

Minutes of a meeting of the Member Conduct Panel held at County Hall, Glenfield on Thursday, 21 January 2021.

PRESENT

Mr. J. Kaufman CC  
Mr. W. Liquorish JP CC  
Ms. Betty Newton CC

Mr. T. J. Pendleton CC  
Mrs. C. M. Radford CC

1. Election of Chairman

It was proposed and seconded that Mr T. Pendleton CC be appointed Chairman. There were no other nominations.

Mr T. Pendleton CC in the Chair

2. Urgent Items

There were no urgent items of business.

3. Declarations of Interest

There were no declarations of interest.

4. Exclusion of the Press and Public

It was moved by the Chairman, seconded and carried:

“That under Section 100A of the Local Government Act 1972 the public be excluded from the meeting during consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 4 of Part I of Schedule 12(A) of the Local Government Act 1972”.

5. Complaint under the Members' Code of Conduct against an elected Member of the County Council.

The Panel considered an exempt report of the Monitoring Officer regarding the outcome of an early assessment undertaken by the Deputy Monitoring Officer in respect of a complaint made about the conduct of an elected member.

The Chairman welcomed Mr Grimes, one of the County Council's external appointed independent persons, to the meeting.

The Monitoring Officer set out the details of the complaint which related to two issues as detailed below:

- (a) A Data Protection/GDPR issue arising out of the complainant's email address and the contents of an email being forwarded to a third party without consent; and
- (b) The content and tone of emails exchanged between the elected member and the complainant.

The Panel noted that that the elected member had accepted the issue outlined in paragraph (a) and had immediately agreed to apologise to the complainant in this regard.

The Panel asked the Deputy Monitoring Officer to set out his findings following his early assessment of the complaint in line with the County Council's Procedures for dealing with allegations of a breach of the Members' Code of Conduct.

Upon request by the Panel, Mr Grimes as the independent person gave his views on the complaint and outlined his key concerns.

The member who was the subject of the complaint made representations to the Panel and answered their questions.

The Panel then adjourned to deliberate at 3.15pm.

**RESOLVED:**

- (a) That the early assessment report of the Deputy Monitoring Officer be noted;
- (b) That the views of the independent person, Mr Grimes, be welcomed and noted;
- (c) That the elected members acceptance of the Data Protection/GDPR issue and their agreement to issue an apology in this regard be noted and supported;
- (d) That no further action be taken be taken in respect of the tone and content of the email exchange between the member and the complainant.

**REASONS:**

The Panel were of the view that the email exchange in question showed evidence that the elected member had been critical of the comments made by the complainant but considered these in the context of the issue being discussed (i.e. a planning matter) which were often emotive and caused heightened tensions. The Panel unanimously agreed that the emails sent by the member concerned did not cross the threshold into showing disrespect.

The Panel were of the view that the informal resolution of the Data Protection/GDPR issue through the issuing of an apology by the member was proportionate and appropriate.

2.00pm – 3.30pm  
21 January 2021

CHAIRMAN