



Decision Notice

Date of Meeting:	19 November 2020
Subject Member:	Councillor Graham Butland
Complainant:	Councillor Jo Beavis
Committee:	Corporate Governance Group
Monitoring Officer:	Kim Cole
Investigating Officer:	Jonathan Goolden, Wilkin Chapman LLP

Summary of Complaint:

In February 2019, Councillor Beavis submitted a complaint against Councillor Graham Butland. At that time Councillor Beavis was not a Councillor, having resigned from office earlier that month.

In addition a further complaint was submitted by Councillor Beavis in December 2019, who had been re-elected as a Councillor in May 2019.

The first complaint concerned the conduct of Councillor Butland during the course of a Code of Conduct investigation into Councillor Beavis own conduct, and alleged that Councillor Butland had:

- (a) influenced the first investigation,
- (b) bullied and intimidated Councillor Beavis during that investigation,
- (c) treated Councillor Beavis with disrespect during the period that both Councillor Butland and Councillor Beavis were members of the same Political Party.

The second complaint alleged that Councillor Butland had acted with disrespect during the Council meeting on 16th December 2019.

In September 2019, Jonathan Goolden of Wilkin Chapman LLP was commissioned by the Council's, Monitoring Officer, as the Investigating Officer. Having commenced the investigation into the first complaint, Mr Goolden was further instructed to also consider the second complaint in the course of his investigation.

Code of Conduct

The complaint was considered against the following provisions set out within the Council's Code of Conduct.

- General Obligations under paragraph 5:
 - You must treat others with respect;
 - You must not bully any person;
 - You must not intimidate or attempt to intimidate any person who is or is likely to be a complainant; a witness; or involved in the administration of any investigations or proceedings; or do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Council.
- Conferring an advantage or disadvantage under paragraph 7:
 - You must not use or attempt to use your position as a Member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage.

Findings of the Investigating Officer:

The Investigating Officer completed their investigation and submitted their final report to the Council on 7 August 2020.

The Investigating Officer determined that Councillor Butland had not breached the Council's Code of Conduct in respect of any of the aspects forming part of the Complaint received in February 2019, or the complaint received in December 2019.

Committee Consideration:

On 19 November 2020 the Committee noted:

- (a) the outcome of the investigation into the Complaint; and
- (b) that there will be no further action taken by the Council in respect of this complaint.

A copy of the Committee Agenda and reports can be found here:

<https://braintree.cmis.uk.com/braintree/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/1012/Committee/19/Default.aspx>

Costs of the Investigation:

The costs of the investigation into this complaint was £15,700.



Kim Cole

Head of Governance and Monitoring Officer