

## DECISION NOTICE: REFERRAL FOR INVESTIGATION

### Reference: Case No. 12 (i) (a)

The Referrals (Assessment) Sub-Committee appointed by Huntingdonshire District Council resolved to exclude the public from the Sub-Committee's proceedings under paragraph 7(c) of Schedule 12A to the Local Government Act 1972 and paragraph 8(b) of the Standards Committee (England) Regulations 2008. In these circumstances, all parties associated with the complaint are requested to exercise caution when discussing or passing on information that is in the notice or about the notice.

### Complaint

On 17th and 25th March 2009, the Referrals (Assessment) Sub-Committee of this authority comprising Messrs. P L Bootham (Chairman) and G Watkins and Councillor G S E Thorpe considered a complaint from Mr A Bartle concerning the alleged conduct of Councillor D C Youles a Member of Yaxley Parish Council. A summary of the complaint is set out below.

The complaint alleged that Councillor Youles had breached paragraph 3 (2) (b) of the Parish Council's Code of Conduct which states that –

“3. (2) You must not –  
(b) bully any person”.

The complaint alleged –

that Councillor Youles had engaged in “insulting, aggressive, condescending and abusive behaviour” at a meeting of Yaxley Parish Council confirmed in a petition containing 14 signatories.

### Decision

In accordance with Section 57A(2) of the Local Government Act 2000, as amended, the Referrals (Assessment) Sub-Committee of the Standards Committee decided to refer the allegations in respect of bullying another person to the Monitoring Officer for investigation.

### Potential Breaches of the Code of Conduct Identified

The Sub-Committee has identified below the paragraphs of the Code of Conduct which may apply to the alleged conduct. The investigator will determine which paragraphs are relevant during the course of the investigation –

- ◆ bullying (paragraph 3 (2) (b)).

This Decision Notice is sent to the person or person(s) making the allegation, the Member against whom the allegation is made and to the Clerk of Yaxley Parish Council.

In reaching this decision, the Sub-Committee had regard to the potential seriousness of the allegation in general and the statement signed by 14 signatories and therefore considered it necessary to establish through investigation whether Councillor Youles had engaged in bullying behaviour, involving members of the public.

**What happens now?**

The Monitoring Officer will appoint an Investigating Officer to investigate the allegation of misconduct. Investigations are undertaken and a report completed within six months of the original complaint being assessed by the Referrals (Assessment) Sub-Committee.

Further information on the investigation process is available on the website of the Standards Board for England at [www.Standardsboard.gov.uk](http://www.Standardsboard.gov.uk)

**Terms of Reference**

The Local Government and Public Involvement in Health Act 2007 amends the Local Government Act 2000, which now provides for the local assessment of new complaints that Members of relevant authorities may have breached the Code of Conduct. The Standards Committee (England) Regulations 2008 relate to the conduct of local authority Members and the requirements for dealing with this.

The local regulations set out the framework for the operation of a locally based system for the assessment, referral and investigation of complaints of misconduct by Members of authorities. They amend and re-enact existing provisions in both the Relevant Authorities (Standards Committees) Regulations 2001, as amended, and the Local Authorities (Code of Conduct) (Local Determination) Regulations 2003, as amended.

**Signed:** ..... **Date:** .....  
Mr P L Boothman  
Chairman of Sub-Committee