

Borough Council of
**King's Lynn &
West Norfolk**



Borough Council of King's Lynn and West Norfolk

Standards Committee Hearing

Date: 11, 12, 18 and 25 September 2013

Complaint Reference Number: 22/11

Terrington St Clement Parish Councillor S Callaghan

DECISION NOTICE

Complainant	Terrington St Clement Parish Councillor Miss B Hill
Standards Committee Members	Borough Councillor Mrs K Mellish (Chairman) Borough Councillor G McGuinness Borough Councillor D Whitby
Council Officers	Wendy Vincent, Democratic Services Officer Cara Jordan, Legal Adviser
Local Investigator	Emma Duncan
Date of Investigator's Report	12/01/13

Decision Notice

**Standards Committee Hearing
Borough Council of King's Lynn and West Norfolk
Date: 11, 12, 18 and 25 September 2013
Reference: 22/11, 31/11 and 32/11**

1. Summary of the Complaint:

(a) It is alleged that Councillor Callaghan was offensive to Councillor Long on 25 January 2012.

2. Relevant sections of the Code of Conduct

Paragraph 3.

3. Summary of evidence considered and representations made

The Committee read the report and the relevant documentation. The Investigating Officer presented her report. Councillor Callaghan was not present at the Hearing, nor did he submit a statement other than the comments appended to the Investigator's report.

4. Facts and Reasons

The Committee carefully considered the report, oral evidence and relevant documentation in coming to their decision as to whether there had been a breach of the Code of Conduct.

Councillor Long was a guest at the Parish Council meeting of 25th January 2012. The complainant, in her letter of complaint, says that Councillor Callaghan was offensive in the way he behaved towards Councillor Long in that he aggressively said "who are you, where did you come from and what right have you got being here telling us what we should be doing". Councillor Callaghan, in an email to the Investigating Officer, said that he was asking a direct question. Councillor Long informed the Panel that, although he did not make a complaint about the behaviour at the time, he did nevertheless consider the conduct of Councillor Callaghan to be aggressive and intimidating.

Councillor Callaghan accepts speaking directly to a guest of the Parish Council. However, the Panel considered that his behaviour went beyond plain speech. The Panel considered the evidence of Councillor Long credible. He had a good recollection of the incident and is independent of the Parish Council. The Panel found that the evidence given by Councillor Long is in accord with the original complaint and considers that the conduct by Councillor Callaghan went below the standard expected of a Parish Councillor in that it was rude and disrespectful.

5. Finding of Breach/non Breach of Terrington St Clement Parish Council Code of Conduct

(a) Councillor Callaghan was offensive to Councillor Long on 25 January 2012.
COUNCILLOR CALLAGHAN DID BREACH TERRINGTON ST CLEMENT PARISH COUNCIL'S CODE OF CONDUCT

6. Sanctions imposed

The Panel recommends that Terrington St Clement Parish Council arrange training for Councillor Callaghan in the following terms:

A tailored training course provided by NALC or other appropriate provider dealing with the following topics to be completed by 31 March 2014:

- Role of the Parish Council.
- Roles of the Councillors and the Chairman.
- Role of the Clerk.
- Code of Conduct.
- Conduct of Meetings.
- Treating those attending Parish Council meetings with respect.
- Dealing with Difficult situations.

Signed..... Date: 27 September 2013

(Councillor Mrs K Mellish, Chairman of the Standards Committee Hearing)