

Agenda item

Assessment of Complaint: COC133272

- [Meeting of Online Meeting, Standards Assessment Sub-Committee, Thursday 25 March 2021 10.00 am \(Item 25.\)](#)
- [View the reasons why item 25. is restricted](#)

Minutes:

Preamble

A complaint was received from Bev Cornish (the Complainant) regarding the conduct of Councillor Jane Brentor (the Subject Member), a Member of Downton Parish Council.

The Complainant, who is clerk to the parish council, alleges that at a meeting of the council held on 25 January 2021 the Subject Member misrepresented the complainant's advice to the Council. It was alleged that she had thereby failed to promote and support high standards of conduct when serving in her public post and in particular has failed to have regard to the Nolan principles of integrity, honesty, openness and leadership and has consequently breached the Council's code of conduct.

Assessment

The Sub-Committee were satisfied that the initial tests of the assessment criteria had been met, including that the Subject Member was and remains a member of Downton Parish Council, that a copy of the relevant Code of Conduct was provided for the assessment, and that they were acting in their capacity as a Member during the various alleged actions.

The Sub-Committee therefore had to decide whether the alleged behaviour would, if proven, amount to a breach of the Code of Conduct and if so, what action would be required.

If the Sub-Committee concluded that the alleged behaviour would amount to a breach, then it would have to go on to decide whether it was appropriate under the assessment criteria to refer the matter for investigation.

In reaching its decision, the Sub-Committee took into account the original complaint and supporting information, the response of the Subject Member and supporting information, and the report of the Monitoring Officer.

The Sub-Committee also considered statements from the Complainant and the Subject Member, who were both in attendance

The Complainant is the clerk and responsible financial officer of the parish council. Following an email exchange between the parties in respect of maintenance services provided to the council, the issue was discussed at a meeting of the parish council. The Complainant was not present as a result of work-related stress.

The allegation is that the Subject Member misrepresented the contents of the email exchanges and advice from the complainant, and in doing so impugned the professional reputation of the Complainant

From the documentation and statements provided to the Sub-Committee it appeared that there had been a breakdown of trust between the Complainant and Subject Member. Whilst councils and councillors could take action other than as advised, it was important that advice be able to be received and transmitted accurately.

It was accepted by the Subject Member that the intended meaning of the advice provided by the Complainant may not have been entirely accurately represented by the Subject Member in her statement to the parish council. She stated that any misrepresentation perceived was not intentional and that she had made the points as she had understood and believed them to be.

The Subject Member further stated that she was willing to publicly state in an apology that the Complainant had intended a different meaning to that which the Subject Member had previously suggested at the meeting.

The Sub-Committee took into account paragraph 5.2 of the Assessment Criteria, namely that: *A complaint will not normally be referred for investigation if the Subject Member has offered an apology, a reasonable explanation of the issues, or if the Assessment Sub-Committee takes the view that the complaint can reasonably be addressed by other means.*

Accordingly, given the Subject Member had offered a reasonable explanation that she had misunderstood the advice received, and had offered to make a public apology to clarify that she had been mistaken as to the Complainant's intended advice, it was not considered in the public interest to refer the matter for investigation.

In particular, a public acknowledgement of having misrepresented the Complainant would address the concerns regarding perceptions of the professional conduct of the Complainant.

It was therefore,

Resolved:

In accordance with the approved arrangements for resolving standards complaints adopted by Council on 9 July 2019, which came into effect on 1 January 2020 and after hearing from the Independent Person, the Assessment Sub-Committee determined to take no further action in respect of the complaint.

Contact details

[Contact Wiltshire Council](#)

Write to us or call us

*Democratic Services
Wiltshire Council
County Hall
Trowbridge
Wiltshire
BA14 8JN*

committee@wiltshire.gov.uk