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HERTSMERE BOROUGH COUNCIL

STANDARDS COMMITTEE - 4 December 2023

**DECISION FOLLOWING A HEARING OF A COMPLAINT BY
[REDACTED] AGAINST COUNCILLOR SANDRA PARNELL
OF ELSTREE & BOREHAMWOOD TOWN COUNCIL**

Case No: HBC2022/0006

MEMBERSHIP

Cllrs Rebecca Challice (Chair), Morris Bright, Richard Butler, Alan Plancey and Chris Shenton (Vice-Chair)

ALSO PRESENT

Mr Geoff Corre - Independent Person
Allan Witherick - Advisor and Clerk
Harvey Patterson - Monitoring Officer

BACKGROUND:-

1. The complainant alleged that on 22 April 2022 Councillor Sandra Parnell of Elstree & Borehamwood Town Council failed to comply with the requirements of the Members Code of Conduct of Elstree & Borehamwood Town Council by making disrespectful and bullying remarks about the complainant in an email copied to all Town Councillors and a number of local residents.
2. In accordance with the Council's adopted Statement of Arrangements, the complaint was referred to the Standards Assessment Panel on 17 June 2022. The Panel resolved to refer the complaint to the Monitoring Officer under the Council's informal dispute resolution procedure to request that Councillor Parnell considers apologising in writing to the complainant within 21 days.
3. Councillor Parnell declined to offer an apology and the complaint was referred to the next meeting of the Standards Assessment Panel on 7 November 2022. The Panel resolved to refer the complaint to the Monitoring Officer to procure an investigation of the complaint.
4. The Monitoring Officer conducted an investigation and prepared a report of his findings on 7 April 2023. In his report he concluded that Councillor Parnell did not bully the complainant, but had failed to treat him with respect. To that extent the Monitoring Officer considered that Councillor Parnell had failed to comply with the requirements of Paragraph 1.1 of the Members Code of Conduct of Elstree & Borehamwood Town Council and he referred his report to the Standards Committee to conduct a hearing of the complaint.

SUMMARY OF HEARING:-

5. The Committee resolved to exclude the press and public to prevent the disclosure of exempt information relating to the complainant and Councillor Parnell. Members were advised that Councillor Parnell had given notice of her intention not to attend the hearing but that the Committee had the power to conduct the hearing in her absence.
6. The Committee agreed to proceed and requested the Monitoring to present his investigation report at the conclusion of which the Monitoring Officer responded to a number of questions from members. The Monitoring Officer then left the meeting in order that the Committee could hear and have regard to the views of the Independent Person before deliberating and reaching a decision as to whether or not Councillor Parnell had failed to comply with any of the requirements of the Members Code of Conduct of Elstree & Borehamwood Town Council.
7. The Independent Person supported the conclusions in the report of the Monitoring Officer.
8. Members then considered the evidence before them and determined :-
 - 1) That Councillor Parnell was acting in an official capacity when she composed and sent the email in question because she had used her Town Council email address which referenced her office as the Deputy Mayor of the Town Council and Chair of the Town Council's General Management Committee and because she had also copied in all the other members of the Town Council;
 - 2) That on a common sense reading of the email, Councillor Parnell had failed to treat the complainant with respect in breach of Paragraph 1.1 of the Members Code of Conduct of Elstree & Borehamwood Town Council; and
 - 3) Although Councillor Parnell had failed to treat the complainant with respect, her conduct did not constitute bullying behaviour.
9. The Monitoring Officer was then invited back in to the meeting to address the Members on the sanctions available. The views of the Independent Person were sought before the Committee deliberated on this.
10. Taking into account that the Committee did not find that Councillor Parnell's conduct amounted to bullying behaviour and that the process of assessment, investigation and hearing was, of itself, time consuming and stressful, it would not be appropriate to pass a formal motion of censure against Councillor Parnell as that would be recorded in the minutes of the meeting and form part of the permanent record of the Committee. Instead, the Monitoring Officer would be instructed to write to Councillor Parnell expressing the Committee's disapproval of her conduct and that she had declined the request of the Standards Assessment Panel to offer an apology to the complainant which would have avoided the need for an investigation and hearing.

FORMAL DECISION:-

1. That Councillor Sandra Parnell of Elstree and Borehamwood Town Council failed to comply with the requirements of Paragraph 1.1 of the Members Code of Conduct of Elstree and Borehamwood Town Council in that on 22 April 2022 she sent an email to all members of the Town Council and to a number of members

of the public which in its contents failed to treat the complainant, [REDACTED], with respect.

2. That the Monitoring Officer be instructed to write to Councillor Sandra Parnell in the terms outlined in Paragraph 10 of this decision notice.

Finality of Decision

There is no right to appeal the decisions of the Standards Committee

Distribution

In accordance with the Council adopted arrangements, copies of this decision will be provided to:-

- The Complainant - [REDACTED]
- The Subject Member - Councillor Sandra Parnell of Elstree & Borehamwood Town Council
- The Clerk to Elstree & Borehamwood Town Council

A copy will also be posted on the Council's web site for a minimum of 56 days.

Signed



Date

27 December 2023

Monitoring Officer - for and on behalf of the Chair of the Standards Committee