

CODE OF CONDUCT COMPLAINT FORM



Your complaint must be about a named Councillor(s) and the conduct that you are complaining about must relate to an alleged breach of the Code of Conduct whilst the Councillor was acting in an official capacity as a member of the respective local authority. **Please note that anonymous complaints will not be investigated.**

This complaint form should not be used to make a complaint about an alleged failure of a Councillor to declare a Disclosable Pecuniary Interest (DPI). A failure to declare a DPI is not a breach of the Code of Conduct. Where such allegations are made the allegation should be made direct to the Police.

Before completing this Form please read the ARRANGEMENTS FOR DEALING WITH ALLEGATIONS document which can be found at <https://www.hart.gov.uk/Councillor-help-advice>

I. Please give us with your name and contact details

Title:	MISS
First name:	ANNETTE
Last name:	WHIBLEY
Address:	[REDACTED]
Contact telephone/mobile number:	[REDACTED]
Email address:	[REDACTED]

In the interests of fairness and natural justice, we believe Councillors who are complained about have a right to know who has made the complaint. We will therefore, tell the following people that you have made this complaint:

- the Councillor(s) you are complaining about
- the relevant parish or town clerk (if applicable)

We will tell them only your name and give them a copy of your complaint.

All the complaint details, including your name (but not your address, telephone number or email details), will be made public once a decision is reached on your complaint. We will publish the decision on the Council's web site at <https://www.hart.gov.uk/Councillor-help-advice>

2 Please provide the name of the Councillor(s) you believe has breached the Code of Conduct and the name of the Council that they represent:

Title	First name	Last name	Council name
CLLR	KATIE	DAVIES	HART DISTRICT COUNCIL

3 Please explain in this section (or on separate sheets) what the Councillor has done, or failed to have done, and explain why you think it amounts to a breach of the Code of Conduct. If you are complaining about more than one Councillor you should clearly explain how each individual person has breached the Code of Conduct.

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

- *You should be specific, wherever possible, about exactly what you are alleging the Councillor said did or did not do. For instance, instead of writing that the Councillor insulted you, you should state what it was they actually said.*
- *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.*
- *If you are relying upon witnesses to support your complaint, you must make sure that they have agreed to be named in your complaint and you must ask them to submit a statement to accompany your complaint. This statement must include their name and contact details. It is your responsibility to do this.*
- *You must provide all relevant background information. Your complaint will not be investigated further if it is not supported at the outset by detailed and verifiable supporting evidence.*

Please note that your complaint will initially be assessed only on the supporting information that you submit with your complaint. We will not normally enter into further dialogue with you unless we feel that we need you to clarify any aspect of your complaint.

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

CLlr Steve Forster has very kindly been helping local residents raise issues about the parking machines in Fleet, which do not appear to comply with Equality legislation as people with arthritis struggle to use them. They also break down frequently and, as an able-bodied person, I find them hard to use as the buttons need to be hit quite hard. He has been pulling together comments from the public and that is very much appreciated by a large number of people.

In a debate on the subject yesterday on a CCH Facebook page, CLlr Katie Davies became very agitated about the fact that Steve had been asking people to do this and this culminated her in calling his behaviour, which we all saw as very polite and helpful, **“unprofessional”**, **“extremely provocative”** and **“if that’s not trolling then I don’t know what is”**.

Steve is an active and helpful councillor and I have to say that the language that CCH councillors have used against him is, and continues to be, incredibly rude. Despite this he remains calm and polite, as shown on the attached screenshots. I have witnessed more examples of bullying against him than I have time to mention here. Lots of people have relayed to me that during the May elections CCH were using disgraceful language about Steve Forster on people's doorsteps and this was echoed by my own experience.

I cannot stand by while an elected member of the councillor publically calls another councillor a troll in contravention of the Respect clause of the Members Code of Conduct 2019. This is a VERY serious term to use to another person on the Internet. As a journalist legally trained in libel I feel it could be grounds for litigation for defamation of character if Steve decided to go down that route.

I have screen grabbed parts of the thread in which she was also incredibly rude to a member of the public, Sebastian Gidley.

Katie Davies refers to removing posts, so I am not sure how fully you will be able to see what she has posted but I have screen grabbed content just in case. I will attach this as a separate file.

https://www.facebook.com/permalink.php?story_fbid=730340454109689&id=650257775451291&comment_id=730792360731165¬if_id=1568332985304389¬if_t=feedback_reaction_generic

4 What outcome are you hoping to achieve?

What outcome do you wish to see - possible outcomes are set out in the ARRANGEMENTS FOR DEALING WITH ALLEGATIONS document published at <https://www.hart.gov.uk/Councillor-help-advice>

At the very least, a public apology and an end to the bullying campaign against Steve Forster.

Publically calling a few councillor a troll is a clear breach of the code of contact and must be dealt with.

5 Complaints must be submitted in writing.

If you need any help in completing this form, please let the Monitoring Officer know as soon as possible.

SignedAnnette Whibley.....

(Signature not required if submitted electronically)

Date13 September 2019.....

Submit to:

The Monitoring Officer
Hart District Council
Civic Offices
Harlington Way
Fleet
GU51 4AE

Or email to: enquiries@hart.gov.uk

Date: 30 September 2019
Our ref : CX/saw
✉ Email address: chiefexecutive@hart.gov.uk
☎ Direct Dial No: 01252 774143

Miss Annette Whibley



Dear Annette

Your complaint has been assessed in accordance with the Council's adopted "ARRANGEMENTS FOR DEALING WITH ALLEGATIONS" (April 2019). In this respect I have consulted with the independent persons appointed under section 28 of the Localism Act 2011. The decision is that I will not pursue the Code of Conduct complaint further. I shall explain why:

We have no doubt that social media is being used as the battleground for the next election and therefore it is only to be expected that all concerned will use whatever means reasonably possible to put the "opposition" at a disadvantage and that will include being provocative in seeking to undermine political opponents. In our view there is nothing derogatory about Councillor Davies's statement and the message is quite clear and in the normal definition of the term "trolling" Councillor Davies is allowed to express an opinion in the same way that Councillor Forster can reply in response.

In accordance with our adopted procedures we have agreed not to progress your complaint on the grounds that we believe:

- i) insufficient information has been submitted at the outset to demonstrate that there has been a prima facie breach of the Code;
- ii) the matter complained about is so trivial that it would not be in the public interest to pursue it further;
- iii) the complainant has not been directly affected by the matter (i.e. did not personally suffer any injustice).

I have sent Councillor Davies a copy of this letter.

Yours sincerely

Daryl Phillips
Joint Chief Executive

cc Councillor Katie Davies