

FACT FINDING SUMMARY

Complaint from a resident that a Member of Charnwood Borough Council failed to observe the Members' Code of Conduct

Complaint Ref: MC3 22/23

A complaint was submitted by a resident ('the complainant') that a Member of Charnwood Borough Council ('the subject Member') failed to observe the requirements of the Members' Code of Conduct.

The complaint alleged that in communications with the subject Member, which took place as part the subject Member's separate main employment, the subject Member failed to disclose that they were a Borough Councillor who had particular responsibilities that the complainant considered were relevant to the communications.

Having considered the complaint and the subject Member's response, the Monitoring Officer concluded that the Code of Conduct did not apply in this situation, and that therefore the complaint did not warrant further consideration or investigation.

This is because the Code of Conduct specifies that:

This Code of Conduct applies to you when you:

- *act in your capacity as a member or co-opted member of the Council; and*
- *conduct the business of the Council (which, in this Code, includes the business of the office to which you are elected or appointed).*

The subject Member was not acting in their capacity as a Member of the Council in the communications with the complainant.

Views of the Independent Person

An Independent Person, Mr Laurie Faulkner, was consulted and supported the Monitoring Officer's conclusion that the complaint did not warrant further consideration or investigation.

Adrian Ward
Monitoring Officer

Date: 16th January 2023