



# South Bucks District Council

## Non- Executive Delegated Decisions Made by Officers

Regulation 7 of the Openness of Local Government Bodies Regulations 2014 requires a written record to be produced as soon as reasonably practicable after an Officer has made a decision under delegation. This means that in order to comply with these new requirements, Officers discharging delegated powers which would otherwise have been taken by the relevant local government body, or a committee, sub-committee of that body or a joint committee in which that body participates, but it has been delegated to an officer of that body either under a specific express authorisation; or under a general authorisation to officers to a) grant a permission or licence; b) affect the rights of an individual or c) award a contract or incur expenditure which in either case materially affects the Council's financial position must complete the form below.

**1. Name and role of officer:** Joanna Swift, Monitoring Officer

**2. Date of decision:** 12 February 2018

**3. Summary of the decision:**

The monitoring officer received a complaint in June 2017 concerning the alleged conduct of Councillor Val Pridmore of Taplow Parish Council. In accordance with the Council's Complaints Procedure Councillor Pridmore was invited to comment on the complaint. The response received from Councillor Pridmore were passed to the complainant who remained dissatisfied and considered that it contained many inaccurate statements and much of it was not relevant to the complaint. The complainant therefore asked for the complaint to be considered under Stage 2 of the Council's Complaints Procedure

At Stage 2 the monitoring officer considers whether the complaint should be referred for investigation or whether no further action is warranted taking into account the following criteria:-

- the public benefit in investigating the alleged complaint
- the availability and cost of resources with regard to the seriousness of the alleged matter
- is the information submitted, sufficient to make a decision as to whether to refer for investigation
- is the subject member still a serving member
- is the complaint the same as or similar to a previous complaint
- the time passed since the alleged conduct occurred
- the complaint involves conduct too trivial to warrant further action
- does the complaint appear to be malicious, politically motivated or tit for tat

- whether the matter complained of is an individual act or part of a continuous pattern of behaviour which should be cumulatively considered
- steps taken or proposed to remedy the action complained of
- the complainants view of the action taken or proposed.

Having carefully considered the details of the complaint, the response from Councillor Pridmore, the referral criteria set out above and the views of the Council's Independent Person and the monitoring officer decided, in consultation with the Chairman of the Audit Committee, that the complaint should not be referred for investigation, as no breaches of the code of conduct have been identified that warranted the cost of a further investigation

#### **4. Reasons for the decision:**

##### **Background to the Complaint**

The complainant alleged that in February 2017 Councillor Pridmore accessed and interfered with a defibrillator and box of equipment which did not belong to her and had been stored securely by the complainant at an office on the estate. The box was clearly marked as being in storage for the complainant with his name and address on it. When challenged about her actions the complainant alleges that Councillor Pridmore lied about the role of an officer from South Central Ambulance and subsequently claimed she did not tell the truth in her email because of a misunderstanding. However, the complainant alleges that Councillor Pridmore could no longer have been suffering a misunderstanding at the time and therefore this statement was also untrue.

The complainant had sought a written apology from Councillor Pridmore for her behaviour but this had not been forthcoming. The complainant considered that Councillor Pridmore's conduct lacked the honesty and integrity expected of those in public office and required by the Parish Council's code of conduct and contravened paragraph 3.1 of Taplow Parish Council's code of conduct adopted on 2 October 2012, which states that:- " When a member of the Council acts, claims to act or gives the impression of acting as a representative of the Council, he/she has the following obligations:- 3.1 He/she shall behave in such a way that a reasonable person would regard as respectful and not act in any way that could bring the council into disrepute"

The complainant also alleges that Councillor Pridmore failed to comply with the following principles of conduct in public life:-

- (1) Honesty - Holders of public office should be truthful
- (2) Integrity - Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationshipsProvide leadership to the council and communities within it by example
- (3) Respect others and not bully anyone
- (4) Not misconduct yourself in a manner which is likely to bring the council into disrepute
- (5) Use your position as a member in the public interest and not for personal advantage

## Classification: OFFICIAL

- a. Exercise you own independent judgement taking decisions for good and substantial reasons –
  - i attaching appropriate weight to all relevant considerations including, where appropriate, public opinion and the views of political groups...
  - ii stating the reasons for your decisions where those reasons are not otherwise apparent
- (8) account for your actions

### **Reasons for the Decision**

1. Councillor Pridmore was clearly acting in her capacity as a member of Taplow Parish Council when she accompanied an officer from SCAS on a visit to Taplow in February 2017. The monitoring officer noted Councillor Pridmore's explanation of how this meeting was arranged and evolved unexpectedly into handling of the equipment and the training materials. By acting on the advice given by the SCAS officer at the meeting and involving the Estates Manager, the monitoring officer was satisfied that Councillor Pridmore was seeking to follow correct procedures and found no evidence to suggest that her motives were other than to protect the interests of local residents.
2. However, when Councillor Pridmore saw the complainants name on the box of materials, and knowing him to be a local resident and former member of the disbanded Residents Association, the monitoring officer considered it was reasonable to expect Councillor Pridmore to have tried to make contact with him, either at the time or at least after the event. In view of the complainant's known involvement in applying for a grant to install the PAD and communications sent by the complainant about training, Councillor Pridmore's assumption that he no longer had any involvement was surprising. As a result of the failure to contact the complainant Councillor Pridmore's actions appeared high-handed and discourteous, even if they were not intended to be so, and directly led to the complaint being made.
3. The monitoring officer noted that Councillor Pridmore accepted that an email to the complainant incorrectly indicated that the SCAS officer was on "his round to check all Public Access Defibs in the Parish. The one sited in CV is just one of them". When challenged on this point Councillor Pridmore states that she had misunderstood this aspect of the officer's work. It was unfortunate that Councillor Pridmore was not prepared to offer an apology to the complainant for this mistake which would have avoided further escalation of the complaint.
4. The monitoring officer noted that the complainant's emails to Councillor Pridmore were rather brusque and in responding Councillor Pridmore was more defensive than might have expected from a councillor writing in their official capacity to a parishioner. The situation was not helped by Councillor Pridmore's reliance on inaccurate information provided to her by SCAS about registration of the PAD. This clearly aggravated the position and unfortunately the exchange of emails became increasing acrimonious.
5. The Parish Council's Conduct Committee had already carried out an investigation into this complaint and in view of the nature of the allegations and potential breaches of the code identified, the costs of a further investigation were not warranted in the public interest.

5. **When making the decision did the officer take into account information from another report?** Yes  No  The background papers for this decision are exempt information under paragraphs 1 and 2 of Schedule 12A of the Local Government Act 1972

6. **Details of any alternative options considered and rejected by the officer when making the decision:**

The option of referring the complaint of investigation under Stage 2 of the Complaints Procedure was considered but having regard to the criteria adopted by the Council and for the reasons at paragraph 4 above the monitoring officer considered that no breaches of the code of conduct had been identified that warranted the cost of a further investigation

7. (a) **Details of any conflict of interests declared by any Member who was consulted regarding the decision:** No conflicts of interest

(b) **Note of dispensation:** Not applicable

**Does this notice contain any exempt information?** Yes  (if yes, select reasons below) No

- 1. Identifies individuals (names, addresses, contact information etc.)
- 2. Likely to reveal the identity of an individual
- 3. Financial or business affairs of any person or organisation
- 4. Consultations or negotiations in connection with any labour relations
- 5. Legal professional privilege that could be used in legal proceedings
- 6. Any enactment (prosecution) to a person or organisation
- 7. Any action taken to do with prevention/investigation/prosecution of crime

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