

# Standards Committee

Tuesday 18 February 2014

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A special meeting of the Standards Committee will be held in the Town Hall, Royal Leamington Spa on Tuesday 18 February 2014, at **6.00pm**.

## Membership:

Warwick District Councillors	Councillor Brookes Councillor Mrs Bunker Councillor Ms De-Lara-Bond Councillor Mrs Falp Councillor Mrs Higgins Councillor Mrs Knight Councillor Pratt (Chairman) Councillor Mrs Syson Councillor Wilkinson Councillor Williams (Vice-Chairman)
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Parish and Town Council Representatives	Councillor Cooke Councillor Mrs Gordon Councillor Owen Councillor Smart
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Although not members of the Committee, Mr Meacham and Mr Tomkinson, the Council's Independent Persons for Standards matters normally attend.

## Agenda

### 1. **Emergency Procedure**

At the commencement of the meeting, the emergency procedure for the Town Hall will be announced.

### 2. **Substitutes**

To receive the name of any Councillor, Parish Representative or Independent Representative who is to act as a substitute, notice of which has been given to the Chief Executive, together with the name of the Councillor, Parish Representative or Independent Representative for whom they are acting.

### 3. **Declarations of Interest**

Members to declare the existence and nature of interests in items on the agenda in accordance with the adopted Code of Conduct.

Declarations should be entered on the form to be circulated with the attendance sheet and declared during this item. However, the existence and nature of any interest that subsequently becomes apparent during the course of the meeting must be disclosed immediately. If the interest is not registered, Members must notify the Monitoring Officer of the interest within 28 days.

Members are also reminded of the need to declare predetermination on any matter.

If Members are unsure about whether or not they have an interest, or about its nature, they are strongly advised to seek advice from officers prior to the meeting.

### \*4. **Minutes**

To consider the minutes of the meetings of the Standards Committee on 10 October 2013 and 30 January 2014 **(Item 4/Page 1)**

### \*5. **Minutes**

To receive the minutes of the Hearing Panel held on 15 November 2013 **(Item 5/Page 1)**

### \*6 **Register of Complaints**

To receive the register of Code of Conduct complaints as published on the District Council's website **(Item 6/Page 1)**

**(\*Denotes those items upon which decisions will be made under delegated powers, as previously granted by the Council).**

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**You can e-mail the members of the Committee at [standardscommittee@warwickdc.gov.uk](mailto:standardscommittee@warwickdc.gov.uk)**

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call (01926) 412656 prior to this meeting, so that we can assist you and make any necessary arrangements to help you attend the meeting.

**THE AGENDA IS AVAILABLE IN LARGE  
PRINT ON REQUEST, PRIOR TO THE  
MEETING.**

# STANDARDS COMMITTEE

Minutes of the meeting held on Thursday 10 October 2013 at the Town Hall, Royal Leamington Spa at 6.00 pm.

## **PRESENT:**

Councillor Pratt (Chairman); Councillor Brookes, Mrs Bunker, Mrs Falp, Gifford, Mrs Higgins, Mrs Knight, Mrs Syson, Wilkinson and Williams.

Parish and Town Council representatives: Councillors Cooke, Mrs Gordon, Owen and Smart.

## **ALSO PRESENT:**

Independent Persons: Mr R Meacham and Mr R Tomkinson

Officers: Mr G Leach (Democratic Services Manager & Deputy Monitoring Officer) and Mrs G Needham (Solicitor for the Council)

Councillor Gifford substituted for Councillor Ms De-Lara Bond.

## 9. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

## 10. **CONFIDENTIALITY ABOUT CODE OF CONDUCT COMPLAINTS**

The Committee considered three documents from Councillors Mrs Bromley, regarding the process for handling complaints about the conduct of Councillors, the Code of Conduct hearing for Councillor Dhillon by Council on 21 August 2013 and a debate in the House of Commons on the new standards regime.

Councillor Mrs Bromley had previously confirmed she would attend the meeting however she had offered her apologies on the day explaining that the documents spoke for themselves and could not be added to.

There was a robust discussion by the Committee on the papers and specifically the Council meeting of 21 August 2013 with a mixture of views expressed.

The Democratic Services Manager & Deputy Monitoring Officer explained that there was due to be a review of the Code of Conduct and associated documents twelve months on from their implementation. On that basis he advised that the Committee may want to appoint a working party at this stage.

## **RESOLVED** that

- (1) Councillors Brookes, Mrs Falp, Pratt, Mrs Syson and Wilkinson be appointed to review the Code of Conduct and associated documents and report back to Standards Committee; and

**STANDARDS COMMITTEE MINUTES (Continued)**

- (2) the Member Development Group be asked to look at appropriate training for all District, Parish and Town Councillors on the Code of Conduct and complaints process.

(The meeting ended at 5.35 pm)

# STANDARDS COMMITTEE

Minutes of the meeting held on Thursday 30 January 2014 at the Town Hall, Royal Leamington Spa at 6.00 pm.

## **PRESENT:**

Councillors Mrs Bunker, De-Lara-Bond, Mrs Falp, Gifford, Mrs Higgins, Mrs Knight, Pratt, Syson, Wilkinson and Williams.

Parish and Town Council representatives: Councillors Cooke, Mrs Gordon, Owen and Smart.

Councillors Mrs Falp, Pratt and Syson were in attendance as non-voting Members of the Committee on this occasion, due to their membership of the Hearing Panel that met in November 2013.

## **ALSO PRESENT:**

Independent Persons: Mr R Meacham

Officers: Miss A Carnall (Committee Services Officer), Mr A Jones (Monitoring Officer) and Mrs J Pollard (Solicitor for the Council)

The Committee Officer explained that, due to the Chairman, Councillor Pratt, being present as a non-voting Member of the Committee, the Vice-Chairman, Councillor Williams would be chairing the meeting.

### **11. SUBSTITUTES**

Councillor Gifford substituted for Councillor Syson.

### **12. DECLARATIONS OF INTEREST**

Councillors Mrs Bunker, De-Lara-Bond, Mrs Falp, Gifford, Mrs Higgins, Mrs Knight, Pratt, Syson, Wilkinson and Williams declared personal interests because they were fellow District Councillors and had worked alongside Councillor Mrs Bromley.

Councillors Mrs Higgins and Williams declared additional interests because they had worked closely with Councillor Mrs Bromley on Warwick issues.

### **13. CODE OF CONDUCT COMPLAINTS 5 AND 5a 2012 – COUNCILLOR MRS BROMLEY**

Prior to discussions commencing on the report, Members were advised that the Committee meeting had been called following the failure of Councillor Mrs Bromley to comply with the Hearing Panel's decision of 15 November 2013. They were not present to discuss the details of the complaints nor to revisit the decision that the Hearing Panel reached.

Members were present solely to decide what action, if any, the Committee would like to take because the sanctions previously imposed had not been complied with.

## **STANDARDS COMMITTEE MINUTES (Continued)**

The Committee considered a report from the Monitoring Officer which advised of the failure of Councillor Mrs Bromley to provide the relevant written apologies following the Hearing Panel of 15 November 2013.

On 15 November 2013, a Hearing Panel consisting of Councillors Mrs Falp, Pratt and Mrs Syson met to consider complaints made against Councillor Mrs Bromley. It was agreed that Councillor Mrs Bromley had failed to adhere to the Council's Code of Conduct and the following sanction was issued;

"that Councillor Mrs Bromley should apologise in writing to Ms Turpin, Mr Leach, Mr Coker, the Chief Executive, Mr Elliott and the Members of Standards Committee through the Chairman."

No timescale was given for the apologies to be provided and despite informal and formal reminders, Councillor Mrs Bromley failed to make the apologies.

On 10 December 2013, Councillor Mrs Bromley wrote to Councillor Pratt to advise that she would be appealing the decision of the Panel and that the Monitoring Officer would be receiving an appeal. At the time of the report being published, no appeal letter had been received, however, the Council's Code of Conduct arrangements made it clear that there was no right of appeal. Following the publication of the agenda, the Monitoring Officer received written notification that Councillor Mrs Bromley would be appealing the decision. Hard copies of all correspondence were available at the meeting.

In respect of Councillor Mrs Bromley's request for an appeal, the Council's solicitor, Ms Pollard, advised that the Council did not have an appeals process in the Code of Conduct. She advised that there was no requirement for this under the Localism Act and local authorities could choose to include them but there was no statutory need to.

In addition, Ms Pollard advised that there was no right to appeal under the rules of Natural Justice because these rules existed to ensure that individuals received a fair hearing. She explained that the rules that applied under Human Rights legislation, only applied to criminal matters and civil rights, neither of which were relevant in these circumstances.

The Vice Chairman, Councillor Williams, asked Councillor Pratt to explain to the Committee what matters had been taken into account when the Hearing Panel met in November 2013.

Councillor Pratt advised that when the Panel was reaching its decision on suitable sanctions, it had taken on board the comments made by Mr Hathaway, Councillor Mrs Bromley's representative. Mr Hathaway had stated that he, and his client, respected the findings of the Panel and he implied that apologies to various individuals would be preferable to an apology to full Council.

As Chairman of the Hearing Panel, and of Standards Committee, Councillor Pratt was disappointed that Councillor Mrs Bromley had failed to

## **STANDARDS COMMITTEE MINUTES (Continued)**

adhere to the sanctions and felt that this showed disrespect to her fellow Members.

Councillor Williams stated that at this stage, he would have liked to invite Councillor Mrs Bromley to explain her reasons for the lack of apology. However, this was not possible because she had failed to attend.

There were discussions about the Code of Conduct and the expectation that Members would abide by it, along with advice from officers regarding the changes since the implementation of the Localism Act. Officers advised that a Code of Conduct Working Party had been set up to discuss these issues and suggested that any comments could be forwarded to them to consider.

Some Members felt that the breach of sanctions was a very serious issue and Councillor Mrs Bromley's refusal to comply with them made a mockery of the Standards Committee.

The independent representative, Mr Meacham, stated that he felt that Councillor Mrs Bromley had been given a lenient sanction following a series of mistakes and was disappointed that no apology had been forthcoming.

Members discussed the strength of some of the possible sanctions available to them and did not feel that further training was necessary in this case because the Councillor concerned was fully aware of the rules. In addition, it was not felt that an apology to Council was strong enough due to Councillor Mrs Bromley's failure to apologise so far.

It was, therefore, proposed and duly seconded that the Independent Group Leader be asked to remove Councillor Mrs Bromley from all Council Committees for a six month period and that any outstanding apologies should be made without further delay.

Councillor Cooke proposed an amendment to the original proposal, which was duly seconded, to extend the time frame from six to twelve months. He did not feel that six months was a tough enough sanction, considering the lack of respect showed by Councillor Mrs Bromley by her failure to apologise.

Following further debate, Councillor Cooke agreed to withdraw the proposal as long as the Committee insisted on the outstanding apologies being made.

The Committee therefore

### **RESOLVED** that

- 1) the Committee write to Councillor Mrs Bromley's Group Leader and recommend that Councillor Mrs Bromley be removed from all Committees and Sub-Committees of the Council for a period of 6 months from implementation of this decision; and

**STANDARDS COMMITTEE MINUTES (Continued)**

- 2) the Committee expects Councillor Bromley to abide by the decision made by the Hearing Panel on 15 November 2013 and all apologies detailed in that decision should be made without further delay.

(The meeting ended at 7.05 pm)

# HEARING PANEL

Minutes of the Hearing Panel held on Friday 15 November 2013, at the Town Hall, Royal Leamington Spa at 10.00 am.

**PANEL MEMBERS:** Councillors Mrs Falp, Pratt and Mrs Syson.

**ALSO PRESENT:** Amy Carnall (Committee Services Officer), Mr Meacham (Independent Representative) and Jane Pollard (Council's Solicitor).

## 1. APPOINTMENT OF CHAIR

**RESOLVED** that Councillor Pratt be appointed as Chair for the hearing.

## 2. DECLARATIONS OF INTEREST

Councillor Mrs Falp declared an interest because, along with Councillor Mrs Bromley, she was a member of the Independent Group.

## 3. CODE OF CONDUCT COMPLAINT 5 AND 5a 2012

The Panel received a report from the Deputy Chief Executive and Monitoring Officer, Mr Jones, advising them as to the background to complaints received.

The report asked the Panel to consider the outcome of the Code of Conduct investigations and to reach a decision on whether that had been a breach, or breaches, of the Code of Conduct by Councillor Mrs Bromley.

The Chair introduced himself, other members of the Panel and officers, and asked the other parties to introduce themselves.

Mr Oliver attended as the Investigating Officer and author of the two reports dated 29 August and 16 September 2013. Alongside him was the Council's Deputy Chief Executive and Monitoring Officer, Mr Jones.

Councillor Mrs Bromley attended and was represented by her legal advisor, Mr Hathaway.

The Chair explained the procedure that the hearing would follow and advised that all three complaints would be heard together, as had been agreed at the pre-hearing on 9 October 2013.

Mr Jones outlined the report and explained that following the receipt of complaints, and after consultation with the Independent Person for the Council, Mr Meacham, he had agreed that the matters should be referred for investigation. At this stage, Mr Jones appointed Mr Oliver, Senior Solicitor for Warwickshire County Council, to investigate the allegations concerning Councillor Mrs Bromley.

## **HEARING PANEL MINUTES (Continued)**

On receipt of Mr Oliver's investigative reports, Mr Jones re-consulted with the Independent Person and concluded that the matters should go forward to a Hearing Panel.

The Chair invited the Investigating Officer, Mr Oliver, to outline his reports.

Mr Oliver explained that his first report, dated 29 August 2013 dealt with two complaints. The first complaint centered around Councillor Mrs Bromley approaching a representative of a contractor who had been carrying out CCTV and lighting works for the Council in St Nicholas Park.

The second complaint concerned Councillor Mrs Bromley's failure to acknowledge receipt and understanding of the new Code of Conduct, despite reminders from Council officers and the Standards Committee.

During his investigation, Mr Oliver interviewed Council officers and Councillor Mrs Bromley and considered other documentation relevant to the complaint, including an email from the contractor's representative, Mr Neville.

Two statements had been distributed by Mr Hathaway, prior to the start of the meeting. One of these was relevant to this complaint and was from Mr Kenton, of the Friends of St Nicholas Park and the Neighbourhood Watch Coordinator. Mr Oliver did not feel that this statement was independent and requested that it was not taken into account by the Panel.

Mr Oliver concluded that Councillor Mrs Bromley had failed to adhere to a number of the requirements of the Code of Conduct and these were explained in full in section 1.3 of his first report. The relevant sections included failing work constructively with Council staff; failing to comply with the provisions of the Council's Member/Officer protocol; failing to value and respect Council staff and to engage with them in an appropriate manner; and failing to treat the contractor's representative with respect.

Finally, Mr Oliver felt that by failing to respond to a letter sent on behalf of the Standards Committee, Councillor Mrs Bromley had failed to value and respect her colleagues.

Mr Oliver's second report dated 16 September 2013 was to investigate a complaint submitted by a member of the public, Ms Turpin, following a meeting of the Warwick Community Forum on 4 October 2012.

During the course of the meeting, a grant application had been considered from the Jackie Turpin Amateur Boxing Club and this was presented by Ms Turpin. Ms Turpin alleged that Councillor Mrs Bromley failed to adhere to the provisions of the Code of Conduct relating to objectivity, honesty and accountability in relation to her actions, including the manner in which she questioned the complainant.

During his investigation, Mr Oliver interviewed the complainant, Council officers, the Chairman of the Warwick Community Forum, Police officers who had been in attendance as well as Councillor Mrs Bromley.

## **HEARING PANEL MINUTES (Continued)**

Two statements had been distributed by Mr Hathaway, prior to the start of the meeting. One of these was relevant to this complaint and was from Mr Cowlard of Racing Club Warwick. Mr Oliver did not feel that this statement was independent and requested that it was not taken into account by the Panel.

Mr Oliver concluded that in relation to the questioning of the complainant at the meeting on 4 October 2012, Councillor Mrs Bromley had failed to adhere to the provision of the Code of Conduct which required that a Councillor should always treat people with respect. Mr Oliver also found that other matters referred to, did not constitute a failure to adhere to the provisions of the Code.

The Chair asked Mr Hathaway to address the Panel in response to the alleged breaches.

Mr Hathaway stated that Councillor Mrs Bromley accepted the report and the three alleged breaches of the Code of Conduct.

He advised that with regard to the first complaint, Councillor Mrs Bromley had been acting as a member of the Friends of St Nicholas Park, as their treasurer. At a meeting of the group issues were raised regarding the clarity of CCTV images and she approached Mr Neville as a member of the management committee.

Mr Hathaway made reference to the lack of a statement from Mr Neville and reiterated that Councillor Mrs Bromley had been making enquiries on behalf of a voluntary organisation. He therefore did not feel that there had been any breach of the Code because she was not acting as a District Councillor at the time.

In response to the second complaint, Mr Hathaway stated that the Localism Act did not state that any Member was under any statutory obligation to sign their Council's Code of Conduct. He felt that the Deputy Monitoring Officer, Mr Leach had been over zealous in his attempts to obtain a signed copy from Councillor Mrs Bromley, despite her submitting her pecuniary interests form, duly signed.

Mr Hathaway stated that at no time had Mrs Bromley intended to show disrespect to her fellow Councillors and the Members of Standards Committee. In addition, he felt there had been no breach in failing to understand the Code.

With regard to the third complaint, Mr Hathaway accepted that there had been a presentation from the Boxing Club during an open forum and felt that it was the manner of questioning that was being debated. He advised that Councillor Mrs Bromley was under a duty of care when it came to the application of public monies.

In addition, Mr Hathaway felt that the Chair of the Forum, Councillor Mrs Grainger had not stopped the questioning and there had been nothing to distinguish between Councillor Mrs Bromley's manner to any other person in attendance at the forum. He stated that there had been no lack of respect meant.

## **HEARING PANEL MINUTES (Continued)**

The Investigating Officer and Monitoring Officer asked specific questions of Mr Hathaway and clarified points relating to the complainants position at the Boxing Club. The Panel were advised that Ms Turpin was not in attendance at the hearing and therefore had no right of reply.

The Monitoring Officer advised Members that there was a twelve month time limit on making complaints, unless there were exceptional circumstances, and each had to be judged on its own merits.

The Chair asked all parties other than the Panel, the Council's Solicitor, the Independent Person and the Committee Services Officer to leave the room at 11.40am, to enable the Panel to deliberate and reach its decision as to whether they felt there had been a breach of the code.

**RESOLVED** that in relation to:

**(a) The complaint relating to the works in St Nicholas Park**

The material facts relating to this matter are summarised in section 6 of the Investigation Report. The scheme for the installation of CCTV and lighting in St Nicholas Park had been approved by the Council and was being implemented by officers. On 2<sup>nd</sup> July 2012 during the course of a telephone conversation with Mr Neville a representative of the contractor Councillor Mrs Bromley identified herself as a councillor and also referred to the fact that £98,000 was available for spending on the park and that she and the Friends of St Nicholas Park wanted to see it all spent on CCTV. This telephone conversation and the intention to have further discussion with Mr Neville went further than a simple enquiry about the quality of the images produced by the cameras.

We find that Councillor Mrs Bromley was acting in her capacity as a Councillor from the time she identified herself as a Councillor in the telephone conversation with Mr Neville, who thereafter treated her as such. This is indicated by his invitation to Councillor Bromley to attend the site meeting (although declined by Councillor Bromley) and his initial agreement to make contact following the site meeting.

We do find that by making him aware of her wish for additional cameras and additional spend on the scheme, Councillor Mrs Bromley was seeking to undermine or change the implementation of a council scheme and was

## **HEARING PANEL MINUTES (Continued)**

therefore failing to work constructively with Council staff.

In the absence of any witness statement from Mr Neville, the Panel feels unable to comment on the remaining allegations.

### **(b) The complaint relating to the acknowledgement of the Code of Conduct**

On 2<sup>nd</sup> July, Graham Leach, the Democratic Services Manager and Deputy Monitoring Officer, sent an email to all Councillors attaching a copy of the newly adopted Code and asking each Councillor to acknowledge that they had received and understood it.

By the beginning of October, he had not received the requested acknowledgement from about half the Councillors, including Councillor Mrs Bromley. He therefore sent a further letter on 2<sup>nd</sup> October to those councillors asking for the acknowledgement as a matter of urgency.

At a meeting of the Standards Committee on 30<sup>th</sup> October, the Chairman of that committee asked Mr Leach to inform the Committee of those Councillors who had not acknowledged receipt and understanding of the code. By that time there were only four Councillors in that position, including Councillor Mrs Bromley. The Committee asked Mr Leach to write to those members "expressing the dissatisfaction of the Committee and encouraging them all to respond immediately".

The letter requested by the Committee was sent by Mr Leach on 9<sup>th</sup> November. Three of the four outstanding acknowledgements were received by Mr Leach in the following weeks. No acknowledgement has been received from Councillor Mrs Bromley. She accepts that she has received the various emails and letters, and has not responded to them.

We find that she was acting as a Councillor when receiving the various communications and considering them and deciding not to respond to them. She was therefore subject to the code at the relevant times.

We find that by failing to respond to various emails and letters from Mr Leach as set out in the Investigating Officer's report, Councillor Mrs

## **HEARING PANEL MINUTES (Continued)**

Bromley was failing to work constructively with Council staff.

Similarly, by failing to respond to the letter sent by Mr Leach on behalf of the Standards Committee, Councillor Mrs Bromley failed to value and respect her colleagues.

### **(c) The conduct of Councillor Mrs Bromley at the Warwick Community Forum on 4<sup>th</sup> October 2012**

A meeting of the Warwick Community Forum on 4<sup>th</sup> October 2012 considered a bid for grant funding by the Jackie Turpin Amateur Boxing Club ("the Boxing Club"). The Forum is a public meeting and the complainant Ms Turpin (then Secretary of the Club) was present at the meeting to support the club's application for funding. Councillor Mrs Bromley was present at the meeting and questioned the complainant about the bid.

We find that she was acting as a Councillor when attending the Community Forum and was therefore subject to the code at the relevant times.

We received a number of witness statements relating to the questioning of Ms Turpin by Councillor Mrs Bromley from the Chairman, Councillor Mrs Grainger, Ms Allen (the WDC officer who organises the Community Forum and takes the notes of the meeting), Sergeant Kettle, P.C. McMurray, Mr Kenton and Mr Cowlard. Ms Turpin describes herself as feeling distraught, embarrassed and humiliated by the questioning. Mr Cowlard and Mr Kenton also asked questions of Ms Turpin at the same Forum meeting. Those not engaged in asking questions of Ms Turpin describe the questioning as unsympathetic, more appropriate to a courtroom, aggressive and uncomfortable to listen to.

After carefully considering all the witness statements, the Panel has concluded on balance that Councillor Mrs Bromley failed to treat Ms Turpin with respect by the manner of her questions, not the content of her questions, at the Community Forum and therefore failed to adhere to the requirement of the Code of Conduct that a Councillor should always treat people with respect.

## **HEARING PANEL MINUTES (Continued)**

All parties were invited back in to the room at 1.15pm, at which time the Solicitor outlined the legal advice which she had given to the Panel prior to it reaching a decision. This had included advice on the Localism Act and the requirement for each Council to produce their own Code of Conduct.

The Panel announced their decision, as set out above and stated that the factual matters in the investigation reports were not in dispute.

The Chair then asked, prior to agreeing any sanctions, that the Investigating Officer sum up.

Mr Oliver stated that he felt there had been a common thread running through the complaints, and that was a sense of arrogance. He felt that Councillor Mrs Bromley should be asked to apologise to those individuals she had treated with a lack of respect. He advised that there was no sanction relating to requesting a resignation, however, this may be something that the Councillor may choose to do by her own volition. With regard to future conduct, Mr Oliver felt that an apology should be made to the Full Council.

The Chair then asked Mr Hathaway if he had any comments to make regarding sanctions. He stated that his client respected the findings of the Panel however, he felt it strange that if there had been a breach of the law, or a breach of the Code of Conduct, there must also have been a breach by Council officers of the understanding of the law.

Mr Hathaway accepted that there should be an apology to officers, in a recommended form, but felt that an apology in open Council was harsh under these circumstances.

The Chair asked all parties other than the Panel, the Council's Solicitor, the Independent Person and the Committee Services Officer to leave the room at 1:30pm, to enable the Panel to deliberate and reach its decision regarding sanctions.

After considering representations on the sanctions the Panel did not feel that an apology to Full Council was appropriate, however, the Panel

**RESOLVED** that Councillor Mrs Bromley should apologise in writing to:

- Ms Turpin, the complainant;
- Mr Leach, Deputy Monitoring Officer;
- Mr Coker, Head of Neighbourhood Services;
- Mr Elliot, Chief Executive of Warwick District Council; and
- Members of Standards Committee, through the Chairman.

All parties were invited back in to the room and advised of the Panel's decision.

(The meeting finished at 1:50 pm)

## Warwick District Council – Register of Complaints

Register of complaints made to the Monitoring Officer of Warwick District about Warwick District Councillors and Town/Parish Councillors of Town/Parish Council's within Warwick District

Once a complaint has been concluded the details of the complainant and Councillor will be listed. This list will be maintained in accordance with the complaints procedures adopted by this Council.

<b>Ref</b>	<b>Date received</b>	<b>Complaint</b>	<b>Outcome &amp; Date closed</b>
1/2012  (Formerly LSF.19.2012)	6 January 2012	A complaint was received from Mrs A Wyatt that Warwick District Councillor, Councillor Bertie MacKay, had made comments, which appear to have been bullying and showing lack of respect to an officer and compromised her impartiality as an officer of the Council.	The matter was investigated and Councillor MacKay has apologised to the complainant and the Council for his actions which had compromised the impartiality of Mrs Wyatt in her role as Benefits and Fraud Manager for the Council. The case was closed on 6 March 2013.  The cost of the investigation for this case was £5775.30
2/2012  (Formerly LSF.22.2012)	11 May 2012	A complaint was received from Mr Lewis, of Haseley Knob regarding the conduct of Warwick District Councillor, Mrs Gallagher in relationship to a certificate of lawfulness.	Following an investigation the complaint was withdrawn by the complainant, Mr Lewis of Haseley Knob. Because the complaint was withdrawn this means there was no complaint to consider and the case was closed on 29 June 2013.  The full cost of the case was approximately £10,000.00.

<p>3/2012 (Formerly LSF.24.2012)</p>	<p>25 April 2012</p>	<p>A complaint was received regarding the conduct of a Rowington Parish Councillor, in relationship to communications with residents and conduct at meetings.</p>	<p>Following an investigation Councillor Mrs Weir accepted the investigating Officers report and has apologised to the Parish Council for the comments made in a letter to local residents.</p> <p>The cost of the investigation was £3873.20</p>
<p>4/2012</p>	<p>18 October 2012</p>	<p>A complaint was received from the Chief Executive of the District Council regarding a potential breach of the Council's ICT policy by a Warwick District Councillor.</p>	<p>Following an independent investigation of the complaint it was found that no breach of the code had occurred. The case was closed on 31 January 2013.</p>
<p>5/2012</p>	<p>8 October 2012</p>	<p>A complaint has been received regarding the conduct of two District Councillors at a Community Forum.</p>	<p>The complaint into the conduct of the Councillor Mrs Bromley was considered at Hearing on 15 November 2013. It was found that a breach of the Code of Conduct had occurred and sanctions were issued. The full decision notice can be found <a href="#">Hearing Panel 15 November 2013</a></p> <p>Following consultation with the Independent Person the Deputy Chief Executive has determined that complaint about the other Councillor should close, because no breach of the Code of Conduct was found by the Investigating Officer.</p> <p>The final invoice for this investigation along with 5a/2012 £2246.18.</p> <p>This matter was also considered by the</p>

			Standards Committee on 30 January 2014 because Councillor Mrs Bromley had failed to apologise in line with the original decision notice. Details of that meeting can be found at the link below:  <a href="#">Standards Committee 30 January 2014</a>
5a/2012	November 2012	A complaint has been received from the Chief Executive of Warwick District Council about the Conduct of Warwick District Councillor regarding (a) the failure to acknowledged receipt and understanding of the new code of conduct and (b) failure to adhere to the Member officer protocol and therefore breaching the new code of conduct.	The complaint into the conduct of the Councillor Mrs Bromley was considered at Hearing on 15 November 2013. It was found that a breach of the Code of Conduct had occurred and sanctions were issued. The full decision notice can be found <a href="#">Hearing Panel 15 November 2013</a>  The final cost of this investigation along with was 5/2012 £2246.18.  This matter was also considered by the Standards Committee on 30 January 2014 because Councillor Mrs Bromley had failed to apologise in line with the original decision notice. Details of that meeting can be found at the link below:  <a href="#">Standards Committee 30 January 2014</a>
6/2012	24 October 2012 and 1 November 2012	Two complaints have been received regarding the conduct of a Weston Under Wetherley Parish Councillor regarding their conduct in relationship to a matter considered by the Parish Council.	The matter was closed on 16 January 2013 because at the time of the incident the Council had not adopted a Code of Conduct.  The cost of this investigation was £533.60

7/2013	25 January 2013	A complaint was received, regarding the conduct of Warwick District Councillor during a Planning Committee meeting.	The matter was considered and closed by the Deputy Monitoring Officer on 20 February 2013 who found that no action should be taken.
8/2013	8 March 2013, 13 March 2013 and 20 March 2013	Three complaints have been received regarding the Conduct of a Warwick District Councillor at a Warwick District Council Planning Committee meeting.	The matter was considered and closed by the Deputy Monitoring Officer on 23 May 2013 who found that no action should be taken.
9/2013	10, 11 and 12 March 2013	Three Complaints have been received regarding the conduct of two Councillors at Weston Under Wetherley Parish Council.	The matter was referred for investigation on 18 April 2013.  <b>Update February 2014</b> The investigators final report about the conduct of the Councillors is being considered by the Monitoring Officer in consultation with the Independent Person.
10/2013	10 and 15 May 2013	Two complaints have been made regarding the comments made by Councillor Taylor of Burton Green Parish Council.	Councillor Taylor has recognised the misjudgement in his views and has apologised in writing to the Councillors, the Clerk to the Council and apologised to the Council at their meeting in September 2013.
11/2013	12 July 2013	A complaint has been received regarding the views expressed "what have you got to be scared of Andrew" and "how much did they pay you" by Warwick District Councillor Bob Dhillon at a public meeting.	The Council considered the complaint and found Councillor Dhillon had breached the Code of Conduct in several ways.  The Council; censured Councillor Dhillon by Motion; have required him to apologise to Council on 26 September;

			<p>and instructed that he should undertake further training and pay half the cost of this.</p> <p>In addition the Council endorsed its support and confidence in the integrity of the Monitoring Officer.</p> <p>The cost of the legal advice on this matter was £1,166.25.</p>
12/2013	9 August 2013	A complaint has been received that a Warwick District Councillor, Councillor Dhillon had claimed expenses, over a five year period, that he was not entitled to, totalling £249.07 and had received an expenses payment of £45.00 in error.	<p>Councillor Dhillon has repaid the money to the Council and following an explanation and apology from Councillor Dhillon the complaint was withdrawn.</p> <p>The case was closed on 21 October 2013</p>
13/2013	23 August 2013	Comments made by Councillors at Warwick District Council meeting	<p>The three Councillors have written to the complainant about their actions recognising their behaviour was not appropriate.</p> <p>The case was closed on 10 December 2013</p>
14/2013	12 August 2013	A complaint has been received about the Conduct of Warwick District Councillor in relationship towards their actions towards a fellow Councillor	The Deputy Monitoring Officer has closed this case, on 10 December 2013, because the complainant did not provide the detail of the complaint that he had requested.

15/2013	30 August 2013	A complaint has been received regarding allegations made by a Warwick District Councillor in a witness statement to a Code of Conduct complaint.	The matter has been closed at the request of the complainant because they did not feel that the Councillor would recognise the impact of their comments even if a breach of the Code was found following an investigation.  The case was closed on 10 December 2013
16/2013	5 November 2013	A complaint has been received about the language used by a Whitnash Town Councillor in a series of emails	The matter is currently being considered by the Deputy Monitoring Officer
17/2014	5 February 2014	A complaint has been received about the conduct of four parish councillors	The matter is currently on hold awaiting further details from the complainant.