

Appendix 6

Subject Member: Councillor R. Bell

Complainant: Mr. N. Brooks

Independent Person: Mr. S. Ibbs

As the appointed Independent Person for W.L.B.C. I have been made aware of the complaint from Mr Brooks and of the actions taken.

In giving due consideration to the complaint and the direction it is taking I am helped considerably by the investigation report from the Investigating Officer, Mike Dudfield.

I find I have no difficulty in agreeing with the conclusions the Investigating Officer makes at para. 4(a) and 4(b) of his report. I will not repeat that detail here.

With regard to the conclusions at 4(c) and 4(d) I have additional comment as below.

In the matter of bullying, 4(c), I consider that in the case of this complaint the judgement will be subjective. On the one hand the actions of Councillor Bell, at the meeting on 30th June 2016, could be regarded not as bullying but as a child-like tantrum. Viewed differently definitions of the term bullying include intimidation, browbeating and harassment. Bullying is without question unwanted aggressive behaviour. Statements made to the Investigating Officer indicate the behaviour of Councillor Bell was both aggressive and unwanted. There can be no explanation for such behaviour unless it was for the purpose of intimidating one or more persons present at the meeting. When I consider the difference between petulance and bullying I remind myself Councillor Bell is elected to public office and his behaviour should be judged accordingly. I would not reach the same conclusion as the Investigating Officer although I respect the views expressed at para. 28 / 29 of his report.

Next I consider the matter of disrepute, 4(d), and note not only the Investigating Officer's conclusions but also the reasoning at paragraphs 30 / 31 of his report. He appropriately highlights the higher level of threshold to section 5 of The Code of Conduct. The difficulty I have is whether or not it is proper to confine my thoughts to the meetings of 30th June (Wetlands Centre) and 13th July (Parish Council) or look at the wider picture. If I confine my thinking then I must agree with the Investigating Officer. Councillor Bell may well have brought himself as an individual into disrepute but that is entirely a different matter. However those in public office are expected to demonstrate a high standard of professional behaviour. High standards are the nub of the councils Code of Conduct. From all the statements to the Investigating Officer it is clear Councillor Bell not infrequently falls short in this regard. Because the complaint doesn't focus on a one-off event I consider his lack of restraint does bring his Office into disrepute and

furthermore the Parish Council, being aware and not taking action, are also put at risk. I should acknowledge the Investigating Officers observation about Councillor Bell being elected even if he is known to 'lose it' on occasions. I give little weight to this as there are many reasons why an individual is elected and those reasons have not been, nor should they be, considered with this complaint.

Stuart Ibbs

Independent Person W.L.B.C.