “disrespectful”. | N/A | Not pursued by complainant | Yes - disrespect |
| 48/14 | Councillor used his councillor status to interfere in matters that were nothing to do with parish council business. | N/A | Complainant failed to respond to request for further information. | Not possible to determine |
| 49/14 | A councillor’s intervention in a planning application led to the application being approved. | No further action | The complaint is out of time, in that it relates to conduct that is alleged to have taken place more than 20 days before the complaint was made; and allegations of bias/predetermination are not matters properly to be determined by way of a complaint brought under the Code of Conduct for members; in any event, there is no evidence that the allegation, if proven, represents predetermination. | No |
| 50/14 | Councillor was dismissive, hostile, domineering, “ranted and raved” and showed a lack of respect for others at a number of parish council meetings. He also showed predetermination in respect of a planning application. | No further action | Two of the alleged incidents were “out of time” and the councillor offered to apologise to the complainant and parishioners if they considered that he had “ranted and raved” . Allegations of bias/predetermination are not matters to be considered under the Code of Conduct but are a matter of common law. However, from the information available to there was no evidence that the councillor | Yes, disrespect |

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| | | | predetermined his decision. | |
| 51/14 | Councillor behaved in an intimidating manner regarding the handing over of monies in respect of a Club of which the complainant is a trustee. | No further action | Councillor was not acting in his official capacity as a councillor on the occasion on which the matters giving rise to this allegation took place, therefore the Code of Conduct did not apply. | No |
| 52/14 | Councillor behaved in an intimidating manner regarding the handing over of monies in respect of a Club of which the complainant is a trustee. | No further action | Councillor was not acting in his official capacity as a councillor on the occasion on which the matters giving rise to this allegation took place, therefore the Code of Conduct did not apply. | No |
| 53/14 | At a meeting of the parish council, Councillor refused to acknowledge the lodging of a complaint against another member of the parish council. | N/A | Complaint withdrawn 07/11/2014 | No |
| 54/14 | Councillor failed to consult members of the public in relation to a work carried out within the parish. Complainant considers that the lack of consultation amounts to a breach of the Code. | No further action | No duty to consult – not capable of breaching Code. | No |
| 55/14 | Councillor fettered his discretion and demonstrated bias/predetermination in his consideration of a planning application. | No further action | No evidence of predetermination. Not capable of breaching Code. | No |
| 56/14 | Councillor influenced a committee's decision in respect of a planning | No further action | No evidence of predetermination. Not capable of breaching Code. | No |

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| | application | | | |
| 57/14 | Councillor influenced a committee's decision in respect of a planning application | No further action | No evidence of predetermination. Not capable of breaching Code. | No |
| 58/14 | Complainant alleges that councillor's behaviour towards her while she was an employee of the parish council breached the Code in relation to honesty, integrity, accountability, openness and respect for others. | No further action | A number of complaints received demonstrating interpersonal issues within the council which members, officers and individuals connected to the parish council appear to be seeking to address by means of complaints brought under the Code of Conduct for members. New code contains no potential breach for bullying or disrespect. | Yes - bullying |
| 59/14 | Complainant alleges that councillor's behaviour towards her while she was an employee of the parish council breached the Code in relation to honesty, integrity, accountability, openness and respect for others. | No further action | A number of complaints received demonstrating interpersonal issues within the council which members, officers and individuals connected to the parish council appear to be seeking to address by means of complaints brought under the Code of Conduct for members. New code contains no potential breach for bullying or disrespect. | Yes - bullying |
| 60/14 | Councillor has bullied the complainant, treated her with a lack of respect and brought his office/authority into disrepute. | No further action | A number of complaints received demonstrating interpersonal issues within the council which members, officers and individuals connected to the parish council appear to be seeking to address by means of complaints brought under the Code of | Yes, bullying |

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| | | | <p>Conduct for members.</p> <p>On available information, complaints appear to be “tit for tat” – for that reason, no further action.</p> | |
| 61/14 | <p>Councillor has behaved in a bullying and intimidating manner towards a now resigned employee of the parish council and has provided untruths to the parish council and parishioners.</p> | No further action | <p>A number of complaints received demonstrating interpersonal issues within the council which members, officers and individuals connected to the parish council appear to be seeking to address by means of complaints brought under the Code of Conduct for members.</p> <p>On available information, complaints appear to be “tit for tat” – for that reason, no further action.</p> | Yes, bullying |
| 62/14 | <p>Councillor has behaved in a bullying and intimidating manner towards a now resigned employee of the parish council and has provided untruths to the parish council and parishioners.</p> | No further action | <p>A number of complaints received demonstrating interpersonal issues within the council which members, officers and individuals connected to the parish council appear to be seeking to address by means of complaints brought under the Code of Conduct for members.</p> <p>On available information, complaints appear to be “tit for tat” – for that reason, no further action.</p> | Yes, bullying |
| 63/14 | <p>Councillor did not act in an open and transparent manner and breached paragraphs 2, 4 & 5 of the Code in relation to a public meeting of the parish council.</p> | No further action | <p>A number of complaints received demonstrating interpersonal issues within the council which members, officers and individuals connected to the parish council appear to be seeking to address by means of complaints brought under the Code of Conduct for members.</p> | No |

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| | | | On available information, complaints appear to be “tit for tat” – for that reason, no further action | |
| 64/14 | Councillor did not act in an open and transparent manner and breached paragraphs 2, 4 & 5 of the Code in relation to a public meeting of the parish council. | No further action | A number of complaints received demonstrating interpersonal issues within the council which members, officers and individuals connected to the parish council appear to be seeking to address by means of complaints brought under the Code of Conduct for members. On available information, complaints appear to be “tit for tat” – for that reason, no further action | No |
| 65/14 | Councillor permitted an incorrect version of the minutes of a committee meeting to be signed at the next meeting. | No further action | Operational matter relating to the conduct of meetings as a whole. Not capable of breaching Code. | No |
| 66/14 | Complainant alleges that councillor allowed parish councillors to be disrespectful to him in public meetings thereby breaching paragraphs 4 & 5 of the Code. | No further action | A number of complaints received demonstrating interpersonal issues within the council which members, officers and individuals connected to the parish council appear to be seeking to address by means of complaints brought under the Code of Conduct for members. On available information, complaints appear to be “tit for tat” – for that reason, no further action | No |
| 67/14 | At a council meeting, Councillor had a reactive, angry, bullying approach with no openness displayed to any view other than his own. | No further action | The matters described in the complaint did not meet the threshold to demonstrate that if proven, the behaviour would be capable of breaching the Code | Yes – bullying, disrepute |
| 68/14 | Councillor, who was in the Chair at a council meeting, failed to follow proper | No further action | Behaviour complained of related to the procedural conduct of a meeting and was not, | No |

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| | procedures in relation to voting by members, and relation to the general conduct of the meeting. | | therefore, a Code of Conduct issue. | |
| 69/14 | Councillor's behaviour at a parish council meeting together with her bullying tactics towards a former employee of the parish council has brought the council into disrepute. | pending | | Yes – bullying, disrepute |
| 70/14 | Reference not used. | N/A | N/A | N/A |
| 71/14 | Councillor has failed to secure adequate provision for the complainant's son's educational needs. | No further action | This complaint is about an alleged operational failure, not the personal conduct of a member. If proven, not capable of breaching Code. | No |
| 72/14 | Councillor made a statement in a local newspaper that implies he does not support local businesses and shows favouritism to the current supplier of a service. | No further action | Councillor expressed an opinion, which is permissible. Not capable of breaching Code. | No |
| 73/14 | Councillor has not apologised for incorrect factual information contained in two letters given to the complainant. | No further action | Letters complained of relate to an operational complaint. Not related to the personal conduct of a member, so not capable of breaching the Code. | No |
| 74/14 | Councillor is obnoxious and rude at council meetings. He mainly abstains on decisions which the council cannot then move forward. | pending | | Yes- disrespect, disrepute |

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| 75/14 | Councillor continually interrupted a parish council meeting and argued with the acting chairman. Complainant considers that the parish council cannot move forward with this councillor being a member of the council. | pending | | |
| 76/14 | Councillor has not made a full and open declaration of his interests in the online register and has not declared relevant interests at parish council meetings. | pending | | |
| 77/14 | Councillor has not made a full and open declaration of his interests in the online register and has not declared relevant interests at parish council meetings. | pending | | |
| 78/14 | Councillor has not acted respectfully and has been bullying and intimidatory in respect of her dealings with the complainant. | pending | | |
| 79/14 | Councillor has not acted respectfully and has been bullying and intimidatory in respect of her dealings with the complainant. | pending | | |
| 80/14 | Councillor has attempted to disrupt the past four full monthly parish council meetings and has therefore not shown respect to other councillors and members of the public. Neither has he displayed selflessness, integrity, objectivity, | pending | | |

Appendix 3 – Summary of Complaints Received since July 2012

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| | accountability, openness, honesty and leadership and has not acted in the public interest. | | | |
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