

## STANDARDS COMPLAINT DECISION NOTICE

<b>Complaint ref</b>	023798
<b>Subject Member</b>	Councillor J Phipps
<b>Council</b>	Holmer and Shelwick Parish Council
<b>Date of decision</b>	28 April 2022
<b>Breach of the code (Y/N)</b>	Yes

### DECISION

On 12 May 2022, the Senior Solicitor, Governance on behalf of the monitoring officer considered a complaint alleging that Councillor J Phipps may have acted in breach of the code of conduct for members. The appointed Independent Persons were consulted in considering the matter.

The delay in considering the complaint was due to there currently being limited resources available within Herefordshire Council to deal with complaints. It has been agreed with the Independent Persons that this period of delay is not a reason of procedural unfairness and so will not justify an appeal against this decision.

The Senior Solicitor, Governance on behalf of the monitoring officer has concluded that Councillor J Phipps did breach the code of conduct in disclosing details of the Parish Clerk's pay to members of the public.

In relation to the other aspects of the complaint the Senior Solicitor, Governance has concluded that there is insufficient evidence to reach a decision on these aspects of the complaint.

#### Summary of complaint

An allegation was received that Councillor J Phipps shared details of the Parish Clerk's payslip with members of the public in attempt to discredit the Parish Clerk.

In reaching the decision I considered the following documents:

- The Holmer and Shelwick Parish Council Code of Conduct (<https://holmershelwick.co.uk/wp-content/uploads/2020/06/Code-of-Conduct.pdf>)
- The complaint
- Councillor Phipps' response to the complaint

#### Reasons for decision

The Senior Solicitor, Governance has fully considered the details of the complaint and the comments made by the subject member in response. Details of the Parish Clerk's payslip should not have been shared as this is a confidential document and therefore I find that there was a breach of Holmer and Shelwick Parish Council Code of Conduct Paragraphs A.3 (Treat everyone that they deal with equally and with respect and courtesy) and G.3 (Never undertake any action which would bring the council, members or officers into disrepute).

My recommended action for Councillor J Phipps provides a written apology to the complainant.