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Hinckley & Bosworth  
Borough Council

**Bill Cullen** MBA (ISM), BA(Hons) MRTPI  
Chief Executive

**Date: 15 July 2024**

**To: Members of the Ethical Governance and  
Personnel Committee**

Cllr A Pendlebury (Chair)  
Cllr E Hollick (Vice-Chair)  
Cllr MB Cartwright  
Cllr MA Cook  
Cllr MJ Crooks

Cllr WJ Crooks  
Cllr CE Green  
Cllr C Harris  
Cllr KWP Lynch

Copy to all other Members of the Council

(other recipients for information)

Dear member,

There will be a meeting of the **ETHICAL GOVERNANCE AND PERSONNEL COMMITTEE** in the De Montfort Suite, Hinckley Hub on **TUESDAY, 23 JULY 2024** at **6.30 pm** and your attendance is required.

The agenda for the meeting is set out overleaf.

Yours sincerely

A handwritten signature in black ink, appearing to read 'R Owen'.

Rebecca Owen  
Democratic Services Manager

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We also allow the use of social media during meetings, which helps to bring the issues discussed to a wider audience.

Members of the public, members of the press and councillors are hereby informed that, in attending the meeting, you may be captured on film. If you have a particular problem with this, please contact us so we can discuss how we may accommodate you at the meeting.

## Use of mobile phones

To minimise disturbance to others attending the meeting, please switch off your phone or other mobile device or turn it onto silent or vibrate mode.

Thank you

**A G E N D A**

1. **APOLOGIES AND SUBSTITUTIONS**

2. **MINUTES OF PREVIOUS MEETING (Pages 1 - 4)**

To confirm the minutes of the previous meeting.

3. **ADDITIONAL URGENT BUSINESS BY REASON OF SPECIAL CIRCUMSTANCES**

To be advised of any additional items of business which the Chair decides by reason of special circumstances shall be taken as matters of urgency at this meeting.

4. **DECLARATIONS OF INTEREST**

To receive verbally from members any disclosures which they are required to make in accordance with the Council's code of conduct or in pursuance of Section 106 of the Local Government Finance Act 1992. **This is in addition to the need for such disclosure to be also given when the relevant matter is reached on the agenda.**

5. **QUESTIONS**

To hear any questions received in accordance with Council Procedure Rule 12.

6. **ANY OTHER ITEMS OF BUSINESS WHICH THE CHAIR DECIDES HAVE TO BE DEALT WITH AS MATTERS OF URGENCY**

As announced under item 3.

7. **MATTERS FROM WHICH THE PUBLIC MAY BE EXCLUDED**

To consider the passing of a resolution under Section 100A(4) of the Local Government Act 1972 excluding the public from the undermentioned item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1 and 10 of Schedule 12A of the 1972 Act.

8. **COMPLAINTS UPDATE**

9. **COMPLAINTS 2024/11, 13, 15 & 18 (Pages 5 - 18)**

10. **COMPLAINTS 2024/12 & 17 (Pages 19 - 24)**

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## HINCKLEY AND BOSWORTH BOROUGH COUNCIL

### ETHICAL GOVERNANCE AND PERSONNEL COMMITTEE

20 MAY 2024 AT 6.30 PM

PRESENT: Cllr A Pendlebury - Chair

Cllr SL Bray (for Cllr E Hollick), Cllr MA Cook, Cllr MJ Crooks, Cllr WJ Crooks, Cllr CE Green, Cllr KWP Lynch, Cllr LJ Mullaney (for Cllr MB Cartwright) and Cllr BE Sutton (for Cllr C Harris)

Officers in attendance: Julie Kenny and Rebecca Owen

#### 10. **Apologies and substitutions**

It was noted that since publication of the agenda, there had been a change in membership. Councillor Green was now a member of the committee and Councillor O'Shea was no longer on the committee.

Apologies for absence were submitted on behalf of Councillors Cartwright, Harris and Hollick with the following substitutions authorised in accordance with council procedure rule 10:

Councillor Bray for Councillor Hollick  
Councillor L Mullaney for Councillor Cartwright  
Councillor Sutton for Councillor Harris.

#### 11. **Minutes of previous meeting**

An error in minute 283 was noted whereby it was written that Councillor O'Shea substituted for Councillor Allen, which should have read "Councillor R Allen for Councillor O'Shea".

It was moved by Councillor Bray, seconded by Councillor J Crooks and

RESOLVED – the minutes of the meeting held on 5 March 2024 be confirmed as a correct record subject to the above amendment.

#### 12. **Declarations of interest**

No interests were declared.

#### 13. **Complaints Policy**

Consideration was given to the complaints policy which had been created to comply with the Housing Ombudsman and Local Government & Social Care Ombudsman's complaint handling code. It was moved by Councillor Bray, seconded by Councillor J Crooks and

RESOLVED –

- (i) The complaints policy be approved;
- (ii) The Executive member with responsibility for Corporate Services be appointed as the Member Responsible for Complaints as required by the Housing Ombudsman's complaint handling code;
- (iii) The Housing Ombudsman and Local Government & Social Care Ombudsman's complaint handling codes be noted.

14. **Matters from which the public may be excluded**

On the motion of Councillor J Crooks seconded by Councillor Bray, 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 and 10 of Part I of Schedule 12A of that Act.

15. **Complaints update**

Members were informed that the two complaints that had been referred for investigation at the previous meeting had been sent to an investigator.

16. **Complaint 2023/15**

Members received an update on a complaint against a parish councillor that had been considered at a previous meeting whereby the subject member had refused to undertake the recommended training or offer an apology to the complainant. It was noted that the position had not changed.

Members felt the subject member had displayed contempt for the committee and their recommendation should be made public again. Concern was also expressed about the aggressive use of language and the unacceptable way the subject member spoke to the Monitoring Officer in correspondence.

It was noted that there was an ongoing Information Commissioner's Office (ICO) case and potentially a complaint with the Local Government & Social Care Ombudsman (LGSCO) from the subject member. It was therefore moved by Councillor Bray and seconded by Councillor Cook that the code of conduct matter be deferred to the following meeting to allow for conclusion of the ICO and LGSCO cases where relevant. Upon being put to the vote, the motion was CARRIED and it was unanimously

RESOLVED – the item be deferred to the following meeting.

17. **Complaint 2024/10**

Consideration was given to a complaint about a parish councillor. It was noted that there was an ongoing Information Commissioner's Office (ICO) case and potentially a complaint with the Local Government & Social Care Ombudsman (LGSCO) from the subject member. It was therefore moved by Councillor W Crooks and seconded by Councillor Bray that the code of conduct complaint be deferred to the following meeting to allow for conclusion of the ICO and LGSCO cases where relevant. Upon being put to the vote, the motion was CARRIED and it was unanimously

RESOLVED – the item be deferred to the following meeting.

18. **Complaint 2023/19**

The committee considered a complaint about a co-opted member of a committee of a parish council. Whilst members felt that the actions of the member had been somewhat naïve, they also felt that the parish council should not have put the subject member in that position given the background.

Members expressed disappointment that the subject member had not been willing to apologise to the complainant but felt that no clear breach of the code of conduct had taken place, although they felt it important to remind the subject member that the code of conduct did not only apply in a meeting. It was moved by Councillor Bray, seconded by Councillor Lynch and unanimously

RESOLVED –

- (i) The subject member be reminded of their obligations under the parish council's code of conduct;
- (ii) No further action be taken in respect of the complaint.

19. **Complaint 2024/05**

The committee was presented with two complaints against a parish councillor which contained allegations of bullying. Members felt that there was insufficient information to warrant an investigation into the matter at this stage as the complaints lacked detail. It was also noted that the alleged victim of the bullying had withdrawn their complaint.

Members were disappointed that the parties involved had not taken up the previous offer of mediation. It was moved by Councillor Bray, seconded by Councillor W Crooks and unanimously

RESOLVED – no further action be taken in respect of the complaint.

20. **Complaint 2024/09**

A complaint against a borough councillor was reported to the committee. Members felt that due to the seriousness of the complaint should the allegations be found to be true, there was no option but to refer it for investigation. It was

requested that, if possible, the investigation be undertaken by an external investigator with no prior knowledge of the subject member. It was moved by Councillor Bray, seconded by Councillor J Crooks and unanimously

RESOLVED – the complaint be referred for investigation.

(The Meeting closed at 7.30 pm)

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CHAIR

By virtue of paragraph(s) 1, 10 of Part 1 of Schedule 12A of the Local Government Act 1972.

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