

HINCKLEY AND BOSWORTH BOROUGH COUNCIL
ETHICAL GOVERNANCE AND PERSONNEL COMMITTEE

17 DECEMBER 2014 AT 10.30 AM

PRESENT:

Mrs WA Hall (Vice-Chair, in the Chair), Mr JS Moore and Ms BM Witherford

Also in attendance: Gordon Grimes, Independent Person

Officers in attendance: Julie Kenny and Rebecca Owen

297 VICE-CHAIRMAN IN THE CHAIR

In the absence of the Chairman, Councillor Mrs Hall as Vice-Chairman took the Chair for the meeting.

298 APOLOGIES AND SUBSTITUTIONS

Apologies were submitted on behalf of Councillors Inman and Lynch, with the substitutions of Councillor Bill for Councillor Inman and Councillor Cope for Councillor Lynch authorised in accordance with Council Procedure Rule 4.

299 MINUTES OF PREVIOUS MEETING

In considering the minutes of the previous meeting, it was noted that Mr Grimes, Independent Person, should have been included as being present. On the motion of Councillor Moore, seconded by Councillor Witherford, it was

RESOLVED – the minutes of the meeting held on 29 October be confirmed subject to the abovementioned amendment and signed by the Chairman.

300 DECLARATIONS OF INTEREST

No interests were declared at this stage.

301 MATTERS FROM WHICH THE PUBLIC MAY BE EXCLUDED

On the motion of Councillor Moore seconded by Councillor Witherford, it was

RESOLVED – in accordance with section 100A(4) of the Local Government Act 1972, the public be excluded from the following item of business on the grounds that it involves the disclosure of exempt information as defined in paragraphs 1, 2 and 10 of Part I of Schedule 12A of that Act.

302 COMPLAINT 2013/0012

The Committee was presented with the Investigator's report into complaint 2013/0012. The main allegations in the original complaint had been that the subject member had chosen to assist one of his own friends in a neighbour dispute and refused to assist the complainants, he had failed to condemn violence and intimidation suffered by the complainant's family, he broke a promise he made to not involve himself in the dispute,

and he misused his position when making knowingly false accusations about the complainants to the Police and Social Services.

Whilst members were in agreement with the Investigator's conclusion of no breach of the Code of Conduct with regard to the first three areas of complaint, lengthy discussion ensued on the final point. During discussion, the following points were raised:

- The length of time taken for the subject member to contact the County Council to report a safeguarding issue did not support his claim to be passing on information given to him that was of great concern
- As a result of the above, there was perhaps a need for training for parish and town councillors with regard to safeguarding issues
- The possibility of sending some information to all parish councils about who to contact in cases of neighbour disputes or safeguarding concerns and telephone numbers for quick reference was suggested
- Members felt that reports of conflicting comments through doubt on various aspects and made it difficult to come to a view on the matters in the complaint
- The lack of co-operation of the subject member may make it difficult to pursue the matter to an acceptable conclusion.

Whilst the Committee did not have sufficient evidence to confirm beyond reasonable doubt that the Code of Conduct had been breached and also felt that, without the co-operation of the subject member, they would find it difficult to look at the matter in more detail, they did feel that the subject member had behaved inappropriately in not extricating himself from the dispute and also that his handling of the safeguarding issue in the length of time taken to report the matter showed a lack of awareness of child protection issues.

It was suggested that parish councillors be offered training on safeguarding and conflict resolution, perhaps when such training is being offered to Borough Councillors and that such training be strongly recommended to the subject member and all other parish and town councillors, perhaps as part of the 2015 induction programme.

Members felt restricted in the options available to them under the Standards process and requested that the procedure be reviewed at the next meeting of the Committee to ensure that the Committee was using all options available to it under the Regulations.

It was moved by Councillor Witherford, seconded by Councillor Moore and

RESOLVED –

- (i) It be confirmed that the Code of Conduct has not been breached;
- (ii) A copy of these minutes be sent with the decision notice to convey the concern of the Committee with regard to the subject member's behaviour;
- (iii) Safeguarding and conflict resolution training be offered to parish and town councillors when it is next organised for borough councillors.

(The Meeting closed at 11.40 am)

CHAIRMAN

