

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)

CHAIR