

## **DECISION NOTICE: NO FURTHER ACTION**

**Reference WC-ENQ00073**

**Subject Member**

Councillor John Thomson, Wiltshire Council

**Complainant**

Mr Roger Newman

**Review Sub-Committee**

Cllr Desna Allen - Chairman  
Cllr John Noeken  
Cllr Ernie Clark

**Deputy Monitoring Officer**

Mr Frank Cain

**Independent Person**

Mr Colin Malcolm

**Complaint**

The complainant alleges that officers of the Council provided incorrect information to Councillor Thomson in relation to a complaint made by the complainant. The complainant alleges that Councillor Thomson has breached the Code of Conduct by failing to apologise for having accepted information provided to him by officers

**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 of the Standards Committee has decided:

- To take no further action.

**Reasons for Decision**

The Chairman led the Sub-Committee through the local assessment criteria which detailed the initial tests that should be satisfied before assessment of a complaint was commenced.

Upon going through the initial tests, it was agreed that the complaint related to the conduct of a member, that the member was in office at the time of the alleged incident and that the Code was in force at the relevant time.

The Committee relied upon the original complaint, initial assessment and the additional information supplied in the complainant's request for a review of that initial assessment.

The Sub-Committee upheld the reasoning of the Deputy Monitoring Officer in the Initial Assessment that the complaint related to an operational matter that would not, if prove, be capable of breaching the Code of Conduct.

While it was regrettable that incorrect information may have been supplied by officers to Councillor Thomson, it was not improper or a breach of the Code for Councillor Thomson to rely upon that information when responding to correspondence in relation to an operational matter. It was noted that the fact of whether inaccurate information was supplied was currently being progressed through the council's corporate complaints procedure, at the conclusion of which a further response may or may not be appropriate.

### **Additional Help**

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