

Initial Assessment of Complaint - NPC1/17

Complaint

On 07 March 2017, the Deputy Monitoring Officer (Andy Day) and Independent Person (Mike Wall) of this Authority considered a complaint from Councillor Tony Renouf (Chairman of Woolhampton Parish Council) concerning the conduct of Councillor James Spackman, a member of Woolhampton Parish Council. The discussion was led by the Independent Person.

A general summary of the complaint is set out below:

Councillor Renouf alleges that Councillor Spackman has been involved in a number of incidents where he has 'lied or misinformed people' and in so doing had brought the authority into disrepute and therefore breached the Parish Council's Code of Conduct.

Potential breaches of the Code of Conduct identified

The following potential breaches of the Code of Conduct were discussed:

General Obligations:

- failing to treat others with respect

Failure to Adhere to the Following Nolan Principles:

1. Integrity
2. Accountability
3. Honesty
4. Leadership

Decision

In accordance with the Localism Act 2011, following the initial assessment the Monitoring Officer, in consultation with the Independent Person, is able to decide on one of the following four outcomes:

1. the complaint will be investigated fully by an independent investigator;
2. no further action will be taken on your complaint;
3. some form of informal resolution will be sought;
4. the matter will be referred to the Director of Public Prosecution or the Police where it is suspected that some form of criminal conduct has occurred in relation to interests that have not been disclosed.

The Monitoring Officer in consultation with the Independent Person has concluded that in this case while not making any findings of fact, if the

allegations were substantiated they may constitute a breach of the Code of Conduct and therefore the allegation should be referred for investigation.

The Panel were concerned that if the allegations were substantiated:

- they could suggested a pattern of behaviour which could be deemed to be a failure to treat the subject member's fellow Parish Councillors with respect. The Panel noted that the concerns might not be with the issues raised but the manner in which this was done.
- The incident relating to the landlord of the Angel Inn could show a lack of leadership, honesty and accountability and might have compromised the integrity of the Parish Council and the Public House.
- The subject member stating that he had made a complaint to the Monitoring Officer when he had not could be construed as being dishonest and could be deemed to be a failure to treat the Chairman and the other Parish Councillors with respect
- The incident pertaining to the name badge and the District Parish Conference could demonstrate a lack of honesty and might be viewed as bringing the subject member's authority into disrepute.
- In relation to the presentation of the Neighbourhood Watch crime statistics the presentation or the manner in which the presentation was made could be considered to show a lack of leadership given the possible impact on the community even if the information was accurate.

In considering the complaint the Monitoring Officer in consultation with the Independent Person had regard to the Woolhampton Parish Council Code of Conduct adopted on the 17 July 2012, the information submitted by the complainant and the information submitted by the subject member.

This decision notice is sent to the person or persons making the allegation, the member against whom the allegation was made and the clerk Woolhampton Parish Council.

What happens now?

Investigation

The Monitoring Officer will appoint an external investigator to undertake an investigation on behalf of the Governance and Ethics Committee. The Council will notify the complainant and subject member of the details of the investigator who will contact them in due course to arrange an interview with them. In addition the investigator may wish to interview additional witnesses. All information provided to the Governance and Ethics Committee already will be given to the investigator. You may wish to consider whether there is any additional information you would want them to consider.

Additional Help

If you need additional support in relation to this or future contact with us, please let us know as soon as possible. If you have difficulty reading this notice we can make reasonable adjustments to assist you, in line with the requirements of the Disability Discrimination Act 2000.

We can also help if English is not your first language.

West Berkshire Council is committed to equality of opportunity. We will treat everyone with respect, regardless of race, disability, gender, age, religion or sexual orientation.

If you require this information in a different format, such as audio tape, or in another language, please ask an English speaker to contact Moira Fraser on Telephone 01635 519045, who will be able to help.

Signed **Date**

Deputy Monitoring Officer:.....

Signed **Date**

Independent Person.....