

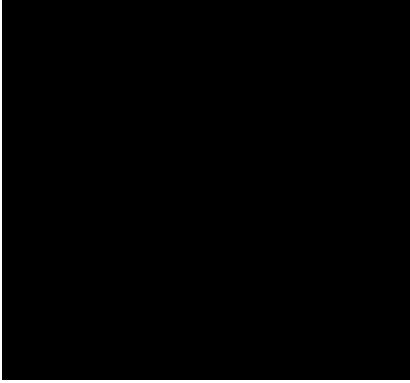


EAST HERTFORDSHIRE DISTRICT COUNCIL

COMPLAINT FORM : CODE OF CONDUCT FOR MEMBERS

A. Your details

1. Please provide us with your name and contact details. Anonymous complaints will only be considered if there is independent evidence to substantiate the complaint.

Title:	MRS
First name:	ALEXANDRA
Last name:	FARMER
Address:	
Contact telephone:	
Email address:	
Signature:	
Date of complaint:	14 OCTOBER 2015

Your address and contact details will not usually be released unless necessary or to deal with your complaint.

The following people may see this form:

- Monitoring Officer of the Council
- Standards Committee members
- Council's Independent Person(s)
- The subject member(s)
- the Parish Clerk (if applicable)

If you have serious concerns about your name and a summary, or details of your complaint being released, please complete **Section C** of this Form and also discuss your reasons or concerns with the Council's Monitoring Officer.

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Please tell us which complainant type best describes you:

- A member of the public
- An elected or co-opted Member of the Council
- An independent member of a Standards Committee
- A Member of Parliament
- A Monitoring Officer
- Other council employee, contractor or agent of the Council
- Other ()

2. Equality Monitoring Form - please fill in the attached form.

B. Making your complaint

3. Please provide us with the name of the Member(s) you believe have breached the Council's Code of Conduct:

Title	First name	Last name
MRS	SELINA	BANNERMAN
DR	ANTHONY	BAXTER

4. Please explain in this section (or on separate sheet(s)) what the Member is alleged to have done that you believe breaches the Code of Conduct. If you are complaining about more than one Member you should clearly explain what each individual person has done, with dates / witnesses to substantiate the alleged breach.

It is also important that you provide all the evidence you wish to have taken into account. For example:

- You should be specific, wherever possible, about exactly what you are alleging the Member said or did. For instance, instead of writing that the Member insulted you, you should state what it was they said or did to insult you.
- You should provide the dates of the alleged incidents wherever possible. If you cannot provide exact dates it is important to give a general timeframe.

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- You should confirm whether there are any witnesses to the alleged conduct and provide their names and contact details if possible.
- You should provide any relevant background information or other relevant documentary evidence to support your allegation(s).

Please provide us with the details of your complaint. Continue on a separate sheet if there is not enough space on this form.

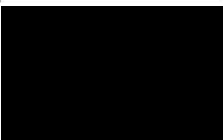
Please see separate document with details of my complaint headed "Details of my Complaint"

Listed below are some of the witnesses who attended the meeting on 6 October 2015 and were therefore witnesses to what happened at the meeting on that date:

Ken Howlett



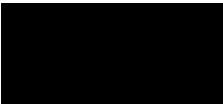
Sue Wetherall



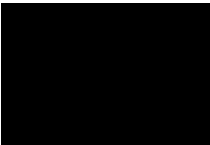
Fred Pavey



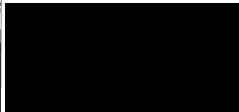
Marianne O'Neill



Barry Brett

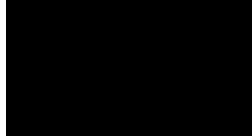


Sally Barra



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Karen Cope



(Continue on separate sheet(s), as necessary)

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C. Confidentiality of complainant and the complaint details

Only complete this next section if you are requesting that your identity is kept confidential

5. In the interests of fairness and in compliance with the rules of natural justice, we believe Members who are complained about have a right to know who has made the complaint and the substance of the allegation(s) made against him / her. We are, therefore, unlikely to withhold your personal details or the details of your complaint unless you have good reasons to believe that you have justifiable grounds, for example:
- to believe you may be victimised or harassed by the Member(s) against whom you are submitting a written complaint (or by a person associated with the same); or
 - may receive less favourable treatment from the Council because of the seniority of the Member against whom you are submitting a written complaint in terms of any existing Council service provision or any tender / contract that you may have or are about to submit to the Council.

Please note that requests for confidentiality or requests for suppression of the personal and complaint details will not automatically be granted. The Assessment Sub-Committee will consider the request alongside the substance of your complaint and the Monitoring Officer will then contact you with the decision. If your request for confidentiality is not granted, we will usually allow you the opportunity, if you so wish, of withdrawing your complaint.

However, it is important to understand that - in exceptional circumstances, where the matter complained about is very serious - we may proceed with an investigation (or other action) and may have no choice but to disclose your personal and complaint details, because of the allegation(s) made, even if you have expressly asked us not to.

Please provide us with details of why you believe we should withhold your name and/or the details of your complaint:

(Continue on separate sheet(s), as necessary)

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D. Remedy sought

7. Please indicate the remedy or remedies you are looking for or hoping to achieve by submitting this complaint.

Councillor Bannerman has worked tirelessly to get the refurbishment of the pavilion off the ground and this is to be commended, however the residents of the parish deserve a pavilion committee which fully represents their interests, properly constituted and with proper governance by the Parish Council to include:

- A constitution which is representative of all ages in the village. The places available to members of the public on the committee should have been open to residents to gauge interest rather than three residents appointed to the committee by Cllr Bannerman.
- A budget and spending limitations – neither budget or limitations on spend currently exist and there appears to be no process for ratification
- Full reporting to the MHPC (only one set of minutes has so far been provided to the MHPC)
- Terms of reference that are fully discussed by the MHPC and agreed upon
- Financial reporting to the MHPC to show all the costs of the refurbishment, how these costs are to be funded and a record of the ongoing receipts, donations, payments etc. As far as I am aware there has been no financial reporting to the MHPC to date
- Transparency in discussions and decision making
- The Buy a Brick fund needs to be looked by the MHPC and the MHPC need to decide how to deal with its spend in the light of my complaint.
- Questions from the floor during parish council meetings should be answered as fully as possible and with respect and this needs to be supported by the Chair
- Chair to be objective in his role and act in the best interests of the parishioners rather than supporting those councillors who are his friends when there are breaches of the code of conduct
- To stop the combative and disrespectful nature of emails
- Confirmation from the councillors that they are aware of their obligations under the Code of Conduct and will abide by them in future.

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(Continue on separate sheet(s), as necessary)

E. Additional Information

8. Complaints must be submitted in writing. This includes fax and electronic submissions. Frivolous, vexatious and politically motivated tit-for-tat complaints are likely to be rejected.
9. In line with the requirements of the Disability Discrimination Act 1995, we can make reasonable adjustments to assist you if you have a disability that prevents you from making your complaint in writing. We can also help if English is not your first language.
10. If you need any support in completing this form, please contact the Monitoring Officer as soon as possible.

Monitoring Officer Contact details:

The Monitoring Officer – Simon Drinkwater
East Herts Council
Wallfields
Pegs Lane
Hertford
SG13 8EQ

EAST HERTFORDSHIRE DISTRICT COUNCIL

Monitoring Form – Local Assessments of Complaints Standards Committee - Assessment Sub Committee

Working towards equal opportunities

East Hertfordshire District Council is committed to a policy of equality of opportunity in both employment and service provision. We seek to ensure that no person receives less favorable treatment on the grounds of gender, race, or ethnic origins, marital status, disability, age, sexual orientation, family responsibilities, religion, trade union involvement or political belief or is disadvantaged by conditions or requirements which cannot be shown to be justifiable.

White

White British
White Irish
Any other White
background

Mixed

White and Black
Caribbean
White and Black
African
Any other mixed
background

Asian

Indian
Pakistani
Bangladeshi
Any other Asian
background

Black

Caribbean
African
Any other Black
background

Chinese or other ethnic group

Chinese
Other

*Categories used are those utilised by
the Office of Population Censuses and
Surveys

Do you have a physical or mental impairment which has a substantial and long term adverse effect on your ability that you wish to declare under the Disability Discrimination Act?

Yes

No

Details of my Complaint

1. Background

As a fund raising exercise for the pavilion rebuilding project, parishioners were asked to contribute £10 to "buy a brick", which meant their name would be written on a tile on an internal wall as an enduring record of who had donated towards the renovation project. It was promoted with this poster e.g in the parish magazine and in the village shop.

BUY A BRICK
FOR MUCH HADHAM PAVILION
RENOVATION PROJECT

Own a piece of the building by purchasing a 'brick' for a suggested donation of £10, or buy one for each member of your family. Each brick can be signed by the Donor and placed on a donor wall inside the Pavilion.... 'be a part of history'...

Donations:
ONLINE: to GO FUND ME www.gofundme.com/vk8z4qc
By CHEQUE: payable to MUCH HADHAM PARISH COUNCIL (REF PAVILION) please place in box in LONDON

CAN BE HIRED FOR ANY EVENT - CHILDREN, ADULTS, SPORTING OR OTHERWISE

- ✦ Kids parties
- ✦ Exercise classes
- ✦ Tea parties
- ✦ Coffee Groups
- ✦ Clubs
- ✦ Private venue
- ✦ Sports teams
- ✦ Cricket
- ✦ Football
- ✦ Running
- ✦ Biking
- ✦ Bridge
- ✦ Raffles
- ✦ Fundraisers
- ✦ Get togethers
- ✦ Playgroups
- ✦ Sales

Possibilities are endless...

In the PC minutes for Feb 2015: Cllr Bannerman stated that ".....Having secured the loan (to pay for the renovation) it was intended to undertake a marketing strategy involving fund raising from within the village on the lines of a "buying a brick", ie a plaque sponsorship.

The sums raised by this method would offset the total of the loan."

A fund-raising site Go Fund Me was used from May 2015 as the intended primary method of attracting a large number of parishioner contributions. Initially, the target was specified on the site to be £80k and in this extract (key phrases highlighted here for clarity):

"We would like to raise £80,000 to repay the loan for the build out but realistically a lot of that will come from Grants - what we would like is for every member of the parish to 'own' a piece of the building by purchasing a 'brick'

for a suggested minimum donation of £10. We encourage those who can, to buy more than one brick; perhaps one for each family member

Each brick (which is actually a tile) will be signed (or can be anon) and a note of your age if you wish- this will demonstrate the diverse age groups in our community and will enable children to look back at their contribution. This brick will be placed on a purpose built Donor wall inside the pavilion. Corporate and Group donations are very welcome and Acknowledgement Plaques will be arranged for the wall.

Generations to come can look back at the Donor wall and know that these people built this pavilion. "

Please note that MHPC has its own code of conduct and has not adopted the model code (I don't know why) and it is the MHPC code that I refer to below

2. Parish Council Meeting

On Tuesday 6 October 2015 I attended a Much Hadham Parish Council ("MHPC) meeting.

During agenda item 6 "Residents Comments" I raised my hand and said the following (I wrote down what I wanted to say so this is an accurate record):

"I am very concerned about the ongoing costs referable to the pavilion and the complete lack of accountability of the Pavilion Committee. The end of year accounts for the parish council do not show architect or surveying fees so I suspect these have yet to be paid and were they budgeted for? I understand that significant further expenditure which was not part of the original contract value of £114,000 has arisen, such as £2k on locks and bolts, presumably someone is paying for the cleaning after the open sessions after school and there are Much Hadham Parish Council Facebook page references to purchases of equipment (e.g. coffee machine, TV), do you have a licence?, references have been made to the proposed movement of items in the children's playground to make room for the reinstatement of a cricket square to bring Hertford cricket team in next year, now talk of a cafe on Facebook etc- all without any discussion or mandate from the Parish Council. Can you tell me please what are the costs referable to the pavilion which were not included in the contract value with Glenplan and are still to be paid e.g architect's fees and can you tell me what the pavilion committee's terms of reference are, its budget/spend limitations and the reporting structure in place?"

2.1 Breach of Member Obligations 1 and 2

During my statement and questions Councillor Bannerman raised her eyes to heaven a number of times and said in a voice loud enough for the whole audience to hear "what is she criticising now?", more than once and whilst I was speaking. I found it belittling,

embarrassing and intimidating. The witnesses listed on the complaint form saw/heard this and have offered to support this aspect of my complaint. I believe Cllr Bannerman was disrespectful and intimidatory, in breach of **Member Obligations 1 and 2 of the MHPC Code of Conduct**.

2.2 Breach of Member Obligation 4

The Chair of MHPC, Cllr Baxter, then said that the organisation of the pavilion committee was going to be discussed later on so perhaps that part of my question could be answered then but he asked Councillor Bannerman to answer the questions as to expenditure. Cllr Bannerman said that the £13,000 raised from Buy a Brick and other donations had been earmarked to get the pavilion up and running and the cleaner for example had been paid from this fund and that the architect had been paid but didn't explain from which pot of money or when this payment had been ratified. I said I did not think that people thought their Buy a Brick donations would be used for running costs. I believe that the resources (funds from Buy A Brick) of the Council have not been used in accordance with the Council's requirements and expectation to pay down the loan but for other purposes and Cllr Bannerman breached **Member Obligation 4 of the MHPC Code of Conduct**.

[Subsequent to this there was an altercation between Cllr Bannerman and other residents, which I understand is the subject of a separate complaint]

Separately, I have seen the Pavilion Committee's minutes for September (which have not been presented to the MHPC) which records that "£13k raised from donations and buy a brick Money to be used for equipment and initial costs (eg, TV, crockery, cutlery, framing, turf etc).....Funds are not to repay the loan – ongoing maintenance and running costs". The Chair of the MHPC was at this committee meeting. I therefore believe both Cllr Baxter and Cllr Bannerman breached **Member Obligation 4 of the MHPC Code of Conduct** in using funds for purposes not required.

At the time of writing, there has been no financial information presented to PC as to how much was raised in total through "Buy a Brick", when it was all banked, how much the fundraising site deducted from the donations and what the total raised has been spent on.

2.3 Breach of Principles of Objectivity and Accountability

When agenda item 13 of the 6 October meeting was reached "Pavilion update and recreation ground activities" John Carey, a co-opted member of the Pavilion Committee, made a presentation and then the Chair, Cllr Baxter, said that as Cllr Hunt was a detail man and that the pavilion committee needed to be reviewed he would like to ask Cllr Ian Hunt to review the pavilion committee. Cllr Hunt first apologised to the residents for how the MHPC had treated some of the residents earlier in the meeting and said that all questions from residents should be treated with respect and that the councillors were here to represent the residents of the parish and they should attempt to answer questions as fully

as possible. Cllr Hunt then outlined the short comings of the Pavilion Committee and accepted Cllr Baxter's offer. At that point many residents clapped.

However 36 hours after asking Cllr Hunt to help review the Pavilion Committee the Chair unilaterally took Cllr Hunt off this task and has since drafted a new constitution and terms of reference himself (*clearly copying the outstanding terms of reference put together for the Neighbourhood Plan Steering Committee by Cllr Hunt because the document still refers to the Steering Committee in 3.1*). The terms of reference contains statements which suggest that this committee oversaw the design and building of the pavilion which was not the case. I believe that these actions by Cllr Baxter **breach the principles contained in the Introduction to the Code of Conduct of objectivity and accountability.**

3. Pavilion Locks

On 30 September 2015 Cllr Bannerman sent the Sports Association an email which included the following paragraph "Fyi we have spent nearly £2000 on locks and keys to reach insurance standards. The whole time we were paying for the pavilion insurance it was invalid due to the locks and mainly lack of approved locks in place . If there was breakin and damage we would not have been covered . This hAs now been rectified through the money raised by the bricks "

I responded later the same day:

"Dear Selina

The insurance documents were, as requested, sent to (*Chairman*) Tony (*Baxter*) and John Carey on 27th June. There are no conditions with regard to locks on the doors etc in the policy documents. Following your earlier email suggesting that our policy was invalid because of unapproved locks, I thought I better double check my understanding with our brokers. They have confirmed that there are no such conditions and the policy does not require any specific types of door locks or keys.

I'm not sure where you received the information which has resulted in expenditure of nearly £2000 on locks and keys to reach insurance standards.

Alex "

There is no record that the MHPC or Pavilion Committee had a requirement for this work or that it authorised its commissioning, there has been no evidence that a number of quotes were obtained as they should be, the identity of the provider is unknown and the cost appears to have been met from Buy a Brick funds, which were not, in my view donated for that purpose, or from general parish expenditure budgeted for other uses. I believe Councillor Bannerman breached **Member Obligation 4 of the MHPC Code of Conduct** in spending money (£2000) for locks that were not required.

4. Correspondence

Fred Pavey who is an elderly gentleman and the Chair of the Sports Association which is a local village charity which runs the recreation ground has received emails copied to the other members of the Sports Association including me, such as

"Get a grip and acknowledge when John and others who are on the PC are trying to help - or get others who will .

I for one have had enough .

Take a step back and just figure out what's important " *Cllr Bannerman 12/8/2015*

"I forgot your usual (and I speak from personal experience on several occasions) approach is to discourage, bully and disenfranchise anyone who has tried to use the facilities or help the SA, aside from the present incumbents of course.

I must not tread on your toes

i must not tread on your toes

Repeat to fade...." *John Carey 12/8/2015 (co-opted member appointed onto the pavilion committee by Cllr Bannerman)*

"Sorry for doing your job for you and encouraging youth (local and further afield) back to the playing fields of Much Hadham, oh and earning you some money." *John Carey 12/8/2015*

"Well either I can be helpful and find him for you in the village and then pass in his details or you are welcome to try to find him yourself ...

Or you could assume that I am trying to contact him on your behalf .

Do the leg work if you wish but as he didn't see or meet you he is more likely to be found by me when I meet him at the school gates to get his details ... " *Cllr Bannerman 3/9/2015*

These are just a few examples of endless emails containing unnecessarily combative language which leave little room for proper discussion or other views. All these emails were copied to the Chair, Cllr Baxter, and he has done nothing to try to stop this behaviour. I believe the e-mails constitute breaches of **Member Obligations 1 and 2 of the code of conduct** by Cllr Bannerman and the failure of the Chair, Cllr Baxter, to act decisively is a

failure of the **leadership principle contained in the code of conduct**. The Chair should enforce proper procedure and the code of conduct.
