

DECISION NOTICE: No Further Action

Reference COC: 122329

Subject Member

Councillor Atiqul Hoque – Wiltshire Council

Complainant

Mr Shahid Ghafoor

Representative of the Monitoring Officer

Mr Paul Taylor

Independent Person

Mr Stuart Middleton

Review Sub-Committee

Cllr Sue Evans
Cllr Gordon King
Cllr Graham Wright (Chairman)
Mr Richard Baxter (non-voting)

Decision Date

29 October 2019

Issue Date

30 October 2019

Complaint

The Complainant alleged the subject member on the 21st January 2019 contacted the complainant by telephone in respect of a debt owed by the subject member. The complainant, acting in their capacity as Head of Legal for Euro Foods Group Ltd, asserts that the subject member made derogatory remarks and acted in an aggressive manner towards him. It is further alleged that the subject member used sexist and offensive language towards the firm's receptionist, referring to her as a "stupid girl". It is alleged that the bullying and threatening behaviours is contrary to and a breach of the Council's Code of Conduct.

It is understood that the complainant represents a food supplier to the catering industry with the origins of the dispute relating to a judgment debt and a resulting charging order made against properties owned by the subject member.

Decision

In accordance with the approved arrangements for resolving standards complaints adopted by Council on 26 June 2012, which came into effect on 1 July 2012 and after hearing from the Independent Person, the Review Sub-Committee decided to take no further action.

Reasons for Decision

Preamble

In reaching its decision, the Sub-Committee took into account the complaint, the response of the Subject Member, the initial assessment decision to take no further action, and the complainant's request for a review. Neither party was in attendance nor had provided statements for the meeting

Conclusion

The complaint involved alleged behaviour by the Subject Member during a phone conversation with the complainant's employers regarding an ongoing dispute between them.

However, upon going through the initial tests of the assessment criteria, the Sub-Committee agreed with the initial assessment decision that while the Subject Member was in office at the relevant time, that there was a Code of Conduct in force, and the complaint was made within the relevant time period, no evidence had been provided, at any stage, to indicate that the Subject Member had been acting in anything other than a private capacity. Simply being a Member of a Council would not render any action taken by that Member as being subject to its Code of Conduct.

It was therefore resolved to uphold the initial assessment decision to take no further action in respect of the complaint.

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 Equality Act 2010.

We can also help if English is not your first language.