

Minutes of a meeting of the Member Conduct Panel held at County Hall, Glenfield on Tuesday, 5 May 2026.

PRESENT

Dr. S. Hill CC Mr. D. Page CC
Mr. A. Innes CC Mr. B. Piper CC
Mr. P. King CC

In attendance

Mr Oram – Investigator from Wilkin Chapman LLP

Mrs P Roberts – Independent Person

Ms. F. McMillan – Chief Legal Officer and Monitoring Officer, Leicestershire County Council

Mrs J. Twomey – Head of Democratic Services, Leicestershire County Council

1. Election of Chairman for the meeting.

It was proposed, seconded and carried unanimously that Dr. S. Hill CC be appointed Chairman. There were no other nominations.

Dr. S. Hill CC in the Chair

2. Declarations of Interest.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting. No declarations were made.

3. Investigation in respect of an alleged breach of the Members' Code of Conduct by Mr C. Whitford CC

Members considered a report of the County Council's Chief Legal Officer and Monitoring Officer regarding complaints made against Mr C. Whitford CC which alleged that he had breached the Council's Members' Code of Conduct. A copy of the report marked 'Agenda Item 3' is filed with these minutes.

The Chairman welcomed the investigator, Mr Oram, and the Independent Person, Mrs Roberts, to the meeting.

Preliminary Issues

The Panel considered whether or not the meeting should be held in public or private and discussed the publication of the investigation report.

The Panel received representations from Mr Whitford who requested that the hearing be held in public and that the full investigation report be published.

The Panel received advice from the Monitoring Officer, recommending that the hearing be held in public but that a redacted version of the investigation report be published, removing the names and personal details of the complainants.

The Panel then adjourned to consider its decision.

The Panel adjourned to make its decision at 10.38am and reconvened at 10.56am.

The Chairman advised that the Panel had AGREED:

- (a) that the hearing should be held in public, save for the Panel deliberations when the public would be excluded;
- (b) that a redacted version of the investigators report should be published on the Council's website immediately.

[The redacted version of the Investigation Report was published on the Council's website, following which the hearing resumed.]

Presentation of the Complaints

At the invitation of the Chairman, the Monitoring Officer presented an overview of the complaints received against Mr Whitford CC and the processes followed to investigate these as outlined in her covering report.

The Chairman then invited the investigator to present his report. The investigator highlighted the following points:

- The independent investigation considered four complaints primarily relating to emails sent to residents who had raised concerns about flags being placed on lamp posts in Markfield.
- The investigation focused on whether Mr Whitford had failed to comply with the County Council's Member Code of Conduct when responding to these complainants.
- Two additional issues were also considered: whether Mr Whitford failed to register a business interest, and whether fake Facebook accounts had been used to comment on the complaints or threaten to reveal a complainant's identity.
- With regard to the alleged failure to register an interest, Mr Whitford had been a director of a company until September 2025 and technically, this was required to be registered. However, Mr Whitford had demonstrated that he understood the company to have been dissolved and that his connection with it had been removed by April 2025. This was based on a letter received from Companies House and was therefore regarded as a reasonable assumption. The recommendation in relation to this issue was that no further action should be taken.
- In relation to the alleged fake Facebook accounts, the investigation considered the accounts were likely fake but decided it was not proportionate or in the public interest to pursue that issue and to investigate this further.
- The investigation had concluded that Mr Whitford had been acting in his capacity as both a councillor and cabinet member when he responded to the complainants using his County Council email address and official email signature. The matter was considered to be Council business because it concerned unauthorised flags on County Council street furniture, meaning the Member Code of Conduct had been engaged.

- The investigation did not review the Council's overall response to the installation of the flags, but whether Mr Whitford communicated the Council's position to the complainants appropriately.
- The emails were found to contain personal, dismissive and demeaning comments, including suggestions that complainants were "anti-British" or "far-left extremists". Mr Whitford was therefore found to have failed to treat the complainants with respect by personalising his responses and using language directed at their character rather than addressing their concerns civilly. The investigation further considered that Mr Whitford's conduct towards one complainant, including warning that their identity might be disclosed, amounted to bullying behaviour.
- Although councillors had significant protection for political expression, the investigation distinguished between private political views and the need for impartiality when responding officially to members of the public.
- The investigation found that Mr Whitford's conduct had failed to uphold equality standards, risked undermining public confidence in the Council's commitment to equality, and could place the Council at risk of breaching the Equality Act 2010. It found that Mr Whitford had committed an egregious breach of the Code of Conduct, including failures to treat others with respect, bullying, failure to promote equality, and bringing his role and the Council into disrepute.
- Mr Whitford's subsequent apology had been acknowledged, but the investigation noted that he had continued to defend his actions to some extent. His position as a Cabinet member at the time of the conduct was also considered to be an aggravating factor.

Questions by the Panel of the Investigator

The Chairman then invited members of the Panel to ask questions of the investigator, Mr Oram. Arising from the questions put, the following points were noted:

- (i) Members asked a series of questions concerning the extent to which councillors, and in particular cabinet members, may express political views when corresponding with residents. In response, Mr Oram explained that councillors were entitled to engage in political debate and to express political views, but that they needed to be careful when acting in an official capacity, using Council resources, or responding as a representative of the Council. It was emphasised that each case would depend on its own facts, including the capacity in which the councillor was acting, the nature of the communication, and whether the correspondence concerned a Council service or formal Council position.
- (ii) Clarification was sought as to whether there were specific additional guidelines for cabinet members. It was confirmed that there were no separate guidelines specifically for cabinet members, but that their position could be relevant as an aggravating factor because Cabinet members held a leadership role and were expected to represent all residents, not only those who shared their political views. Reference was made to the Nolan principles, including leadership, and to the fact that Mr Whitford had been the relevant Cabinet Lead Member for the issues raised by the complainants.
- (iii) Members queried whether this risked restricting a members freedom of speech or preventing councillors from responding to political points raised by residents. Mr Oram advised that the Code of Conduct was not intended to prevent political debate or the expression of political opinion. However, when a councillor was responding formally to a resident about a Council matter, particularly using Council resources or

in a Cabinet Member capacity, the councillor should distinguish clearly between the Council's position and any personal political view. It was also stressed that councillors should avoid language that was personally rude, insulting or abusive.

- (iv) In considering how to judge whether language was inappropriate, it was explained that the distinction was often between challenging a person's view or belief and attacking their personal character. Members were advised that it may be acceptable to disagree strongly with a stated position, but that comments which moved into personal criticism, such as suggesting someone was 'anti-British' or a 'political extremist', were more likely to be regarded as disrespectful.
- (v) Members questioned whether different wording, such as saying that a resident's view was "shameful" rather than saying "I am ashamed of you", would have led to the same conclusion. Mr Oram explained that context would be important and that an isolated comment of that nature might not, on its own, amount to a breach. However, the emails exchanges in this case had to be considered in their entirety, and the Panel would need to decide whether the language used met the local standard expected by the Council and whether it reflected the culture and tone the Council wished to set.
- (vi) Members noted that some of the correspondence received from complainants was itself political in nature and asked whether a councillor should be expected not to respond politically. It was acknowledged that councillors may be tempted to respond to political points and that they are elected politicians. However, it was advised that councillors should maintain high standards in public communications, even where they were challenged or antagonised. It was considered that expressing disagreement or explaining a personal position may be permissible, but that concern arose where the response moved beyond disagreement and became an attack on the resident.

Representation by Mr Whitford CC

The Chairman invited Mr Whitford CC to make his representations in response to the investigation and the comments now made. Mr Whitford made the following points:

- He accepted that, due to inexperience as a new councillor, the email responses had been inappropriate and reflected personal opinions rather than a professional response. He further accepted that he should not have responded in the way he did and said he had apologised to the four complainants both personally and publicly, one of which had been accepted, while the other three had not.
- He had undertaken training on how to respond more professionally to emails and noted that there had been no further complaints since.
- He emphasised the importance of freedom of speech and said he believed people should be able to express opinions and impart information without interference. He maintained that much of the content of his emails was based on matters he believed to be true, while accepting that the way he expressed himself had been wrong.
- He criticised the investigation as flawed, arguing that it should have gathered and considered all relevant information before reaching conclusions.
- He said incorrect information had initially been sent to the investigators, including complaints and issues which he understood had already been dealt with by the Panel. He referred specifically to the company registration issue, saying he had provided evidence from Companies House showing the company had been dissolved before the election.

- He said the investigators had spoken to the complainants but had not contacted two of his witnesses whose details he had provided. He stated that these witnesses could not attend the hearing because they were under police protection and said they were individuals whose evidence would have been important.
- He argued that the complainants had formed a group in Markfield before the emails were sent and that this context had been missed or ignored by the investigation. He alleged that the group had planned an attack on him and said this helped explain why his email responses had been heated.
- In summary, he said the investigation had been based on incorrect information, had failed to speak to his witnesses, had relied on probability, and had missed relevant contextual information. He reiterated, however, that, notwithstanding his criticisms of the investigation and the circumstances leading to the emails, he accepted he should have responded differently.
- He said he had learned from the matter and that it had already had significant consequences for him, including loss of his cabinet position, his future with Reform, and his allowance.

Questions by the Panel of Mr Whitford CC

The Chairman invited members of the Panel to ask questions of the Mr Whitford. Arising from the questions put, the following points were noted:

- (i) Members asked whether Mr Whitford accepted the outcome of the investigation. Mr Whitford stated that he accepted the outcome, while maintaining that he considered the investigation to have been weighted because his witnesses had not been contacted. He accepted that he had responded incorrectly to the emails and reiterated that he had apologised for the way in which he had emailed the four complainants, although not necessarily for the content of his views.
- (ii) Mr Whitford advised the Panel that there were three witnesses: two who, he said, could give evidence about the way he had been treated by a group in Markfield, and a third individual connected with the online account referred to in the investigation. He said he had provided contact details but that the witnesses had not been contacted.
- (iii) Members asked about Mr Whitford's thought process when responding to the large volume of correspondence about the flags being erected, including whether he had sought advice or received training on responding to provocative emails. Mr Whitford explained that he had received approximately 650 emails on the issue and had personally responded to around 300. He said he had met with the Department to obtain the Council's official position, which was that the flags would not be removed unless they became a problem, such as by becoming tatty or obstructing signs. He said he had included in his responses that the placement of flags on lamp posts was illegal and that their removal should also be carried out safely and properly only by Council officials.
- (iv) Further questions were asked about whether there was a policy or guidance for Cabinet Members on how to deal with a large influx of emails and whether such correspondence should have been passed to corporate communications, customer services or member services. Mr Whitford responded that he had initially selected those emails he considered most important to respond to, including those relating to Markfield, which was his area. He said that once the volume became apparent, he was advised that emails could be passed on to officers to deal with, and that he had sent on the remaining correspondence as he did not have time to respond to all of

it.

- (v) Members asked whether Mr Whitford had received any specific training on how to act as a Cabinet Lead Member or how to deal with provocative correspondence from the public. Mr Whitford said that, although some training had been provided following the election, he had not received specific training on how to be a Cabinet Lead Member. He explained that he had become a Cabinet Member very shortly after being elected and described the workload as heavy. He said the events in question occurred after he had only had a short period to get up to speed and that if faced with this now, he would respond very differently.
- (vi) Members asked when Mr Whitford first became aware of the group or individuals involved and whether any previous contact had affected how he responded. Mr Whitford said he had not known about the group, but had previously had contact with two of the complainants at parish council level in relation to planning matters and the flags. He said he did not know the individuals personally before the emails and complaints came in.
- (vii) Members questioned Mr Whitford's comments relating to the possible disclosure of complainants' names. Mr Whitford explained that, at the time, the situation had been confused and that he had received a media request seeking information about the complainants. He said he had told the media that he would not provide that information and that his subsequent email was intended to convey that he would try not to reveal names, although he did not know whether he could be compelled to do so through another process. He accepted that comments about disclosure could be perceived as threatening and said that, following the discussion, he understood the importance of not releasing names and would not do so.
- (viii) Members asked whether advice had been sought before or after he had begun responding to the large volume of emails. Mr Whitford said advice had been sought part way through the process: he had already begun replying when it became clear that the correspondence would be substantial. He said he did not ask for, or receive, a stock answer, but had asked for the Council's official position on whether the flags would be removed. He said the four emails that led to complaints were among the earlier responses he had provided, and that later replies became more standardised, almost by way of copy and paste, with no complaints arising from those later responses.
- (ix) A member sought confirmation that Mr Whitford accepted the findings that he had not treated people with respect, that his conduct amounted to bullying, that he could have breached the Council's equality principles, and that he could have brought his role and the Council into disrepute. Mr Whitford confirmed that he accepted those matters.

With the consent of the Chairman, Members asked Mr Oram to respond to the suggestion that witnesses identified by Mr Whitford had not been contacted.

Mr Oram explained that Mr Whitford had been given the opportunity at the outset to provide names of anyone he wished the investigators to speak to, but had not done so at that stage. When the issue of witnesses was later raised, the evidence was said to relate to alleged aggressive behaviour by a group in Markfield. The investigators considered that the complainants themselves were not under investigation and that such evidence would have limited value in determining whether Mr Whitford had breached the Code of Conduct.

In relation to the individual linked to the online account, it was explained that Mr Whitford had not provided contact details, that no online evidence of that person could be found, and that relatives said to have been contacted were not willing to speak to the investigators. The Investigator advised that they had taken a proportionate approach and considered that further enquiries would not assist the Panel, particularly in light of Mr Whitford's acceptance of the breaches identified.

View of the Independent Person

The Chairman then asked the independent person, Mrs Roberts, for confirmation of her views, having now heard all the information presented. Mrs Roberts made the following points:

- (i) While any breach of the registration requirements should not be condoned, it had been reasonable for Councillor Whitford to rely on correspondence from Companies House which indicated that the company would be dissolved before the election. On that basis, Mrs Roberts considered that there was no evidence of deliberate concealment of the directorship, particularly as the complaint had been made after the company had been wound up. Treating this matter as a technical breach was appropriate.
- (ii) The remaining issues were considered to be more serious and interrelated. Councillor Whitford had acknowledged the findings of the investigation. Mrs Roberts expressed concern that the responses to complainants appeared to disregard individuals concerns about safety and intimidation in their own homes and instead moved directly to questioning their political beliefs and suggesting that they were anti-British. Mrs Roberts said this was demeaning and could have been intimidating to recipients.
- (iii) In relation to the issue of bringing the Council into disrepute, Mrs Roberts emphasised that it was necessary to consider not only the councillor's behaviour but also how that behaviour might be perceived by wider members of the public. It was noted that, as the Cabinet member responsible for highways, Mr Whitford's response could be perceived as suggesting that the Council's decision not to remove the flags was influenced by his own personal political views regarding the flags. Such public perception showed why care was needed when responding to complaints.
- (iv) Mrs Roberts confirmed that she supported the investigation findings in relation to stoking divisions and undermining the Council's commitment to promoting equality. She also highlighted the potential chilling and long-lasting effect that such responses could have on public engagement with councillors. It was observed that members of the public might be deterred from raising complaints or concerns in future if they believed they could receive a dismissive or aggressive response, particularly where the issue related to an area for which the councillor was responsible.
- (v) Mrs Roberts commented that the sanctions available to the Panel were limited. It was suggested that, alongside any findings made, consideration should be given to what additional measures could be put in place, such as added support and training, to demonstrate effective governance and to support Councillor Whitford in his role as a ward councillor over the remainder of his term.

Closing remarks

With the permission of the Chairman, and following a request from a Panel Member, the Investigator, Mr Oram, commented that if the Panel were minded to support the findings of the Investigation then it would be important for the Panel to send a message that the County Council did not support these types of responses to members of the public to ensure the public was not discouraged from making contact in the future and that reporting this to full Council and the making of a public apology by Mr Whitford in that forum, would carry great weight in recognition of this.

The Panel then adjourned to consider its decision at 11.54am.

RESOLVED:

The Panel unanimously agreed that, for the reasons set out in the Investigators report regarding four complaints received from members of the public about emailed responses they had received from Mr Whitford, sent from his County Council email account, after they raised concerns about the hanging of St George's flags on County Council lampposts in Markfield, Mr C. Whitford CC had breached the following paragraphs of the Members' Code of Conduct:

- 2.3.1 -to treat members of the public with respect
- 2.7.1 and 2.7.2 - to not bully or harass any person
- 2.7.3 - to promote equalities and not discriminate unlawfully against any person
- 2.16 - not bring the role of councillor or the Council into disrepute

Having made the above decision, the Panel decided unanimously to impose the following sanctions:

- (i) That Mr Whitford be formally censured for the matters set out in the investigation report which the Panel regarded as unacceptable behaviour by a Councillor towards members of the public;
- (ii) That the Monitoring Officer write a formal letter to Mr Whitford setting out the decision of the Panel, the sanctions it has imposed, and its disappointment at having to make the decision that the Code of Conduct has been breached. A copy of this letter to be published on the Council's website and displayed on the Member Conduct webpage for a period of up to six months;
- (iii) That Mr Whitford issue a public apology to be read out by the Chairman at the full Council meeting to be held on 13th May 2026, the wording of which has been agreed by the Panel and reflects the apology already made by Mr Whitford to the four complainants and set out at paragraph 4.34 of the Investigation report, such apology to be published on the Council's Member Conduct website alongside the formal letter from the Monitoring Officer referred to in (ii) above;
- (iv) That the Council consider the training and support of newly elected members to make sure they are adequately prepared and supported in their role, particularly those appointed to the Cabinet;

The Panel found that whilst Mr Whitford had technically breached paragraph 2.30 of the Code by failing to register an interest in a company, in line with the Investigation Report's recommendation no further action be taken on this aspect.

10.00 - 11.58 am
05 May 2026

CHAIRMAN