

CASE G

SCAWTHORPE BOROUGH COUNCIL - COUNCILLOR LEE KREUZ

Summary

The complainant is the clerk to Nith parish council. He refers to a meeting of the council on 19 September 2006 where members discussed financial irregularities arising from the alleged misconduct of the council's groundsmen. It is reported that Councillor Kreuz, the local member of the borough council, attended the open part of the meeting but left with the public before the closed part where this matter was discussed.

It is alleged that a member of the parish council gave Councillor Kreuz a confidential note, which he then showed to the groundsmen two days later. It is also alleged that he told them that they had been the main topic of discussion at the meeting, giving them the impression that he had been present, the matter had been discussed in public, and that the clerk had accused them of stealing money.

It is reported that the note had the top of the page folded over, which one member of staff believed was to conceal a fax number. It is also alleged that he doctored a note headed "To all Parish Council Staff", cutting off the heading to make it look as if it only applied to the staff at the park.

The complainant adds that it is common knowledge that Councillor Kreuz intends to stand for the parish council.



Nith Parish Council

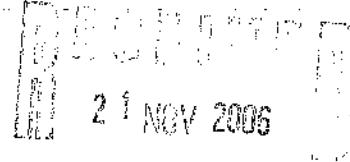
Millennium Hall Main Street
Nith-upon-Brierley Moor
Scawthorpe SP10 5AW Tel 467876

Chair Cllr Alison Stainsby Clerk Frank Law

cc. POC Brown

16th November 2006

The Standards Board for England
1st Floor, Cottons Centre
Cottons Lane
London SE1 2QG
United Kingdom



Dear Sirs

For the attention of
Paul Hoey

New Referral

Councillor Lee Kreuz, Scawthorpe Borough Councillor

I write to complain about the behaviour of Scawthorpe Borough Councillor, Kreuz for the reasons given below. He was given confidential Nith Parish Council information (by a Nith Parish Councillor) and used it to try to put myself, the Clerk and line manager of these staff in a bad light and to damage the working relationship I have with my staff, thus failing to show me respect and putting me at a disadvantage.

He also failed to show my grounds men, William G. and Thomas L. proper respect and, in putting to them a completely false version of events, looked to cause them unfounded personal concern about their reputations and job security. It is little secret that Borough Councillor K. intends to stand for the Parish Council next May and the false information he gave, plus the possibility that this man may have been one of their 'bosses' next year was calculated to upset them.

In doing what he did in such a premeditated way he has also brought his Borough Council into disrepute.

Councillor – Nith Parish Council

The information which Councillor K. possessed can only have been supplied to him by a Parish Councillor. If in the course of this investigation Mr K. reveals who gave it to him then I would ask that that Councillor be subject to the process as well. Twice already this year, two Strictly Private and Confidential letters to the Council from its auditors have found their way into the press; on the second occasion a letter was quoted verbatim by the Vice Chairman of the Residents and Tenants Association, Mr Green. The Chairman of that Association is former Councillor David W., whose wife is a serving Councillor on Nith Parish Council!

During the period that these confidential matters have been leaked, Nith Parish Council has been the subject of a Standards Board Direction meant to address its

problems via the media of training, counselling and mentoring. It seems some Councillors have treated this period as 'open season' on ~~Nith~~ Parish Council and its staff, in an attempt to secure an advantage for themselves.

The facts:

- On 19th September 2006, ~~Nith~~ Parish Council discussed two confidential items after a resolution to exclude the public and press.
- The first of these related to a staffing matter, details of which are covered in the attached minute of the meeting.
- Two days later, ~~Seawater~~ Borough Councillor, ~~Lee Kreuz~~ was in possession of the confidential note to Parish Councillors and showed part of it to two of the Parish Council staff (Mr G and Mr L), saying that:
 1. the matter concerned had been discussed in the presence of the public;
 2. he had been there when the issue had been discussed
 3. during the discussion, the Clerk to the Parish Council (myself) had accused both staff members of fraud and theft.
- When he showed them his 'evidence' (the copy of the note that had been handed to Councillors of the Parish Council at the meeting) he had the top of the page folded over and would not let it go when he showed it to them. Mr G believed that the page was a 'fax' copy and that the page was folded over to hide the senders fax number. The photocopy he subsequently supplied gave this impression. Perhaps his own fax records could be checked. Certainly a comparison of the original notes to those handed to the staff give a strong impression of emanating from a fax.
- Mr K said that he could not let them keep the paper he had, but promised to return later that day with a photocopy. It was the next day that he returned and handed over a copy of the note, which had been doctored, in that the heading 'To all Parish Council Staff' had been cut off to make as though the note concerned only the staff at our Park (the Russell Playing Fields) and not all staff as the original note shows.

The two men remain very upset at the interference from Mr K

When the receipts discussed in the note to Council went missing both staff offered to put their hands in their pockets to cover the shortfall. I told them this was not required and that I would ask Council to ratify the situation, but that, having told them on more occasions than enough that their practice of taking tennis money for fuel for the mowers and submitting net takings plus a receipt was not acceptable, that any further occurrences would be the subject of disciplinary action. This they accepted as reasonable.

Mr K intervention therefore gave rise to a belief in their minds that I had said one thing to them and another to Councillors; it suggested to them that the alleged

accusations were in a wider domain than just the Council Chamber, and therefore undermined a good working relationship that exists in the Parish Council between Clerk and staff and gave them feelings that perhaps they could not trust their line manager.

I have personally invested much time in working with staff at the Parish Council since I became Clerk, to the benefit of the Parish in many ways. To have my work challenged in this way by a Borough Councillor is disappointing to me yet manageable; I am degree educated, have held senior Posts in major organisations and have had to live with this sort of harassment in [redacted] for some time.

However my staff are typical working men, not on the highest salaries and both in their late fifties. They work as hard as they are able for the Council. To be dragged in to a battle not of their making, and given the impression that they have been called thieves by their own line manager is disgraceful. They do not deserve to be abused by Parish and Borough Councillors in this way, in pursuit of selfish political aspirations and a vendetta against the Clerk to the Council.

I would mention that when I was told about Mr K [redacted] on 21st September I asked for both Groundsmen to come to my office to give them assurances that what they had been told was not the case. I asked them to go through what had been said.

Mr Lionel T [redacted], Regional Adviser to the Society of Local Council Clerks and our internal auditor was present that day and will confirm what was said at the time.

Mr K [redacted] was obviously given the confidential papers by a Parish Councillor; he clearly had time to think about what he was going to say to the Parish Council staff before he did it and in travelling to the Playing Fields, he also had time to reflect on what he was going to do and why he was going to do it.

He knew he was going to lie, for whilst he had been at the meeting at which the staffing item was later discussed, he had left immediately the resolution to exclude the public and press was passed. To tell them it was discussed in public was also a lie. Having been previously found guilty of bringing his office as councillor of [redacted] Borough Council into disrepute and failing to treat others with respect, he is well aware of the Code of Conduct which governs the standards of behaviour expected of him.

I ask that the Standards Board investigate the actions of Councillor Kreuz. He has behaved disreputably and in a pre meditated manner and also brought ~~Scawthorpe~~ Borough Council into disrepute. Arguably he has tarnished ~~North~~ Parish Council by giving two of its staff the impression that the Council's Chief Officer, was accusing his staff publicly of theft.

I should also ask the Standards Board to investigate whichever [redacted] Parish Councillor leaked the confidential memo to Mr K [redacted]. If this man is serious about

his Council role he should answer truthfully the question and the Parish Councillor he names should be subject to their Code also.

Yours faithfully

Frank Law
Clerk to the Council.

Appendices

1. Summary of staffing issue not handed to Councillors at the September 19th meeting until after the public had left. (1 page)
2. The proposed Notice to be handed to all staff if the Council meeting approved it. (1 page)
3. Actual minute of the Council meeting – **Confidential** section from 19th September meeting (1page)
4. Notes written out by Mr L and Mr G the following morning detailing events and their feelings. (2 pages)
5. Copy of the summary note given to Mr G by Councillor K, with the header removed. (1 page)
6. Copy of the proposed Notice to staff handed over by Mr K, again doctored. (1 page)
7. My own note written later that afternoon. (1 page)

North Parish Council

Staff Item 1

A recent accounting of bowls and tennis money at the Russell revealed the total to be £30 short. At the same time there was only one petrol receipt totalling £8 for a near four week period. Analysis of the previous period shows that in summer the average petrol use is £10/£15 per week.

It is clear that petrol receipts have been lost. This is despite numerous demands from myself over the last three years that petty cash for petrol be collected from this office, not taken from bowls or tennis money. The habit dies down after each warning only to flare up again. Typically when getting cash plus petrol receipts in the past I have 'had a word', entered the takings gross and added petty cash to the net cash for banking and accounting purposes.

I have spoken with the internal auditor as to the best way forward regarding the shortfall. He suggests that if statistically we are convinced that the shortfall can only be due to missing receipts, and that we trust the men, then we could obtain a statement to the effect that petrol was purchased and the receipts lost, from both the staff concerned.

The second step is an obvious one and the warning overleaf has been handed to both staff and will be maintained in the takings record file at the Russell. It effectively makes any future diversion of takings to purchases, a disciplinary offence.

I ask that Council accept a statement from the Ground staff regarding the missing petrol receipts and that Council confirms the stance regarding future treatment of recurrences.

To all Nith Parish Council staff

NOTICE

I have for three years now been insisting that no cash takings be diverted for purchasing of petrol or other supplies.

This is for your own protection as much as for the safety of the Councils money and the following of proper accounting procedures.

It seems that little heed is paid to this requirement as evidenced by the recent potential cash shortage.

If I discover again that any money whatever has been used from any cash receipts to fund petrol or other purchases, then the person or persons responsible will face disciplinary action.

I have spoken with the Chairman on this and it will be brought before the Council for confirmation. I regard it as wilful misconduct for my instructions to be so regularly, flagrantly, and needlessly disregarded. As the recent shortfall indicated, lost petrol receipts do happen. When that happens as a result of the wilful ignoring of instructions it will not be tolerated.

Frank Law
Clerk

NITH PARISH COUNCILMinutes of the Parish Council MeetingHeld on Tuesday 19th September 2006CONFIDENTIAL – ITEMS85/06aStaffing

After the public and press left, Councillors were handed a note from the Clerk detailing a problem arising with staff and the use of bowls and tennis money for petrol purchases. The Clerk assured Councillors that it was clear beyond reasonable doubt that the staff had used some money which appeared to be missing, for fuel for the mowers, and then mislaid the receipts. The Clerk said he had on numerous occasions over the years told staff that under no circumstances should this be done it was clear that with petrol of only £8 bought in August for all the Parish Council sites that there were some fuel purchase invoices missing.

Councillors resolved that the Council would accept written assurances from the staff concerned that this was what had happened to the money (£30), but that there would be a note circulated to all staff advising that should there be any further recurrence of this often repeated requirement, then disciplinary action would follow.

(11/1)

85/06bPublic Interest Report 2002-2004 Audits

Councillors debated the report from Hacker Young. Mrs W read a statement signed by the five independent councillors asking that the Council approve the submission of this to Hacker Young for inclusion in the report. This was not agreed by the meeting.

The Clerk suggested that whilst many of the conclusions reached by the report could be accepted by the Council, contrary to the reports' conclusion on records maintenance figures were maintained by him at all times. Further, aside from issues as detailed in 85/06a (2006/2007) the suggestion that cash receipts used for petty cash by the Clerks office did not feature in the accounts and nor did matching expenditure, was wrong. As UHY Hacker Young were still in possession of the papers, this could not officially be disproven, but the Clerk adopted systems in June 2003 which were operated by the previous Clerk

Several Councillors stressed the need to move on and recognise the very positive conclusions coming out of the report,

STATEMENT CONCERNING THE MEETING APPL
WITH LEE KREUZ ON 21ST SEPT 06

Tom and myself were working at the main entrance
to the park, when we were approached by Councillor
Kreuz. He proceeded to tell us that we were
the main topic of conversation at the Council
meeting. He inferred that we had "Had our hands
on the till" to coin a phrase regarding the £30
that fell in the tennis money. As you can imagine
Tom and I were upset by this, and no doubt it got
a reaction that Mr Kreuz expected.

However on reflection I realised there was
more to this. Lee offered to show us the
letter, which he duly did after about 10 to 15
minutes later. He returned in his car and I
told him I would like to keep it to have it
photocopied. He said he would do this and
turn the copies to the park before Tom looked
at 7:30pm. This never happened as apparently
I was at a Borough Council meeting.

I feel the letter I looked at had been
intended to appear that it only concerned Tom
myself and not as it was turned out directed
to All members of staff

SIGNED

SINCE I HAVE WORKED WITH THE COUNCIL
I HAVE NEVER BEEN SPOKEN TO LIKE THIS
ESPECIALLY BY A BOROUGH COUNCILLOR, REALLY
UPSETTING TO THE POINT WHERE BOTH
BOB & I THOUGHT OUR JOBS WERE ON THE
LINE.

Mr W Lyson

As an afterthought Lee did say
that he would be coming to see
us on the park as yet he has not
appeared

Jim

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It is clear that petrol receipts have been lost. This is despite numerous demands from myself over the last three years that petty cash for petrol be collected from this office, not taken from bowls or tennis money. The habit dies down after each warning only to flare up again. Typically when getting cash plus petrol receipts in the past I have 'had a word', entered the takings gross and added petty cash to the net cash for banking and accounting purposes.

I have spoken with the internal auditor as to the best way forward regarding the shortfall. He suggests that if statistically we are convinced that the shortfall can only be due to missing receipts, and that we trust the men, then we could obtain a statement to the effect that petrol was purchased and the receipts lost, from both the staff concerned.

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Frank Law

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Frank Law
Clerk

I was approached by my assistant this afternoon to say that the ground staff were very upset after an approach to them by Borough Councillor, Lee Kreuz, who had with him a Parish Council confidential agenda item from the meeting on Tuesday night.

The first item after Exclusion of Public and Press was regarding a potential petty cash shortfall, occasioned by the loss of some petrol receipts. I wanted Council to agree that I could accept a signed statement from the staff that this was what had happened, thus regularising my petty cash account, and to agree the notice to all staff that any recurrence would lead to disciplinary action.

Borough Councillor K was at the main part of the meeting but left with all others as the Exclusion of public and press motion was approved. The council was both considering this staff item and the draft ~Public Interest Report submitted by Hacker Young.

He told Mr G and Mr L that they were the main topic of conversation at the meeting with a very great emphasis on them both being responsible and the very strong inference that I had accused them of stealing the money. Mr K also gave them the impression he had been there for the discussion.

They said Councillor K indicated that Parish Councillor, Tony J. may be coming along also to tell them what had gone on. I understand my staff asked for the piece of paper but that Mr K was very reluctant to let it go, instead promising to return later in the day with a copy. They did say Mr K mentioned going to a Council meeting at later but that he promised Mr L he would be back before 7.30, having asked Mr L what time he finished work.

Mr G, having seen the copies of the papers put to the Council then stated that the copy in Mr K's possession had been altered in that the words "To all Parish Council staff" had been deleted. He said that this made it seem very much like it was directed solely at himself and Mr L and that as a consequence Mr K account to them, delivered as though it was first hand and that Mr K had been there, was true. Mr G also said that he thought that the paper in Mr K's hands looked as though it were from a fax.

Mr L added that he felt as though Mr K and those who had provided him with this information were getting at them as a way of getting at the Clerk and the Council. He personally wanted only to come to work, do his job and go home.

This discussion took place in the presence of Lionel T who was attending my office for the purpose of the internal audit. I asked Lionel to underline the importance of correctly dealing with cash receipts which he did after I had shown them both the original version of the papers that went to Council.