

HINCKLEY AND BOSWORTH BOROUGH COUNCIL
ETHICAL GOVERNANCE AND PERSONNEL COMMITTEE

30 MARCH 2017 AT 6.30 PM

PRESENT: Mr LJP O'Shea - Chairman

Mr CW Boothby, Mr WJ Crooks, Mrs L Hodgkins (for Ms BM Witherford), Mr KWP Lynch (for Mr MB Cartwright), Mr K Morrell, Mr M Nickerson and Ms AV Wright

Also in attendance: Gordon Grimes, Independent Person

Officers in attendance: Julie Kenny and Rebecca Owen

423 APOLOGIES AND SUBSTITUTIONS

Apologies for absence were submitted on behalf of Councillors Cartwright, Lay and Witherford, with the following substitutions authorised in accordance with council procedure rule 4:

Councillor Hodgkins for Councillor Witherford
Councillor Lynch for Councillor Cartwright.

424 MINUTES OF PREVIOUS MEETING

It was moved by Councillor Crooks, seconded by Councillor Morrell and

RESOLVED – the minutes of the meeting held on 12 December 2016 be confirmed and signed by the Chairman.

425 DECLARATIONS OF INTEREST

Councillor O'Shea declared a personal interest which might lead to bias in agenda item 12 (complaints 2016/01 & 2016/02) as the subject member was a friend. He agreed to leave the meeting during consideration of this item.

426 CORPORATE COMPLAINTS PROCEDURE

Members received a report which sought to amend the wording of the corporate complaints procedure to allow for review of a complaint at stage two of the process by an officer senior to or independent from the officer who provided the stage one response. An amendment was necessary following the senior management restructure and also as a result of a report from the Local Government Ombudsman in order to make the process clearer for complainants.

It was moved by Councillor Crooks, seconded by Councillor Morrell and

RESOLVED – the updated corporate complaints procedure be approved.

427 MATTERS FROM WHICH THE PUBLIC MAY BE EXCLUDED

On the motion of Councillor Morrell seconded by Councillor Lynch, 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.

428 COMPLAINT 2016/11 - FACT FINDING REPORT

A fact finding report into a complaint about a parish councillor was presented to the committee. Members supported the recommendation that other action be taken, in this instance that the parish council adopts a social media policy and that an advisory note be sent to the member around the use of social media. Members asked that adoption of a social media policy be suggested to other parish councils. Councillor Morrell agreed to raise it at the next Parish Forum and it was suggested that this also be raised with the Leicestershire & Rutland Association of Local Councils.

It was moved by Councillor Wright, seconded by Councillor Crooks and

RESOLVED –

- (i) The complaint be referred to the Monitoring Officer to be resolved through other action by way of:
 - (a) an advisory note to the subject member around the use of social media;
 - (b) a recommendation to the parish council that they adopt a social media policy.
- (ii) A suggestion be taken to the next Parish Forum that all parish councils consider adopting a social media policy;
- (iii) Leicestershire & Rutland Association of Local Councils be asked to support parish councils in drafting a policy.

429 COMPLAINT 2016/12 - FACT FINDING REPORT

Members received a fact finding report in relation to a complaint about a parish councillor. It was moved by Councillor Morrell, seconded by Councillor Crooks and

RESOLVED – the complaint be referred to the Monitoring Officer for other action by way of:

- (i) an advisory note to the subject member around the use of social media;
- (ii) a recommendation to the parish council that they adopt a social media policy.

430 COMPLAINT 2017/01&02 - FACT FINDING REPORT

Consideration was given to a fact finding report into a complaint about a parish councillor. Members acknowledged that the tone of the article was meant as a joke and felt that, whilst it would have been better to have written it differently, it did not constitute a breach of the code of conduct. It was moved by Councillor Crooks, seconded by Councillor Lynch and

RESOLVED – no further action be taken.

431 APPOINTMENT OF CHAIRMAN FOR THE REMAINDER OF THE MEETING

Having declared an interest in the following item of business, Councillor O'Shea, as Chairman, asked for nominations for a member to take the chair for the remainder of the meeting.

It was proposed by Councillor Morrell and seconded by Councillor Lynch that Councillor Wright takes the chair for the remainder of the meeting. Upon being put to the vote, the motion was CARRIED and it was

RESOLVED – Councillor Wright takes the chair for the remainder of the meeting.

Having declared a personal interest which might lead to bias in the following item, Councillor O'Shea left the meeting at 6.56pm.

432 COMPLAINT 2016/01&02 - INVESTIGATION REPORT

Members gave consideration to an investigation report into two complaints about a parish councillor which were addressed in one report. The first complaint related to the tone of emails sent by the subject member and the second was about alleged unauthorised activities contrary to standing orders.

In relation to the first complaint (2016/01), about the tone of emails, members did not agree with the finding of the investigator that there had been a breach of the code of conduct, but felt that a letter be sent to the subject member to ask him to be mindful of the tone and content of his emails.

In relation to the second complaint (2016/02), members agreed with the investigator's finding that there was no breach of the code of conduct.

It was moved by Councillor Lynch, seconded by Councillor Morrell and

RESOLVED –

- (i) In relation to complaint 2016/01, the member had not breached the code of conduct but a letter be sent to ask him to be mindful of the tone and content of his emails;
- (ii) In relation to complaint 2017/02, the member had not breached the code of conduct and no action be taken.

(The Meeting closed at 7.18 pm)

CHAIRMAN