

**INITIAL ASSESSMENT OF COMPLAINT**  
**ANONYMIZED DECISION NOTICE**

**Background**

1. A complaint was made on or about 7 January 2018 and received by the Monitoring Officer on 12 January 2018 from xxxx (“the Complainant”) alleging that xxxx (“the Subject Member”) had breached the Central Bedfordshire Council Code of Conduct as the Subject Member had harassed him, is continuing to do so, has made regular degrading personal comments about him and has made false statements and that this brings the Council into disrepute.
2. Due to a previous involvement the Monitoring Officer passed the complaint to the Deputy Monitoring Officer to consider.

**Evidence Considered**

3. The following documents and information were considered for the purposes of this complaint:-
  - a) Complaint to the Monitoring Officer;
  - b) Letter dated 2 January 2018 from the Subject Member to the Complainant;
  - c) Response of the Subject Member;
  - d) Central Bedfordshire Council Code of Conduct.

**Jurisdiction**

4. For a complaint to be considered in connection with the Member’s Code of Conduct, the following test must be satisfied:
  - a) the complaint was made against a person who, at the time the alleged action took place, was a member of Central Bedfordshire Council; and
  - b) the Subject Member had signed up to the Members’ Code of Conduct in force at the time the alleged action took place; and
  - c) the Subject Member was conducting the business of their authority or acting, claiming to act or giving the impression of acting as a representative of the authority.
5. The Independent Person has concluded all three limbs of this test are satisfied in this matter.

**Initial Assessment Decision**

6. The Independent Person has considered whether the actions of the Subject Member described in paragraph 1 above constitute a breach of the following provision of the Members' Code of Conduct:

*4.14 Members must set an example by their behaviour and shall act in a way that enhances public trust and confidence in the integrity of the Council and its Members*

7. The Independent Person noted that there was no evidence provided to support harassment (i.e. causing 'alarm or distress'). Also that there were no recent examples of the Subject Member making degrading comments about the Complainant. Whilst the Complainant also states that he has supporting evidence of the false statements he has not provided it in support of this complaint.

8. The Independent Person also noted that the main subject matter of this complaint is being dealt with by other organisations under a different process.

9. Based on the information available to him the Independent Person has concluded the following:

a) The Code of Conduct is potentially engaged. However, as the main subject matter of the complaint is being dealt with by other organisations in the absence of any evidence to support the allegations no further action should be taken.

10. The Deputy Monitoring Officer concurs.

**Approved by:** John Jones (Independent Person)  
Satinder Sahota (Deputy Monitoring Officer)

**Dated:** 15 February 2018