

DECISION NOTICE
Reference Number: BDC 048

Name of complainant	██████████
Name of Subject Member	Councillor M Caplin
Authority	Weasenham Parish Council
Summary of Complaint	Councillor Caplin breached the Weasenham Parish Council code of conduct by making offensive remarks to ██████████ at a meeting of Weasenham Parish Council on 23 November 2015 as detailed in the Investigators report.
Hearing Panel Decision Reached	Councillor Caplin had breached the Code of Conduct. This decision notice will be published on Breckland Council website, and the Parish Clerk will be notified, but no further sanctions shall be recommended to the Parish Council.
Reason for Decision	<p>It was clear that the comment made by Councillor Caplin to ██████████ was made whilst Councillor Caplin was acting in her capacity as a Parish Councillor, and whilst she was conducting the business of the office to which she was elected. The Weasenham Parish Code of Conduct therefore applies.</p> <p>The Weasenham Parish Council code of conduct states that during the course of acting as a Councillor a Member shall 'behave in such a way that a reasonable person would regard as respectful'.</p> <p>Whilst there is a dispute as to the precise words used, there is no dispute as to the sentiment behind the words used. The sentiment conveyed was disrespectful and therefore there has been a breach of the code of conduct.</p> <p>The Panel considered that there were historical and deep-seated issues between the complainant and more than one elected member of the parish council. The Panel further considered that, whilst there had been a breach, there had been a substantial degree of provocation and that this should be reflected when determining sanctions.</p> <p>The Panel noted that the Independent Person, Tony Wicks, supported the views of the Panel on both the issue of breach and the issue of sanctions.</p>

Signed: **Signed electronically by Councillor W Borrett**

Chairman, Governance & Audit Committee, Breckland Council

Date of Decision: 23 March 2017