

INITIAL ASSESSMENT OF COMPLAINT
DECISION NOTICE

**Subject Member: Cllr Joan Whitehead – Cambridgeshire County Council
(the Council)**

Background

1. A complaint was received on 2 January 2018 from Mr Barrett (“the Complainant) alleging that Cllr Whitehead of the Council (“the Subject Member”) had breached the Cambridgeshire County Council Code of Conduct as she had been rude towards him in an email dated 8 December 2017 and had failed to answer his concerns about traffic issues.

Evidence Considered

2. The following documents and information were considered for the purposes of this complaint:-
 - a) Complaint to Monitoring Officer with copy email dated 8 December 2017;
 - b) Code of Conduct;
 - c) Attendance note of telephone conversation with Subject Member of 21 March 2018.

Jurisdiction

3. 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 the 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.
4. The Independent Person has concluded all three limbs of this test are satisfied in this matter.

Initial Assessment Decision

5. The Independent Person has considered whether the actions of the Subject Member described in paragraph 1 above constitute a breach of the following provisions of the Members’ Code of Conduct:
 - 2.1 You must treat others with respect; and

2.2 You must not

- (e) Conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.

6. The Independent Person noted that the concerns raised by the Complainant with the Subject Member were of long standing. The Subject Member confirmed that there had been extensive correspondence with the Complainant advising that the concerns raised were the responsibility of the Police and that this was also the view held by Cambridge City Councillors.
7. Based on the evidence available, the Independent Person has concluded that *“Given that history my view is that, whilst I think the e-mail could have been better worded, it does not cross the line into treating without respect. My view is therefore that the matter should not be taken further”*.
8. The Independent Person accordingly concludes that there is no breach of the Council’s Code of Conduct. The Deputy Monitoring Officer concurs with this conclusion.

Approved by: Gillian Holmes (Independent Person)
Fiona McMillan (Deputy Monitoring Officer)

Dated: 18 April 2018