

HINCKLEY AND BOSWORTH BOROUGH COUNCIL
ETHICAL GOVERNANCE AND PERSONNEL COMMITTEE

24 MARCH 2021 AT 6.30 PM

PRESENT: Cllr R Webber-Jones - Chairman
Cllr MB Cartwright – Vice-Chairman
Cllr DC Bill MBE, Cllr MA Cook, Cllr A Furlong, Cllr L Hodgkins, Cllr E Hollick,
Cllr LJP O'Shea and Cllr RB Roberts (for Cllr RG Allen)

Also in attendance: Mr G Grimes, Independent Person

Officers in attendance: Julie Kenny and Rebecca Owen

668 APOLOGIES AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillor Allen with the substitution of Councillor Roberts authorised in accordance with council procedure rule 10.

669 MINUTES OF PREVIOUS MEETING

It was moved by Councillor Cartwright, seconded by Councillor Furlong and

RESOLVED – the minutes of the meeting held on 20 January be confirmed as a correct record.

670 DECLARATIONS OF INTEREST

Councillor Roberts declared that the complainants for item 10 were in his group and the subject member for item 11 was known to him and he had some knowledge of the complaints.

Councillors Cook and O'Shea declared that the complainants for item 10 were members of their group.

Councillors Hollick and Cartwright declared that they were at the meeting when the alleged action in item 12 from which the complaint arose took place.

671 CODE OF CONDUCT COMPLAINTS PROCESS

The Monitoring Officer presented a report which proposed changes to the process for dealing with code of conduct complaints. It was highlighted that the proposal was to remove some steps in order to avoid the need for frivolous, vexatious or political complaints to come to the Ethical Governance & Personnel Committee and to delegate authority to the Monitoring Officer to issue a recommendation of an apology or training where the complaint is of a lower level.

It was moved by Councillor Cook that the “no further action” wording be amended to “there has been no breach of the code of conduct and therefore there is no further action” so it is clearer to those involved. Cllr Cartwright seconded the motion but requested that the process be reviewed by the committee in 12 months.

The Monitoring Officer suggested bringing an annual report on numbers of complaints to the committee to be able to assess the effectiveness of the new procedure, which members supported.

RESOLVED –

- (i) The process be endorsed and RECOMMENDED to Council;
- (ii) An annual report be brought to the committee to assess the effectiveness of the process.

672 COMPLAINTS UPDATE

The Monitoring Officer provided an update on ongoing complaints, stating that she was still receiving complaints about a couple of parishes which related more to governance of the parish council rather than conduct of an individual member. She was also trying to resolve a further four complaints.

Members were updated on progress towards adoption of a new code of conduct.

673 MATTERS FROM WHICH THE PUBLIC MAY BE EXCLUDED

On the motion of Councillor Webber-Jones seconded by Councillor Cartwright, 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.

674 COMPLAINT 2020/31

Members considered a fact finding report regarding a complaint against three town/parish councillors.

Concern was expressed about the way in which the local council was operating and that an investigation may assist in identifying the source of the problems. It was moved by Councillor Cartwright and seconded by Councillor O'Shea that the matter be referred for investigation.

Following further discussion, Councillor Cartwright proposed an amendment that the matter be referred for investigation and that a letter be sent to the local council to suggest they engage with the Leicestershire & Rutland Association of Local Councils for support in dealing with the matter from which the complaint arose. Councillor O'Shea supported the amendment which, upon being put to the vote, was CARRIED.

RESOLVED –

- (i) The complaint be referred for investigation;
- (ii) A letter be sent to the local council to suggest they seek support from Leicestershire & Rutland Association of Local Councils, the wording of which be agreed with the chairman.

675 COMPLAINT 2020/32

Consideration was given to a fact finding report regarding a complaint about three town/parish councillors. The complaint had three aspects, all of which members felt were a cause for concern, notwithstanding the concerns raised about governance within the local council and about the clerk responding to enquiries on behalf of councillors.

Members considered whether the actions were made by the council as a corporate body but felt that an investigation would be needed to identify this and subsequently whether the code of conduct applied.

It was moved by Councillor Cartwright, seconded by Councillor Furlong and

RESOLVED – the complaint be referred for investigation.

Councillor Cartwright left the meeting at 7.39pm.

676 COMPLAINT 2021/07

The committee received a fact finding report regarding a complaint about a town/parish councillor. It was noted that the subject member had been willing to issue an apology but the complainant was unwilling to accept the apology. It was felt that an investigation would not gain any further information and an apology was the most appropriate recommendation.

It was moved by Councillor Bill, seconded by Councillor Furlong and

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

Councillor Hollick wished it be noted that he had abstained from voting on this item.

(The Meeting closed at 7.43 pm)

CHAIRMAN