

**Standards Committee**

**HEARING DECISION NOTICE**

**In relation to:**

**Code of Conduct Complaints relating to Steyning Parish Council**

**Reference: 003237, 003254, 003270, 003269, 11860, 11861, 003210, 003234, 003255**

<p><b><u>Date of Committee Hearing</u></b></p> <p><b><u>Part 1</u></b></p> <p><b><u>Part 2</u></b></p>	<p>2 December 2024</p> <p>13 January 2025</p>
<p><b><u>Parties to the complaints</u></b></p> <p><b><u>Council or Parish Council</u></b></p>	<p>Councillor Paul Campbell</p> <p>Councillor Karen Foxwell</p> <p>Councillor Simon Alexander</p> <p>Councillor Norcross</p> <p>Councillor Young</p> <p>Councillor Linfield</p> <p>Councillor Bell</p> <p>Councillor Lloyd</p> <p>Councillor Ballance</p> <p>Steyning Parish Council</p>
<p><b><u>Membership of the Standards Committee Hearing</u></b></p>	<p>Councillor Jon Olson (Chairman)</p> <p>Councillor Belinda Walters (Vice-Chairman)</p> <p>Councillor Mark Baynham</p> <p>Councillor Lynn Lambert</p>

<b><u>Legal Adviser to Standards Committee</u></b>	Kirstie Leighton, Litigation and Governance Solicitor
<b><u>Monitoring Officer</u></b>  <b><u>Deputy Monitoring Officer</u></b>	Lauren Kelly  Robert Baxendale  (It should be noted that neither the Monitoring Officer nor the Deputy Monitoring Officer have investigated the complaints nor advised the Standards Committee)
<b><u>Investigating Officer</u></b>	Franca Currall, Solicitor (with previous deputy Monitoring Officer experience in the standards arena)
<b><u>Independent Person</u></b>	Mr John Donaldson
<b><u>Background</u></b>	<p><b><u>Introduction</u></b></p> <p>Steyning Parish Council has adopted a code that requires compliance by its members whenever they conduct council business or give the impression they are acting as representatives of Steyning Parish Council.</p> <p><b><u>Complaints</u></b></p> <p>Between 22<sup>nd</sup> August 2023 and 6<sup>th</sup> June 2024 Horsham District Council received nine complaints from Steyning Parish Councillors alleging failures to comply with the Steyning Parish Council Code of</p>

Conduct.

The complaints (and counter complaints) involve numerous Councillors and are all largely interwoven and connected.

All nine complaints have been investigated at the same time and considered by the Standards Committee (“the Committee”) in one sitting.

By way of background, there have been numerous previous code complaints stemming from Steyning Parish Council.

As such, the Council’s previous Monitoring Officer commissioned standards expert, Hoey Ainscough Associates Ltd (“Hoey”), to undertake a review of the behaviours and governance arrangements at Steyning Parish Council. This review led to the production of a report detailing several recommendations for adoption to help improve governance and relations.

The current set of complaints (the subject of this report) were received after 26<sup>th</sup> July 2023 (following a committee meeting which resolved that all previous complaints would be deemed concluded by way of informal resolution under the Hoey intervention).

The Monitoring Officer consulted the Independent Person in relation to the nine complaints and decided that, on this occasion, the complaints should be formally investigated.

**Investigation**

The Investigating Officer considered each of the nine complaints and grouped them together for reporting purposes.

The Investigating Officer's first report considers four complaints lodged by Councillor Campbell against (i) Councillor Karon Foxwell, (ii) Councillors Norcross, Young, Bell, Alexander, Linfield and Lloyd, (iii) Councillor Ballance, and, (iv) Councillor Alexander.

The Investigating Officer's second report considers a complaint lodged by Councillor Campbell against Councillor Norcross.

The Investigating Officer's third report considers a complaint lodged by Councillor Campbell against Councillors Norcross and Young.

The Investigating Officer found no evidence of code breaches pertaining to any of the complaints contained in the three reports.

The Investigating Officer's fourth report considers three complaints against Councillor Campbell lodged by (i) Councillor Ballance, (ii) Councillor Foxwell, and, (iii) Councillors Norcross, Young, Linfield, Alexander, Bell & Lloyd.

The Investigating Officer found evidence of code breaches pertaining to the complaints contained in this report.

Following the investigation of the nine complaints, they were put before the Committee, by way of a hearing, for determination.

#### **The hearing**

The hearing was held in two parts. The first part took place on 2 December 2024 (Part 1) and the Committee considered the complaints, heard from the Investigating Officer and the Independent Person and heard oral testimony from various parties to the complaints.

The Committee adjourned the hearing to 13<sup>th</sup> January 2025 (Part 2),

to deliberate and sought advice from the Legal Adviser.

At Part 2 of the hearing, the Chairman read out a summary of the Committee's findings and this decision note reflects those findings.

It should be noted as follows:

- (i) Both the Investigating Officer and the Legal Adviser to the Committee, have had no previous dealings with or knowledge of the history at Steyning Parish Council;
- (ii) The Committee applied the "balance of probabilities test" in considering its findings. That is to say the Committee was satisfied that a breach occurred if it considered that, on the evidence, a breach was more likely than not; and
- (iii) In its deliberations, the Committee considered (a) the complaints, (b) the response to the complaints, (c) associated representations made throughout, (d) the Independent Person's Report, (e) the Investigating Officer's Report, (f) the full bundle of papers detailing the evidence, the hard copy files that contained complaint forms and attached documents relating to the first seven complaints from 2023, (g) the documentation received from Councillor Campbell on the day of the hearing (as listed below\*) (as well as an email on 12 December 2024), (h) comments from all parties to the complaints on the draft reports, (i) the Steyning Parish Council Code of Conduct, (j) the oral testimony provided by some parties to the complaint at Part I of the hearing, (k) a lever arch file containing material pertaining to previous code complaints at the request of Councillor Campbell, (l) the council's procedure for dealing with code complaints, and, (m) the advice of both the Legal Advisor (which contained reference to relevant case law)

	<p>and the Independent Person generally and regarding the imposition of sanctions.</p> <p>* The documentation (utilising the same titles as on the documents) received from Councillor Campbell on the day of the hearing included the following papers:-</p> <ul style="list-style-type: none"> <li>• Opening address by Councillor Campbell on 2 December 2024;</li> <li>• Report 1: Pages 18 to 40 of Documents Pack – Campbell Commentary;</li> <li>• Report 2: Pages 41 to 73 of Documents Pack – Campbell Commentary;</li> <li>• Report 3: Pages 74 to 94 of Reports Pack – Campbell Commentary;</li> <li>• Report 4: Pages 95 to 178 of Reports Bundle – Campbell Commentary; and</li> <li>• Campbell’s Case in a Nutshell].</li> </ul> <p>The Committee found no evidence of breaches in relation to six complaints and found evidence of breaches in relation to three complaints.</p> <p>The Committee’s findings are detailed below.</p>
<p><b><u>Executive Summary</u></b></p>	<p><b><u>No breaches of the Code of Conduct</u></b></p> <p>The Committee found no evidence of code breaches lodged by Councillor Campbell against various parties in the following complaints:</p> <ol style="list-style-type: none"> <li>1. A code complaint lodged by Councillor Campbell against Councillor Foxwell on 25<sup>th</sup> August 2023 (“Complaint 1”) [File</li> </ol>

Ref: 003237];

2. A code complaint lodged by Councillor Campbell against Councillors Norcross, Young, Bell, Alexander, Linfield and Lloyd on 13<sup>th</sup> September 2023 (“Complaint 2”) [File Ref: 003269];
3. A code complaint lodged by Councillor Campbell against Councillor Ballance on 13<sup>th</sup> September 2023 (“Complaint 3”);[File Ref: 003270];
4. A code complaint lodged by Councillor Campbell against Councillor Alexander on 30<sup>th</sup> August 2023 (“Complaint 4”) [File Ref:003254];
5. A code complaint lodged by Councillor Campbell against Councillor Norcross on 26<sup>th</sup> May 2024 (“Complaint 5”) [File Ref:11860]; and
6. A code complaint lodged by Councillor Campbell against Councillors Norcross and Young on 6<sup>th</sup> June 2024 (“Complaint 6”) [File Ref:11861].

#### **Breaches of the Code of Conduct**

The Committee found evidence of code breaches lodged by various Parish Councillors at Steyning Parish Council against Councillor Campbell in the following complaints:

1. A code complaint lodged by Councillor Ballance against Councillor Campbell on 6<sup>th</sup> September 2023 (“Complaint 7”);[File Ref: 003210];
2. A code complaint lodged by Councillor Foxwell against Councillor Campbell on 22<sup>nd</sup> August 2023 (“Complaint 8”); [File Ref:003234]; and
3. A code complaint lodged by Councillors Norcross, Young, Linfield, Bell and Lloyd against Councillor Campbell on 1<sup>st</sup> September 2023 (“Complaint 9”) [File Ref:003255].

**Detailed findings of the Standards Committee hearing**

**A. Complaints - no finding of code breaches:**

**Complaint 1: Councillor Campbell v Councillor Foxwell  
(Investigators File Ref: 003237)**

In this complaint dated 25<sup>th</sup> August 2023, Councillor Campbell alleges that Councillor Foxwell has breached the following limbs of the code of conduct: (i) Respect, and, (ii) Bullying, Harassment and Discrimination.

To support his claim, Councillor Campbell states (paraphrased) that (i) he submitted the complaint *“as a result of Councillors Foxwell’s complaint against me which I say is a culmination of bullying by ostracism and abuse of power and gaslighting”*, and, (ii) Councillor Foxwell breached Steyning Parish Council’s Code of Conduct in respect of treating other Councillors and members of the public with respect and that she should not subject individuals, groups of people or organisations to personal attacks and not bully any person.

In summary, Councillor Campbell referred to Councillor Foxwell’s complaint against him as *“Particulars of Code Complaint Foxwell v Campbell”* and provided a line-by-line analysis of the complaint against him and provided no examples of code breaches.

The Committee found no evidence of a code breach as they were unable to identify any documentation or evidence to substantiate any claim of disrespect, bullying or harassment. Instead, they found that the wording and tone of the relevant emails was respectful and factual and addressed the points in a professional and appropriate manner.

**Complaint 2: Councillor Campbell v Councillors Norcross, Young,**



**Bell, Alexander, Linfield and Lloyd (“the Councillors”)**

**(Investigators File Ref: 003269)**

In this complaint dated 13<sup>th</sup> September 2023, Councillor Campbell alleges that the Councillors have breached the following limbs of the code of conduct: (i) Respect, and, (ii) Bullying, Harassment and Discrimination.

To support his claim, Councillor Campbell cites that (paraphrased) (i) he has been subject to “*malicious, insulting and humiliating false claims*”, and, (ii) there has been a “*co-ordinated abuse of power intended to bully and victimise him and make him feel isolated, vulnerable, undermined, upset, humiliated and denigrated*”.

In summary, this complaint comprised a complaint form with 232 pages attached to it. Particularly of note was the 9 pages of commentary in which Councillor Campbell mentions previous code complaints in name and reference number and also refers to issues going back to 2020 and 2021. The complaint contained Councillor Campbell’s comments on the past years meetings and email interactions he had had with other Councillors.

The Investigating Officer considered that this complaint by Councillor Campbell was made in response to the complaint dated 1st September 2023 (File Ref: 003255) made by Councillors Norcross, Young, Bell, Alexander, Linfield and Lloyd.

The Committee found no evidence of a code breach as they were unable to identify any evidence within the emails to demonstrate insulting, malicious behaviour or victimisation. Instead, they found that the overall tone of the emails was acceptable and appropriate in the context of what was being discussed.

**Complaint 3: Councillor Campbell v Councillor Ballance**

**(Investigators File Ref: 003270)**

In this complaint dated 13<sup>th</sup> September 2023, Councillor Campbell alleges that Councillor Ballance has breached the following limbs of the code of conduct: (i) Respect, and, (ii) Bullying, Harassment and Discrimination.

In summary, this complaint is linked to a complaint by Councillor Ballance against Councillor Campbell, dated 6th September 2023, (File Ref: 003210) and comprised several documents (which were also contained in some of Councillor Campbell's other complaints). However, it was not tailored to specify the exact nature of the complaint against Councillor Ballance.

As such, the Committee found no evidence of a code breach because no evidence was found within the documentation supplied to support such a claim.

**Complaint 4: Councillor Campbell v Councillor Alexander  
(Investigators File Ref: 003254)**

In this complaint dated 6th September 2023, Councillor Campbell alleges that Councillor Alexander has breached the following limbs of the code of conduct: (i) Respect, and, (ii) Bullying, Harassment and Discrimination.

To support his claim, Councillor Campbell cites an email dated 10th August 2022 and an email dated 30th August 2023 in which he alleges that he has improperly been refused information and this is disrespectful and amounts to bullying as these are attempts to *"silence me and drive me to resignation by supporting the Clerk in defying Hoey"*. Councillor Campbell further states that this is a continuation of a pattern going back years.

The Committee found no evidence of a code breach as no evidence was identified to support such a claim.

**Complaint 5: Councillor Campbell v Councillor Norcross  
(Investigators File Ref: 11860)**

In this complaint dated 26<sup>th</sup> May 2024, Councillor Campbell alleges that Councillor Norcross has breached the following limbs of the Code of Conduct (i) Respect, (ii) Bullying, Harassment and Discrimination, (iii) Impartiality, (iv) Access to Information, (v) Disrepute, and, (vi) Misuse of Position.

To support his claim, Councillor Campbell cites that in a (i) committee meeting, Councillor Norcross (paraphrased) "*hectoring and badgering him, doubted his competence, truthfulness, interrupted him and employed heavy sarcasm*", and, (ii) council meeting, Councillor Norcross made an untrue statement and that her behaviour was disrespectful and bullying.

This complaint concerns two separate incidents which took place in council meetings on 14<sup>th</sup> and 20<sup>th</sup> May 2024 where Councillor Campbell thought that the behaviours displayed towards him were inappropriate.

The Committee found no evidence of a code breach because the meeting was conducted in a fair and proper way with everyone being allowed to make statements about their motivations and discuss the matter in question. They found, therefore, that the way the meeting was chaired was appropriate in all the circumstances.

**Complaint 6: Councillor Campbell v Councillors Norcross and Young  
(Investigators File Ref: 11861)**

In this complaint dated 6<sup>th</sup> June 2024, Councillor Campbell alleges that Councillors Norcross and Young have breached the following limbs of the code of conduct: (i) Respect, (ii) Bullying, Harassment and Discrimination, (iii) Impartiality, (iv) Access to Information, (v) Disrepute, and, (vi) Misuse of Position.

To support his claim, Councillor Campbell cites that both Councillors (paraphrased) *“devised and participated in a collusive process with the clerk...wrongly depriving me of information to which I am entitled and which I need in order to perform my role as a councillor”*.

In summary, Councillor Campbell lodged this complaint as he felt that both councillors (in their capacity as members of the Steyning Parish Council’s Freedom of Information (FOI) panel), had wrongly deprived him of information to which he believed he was entitled under the freedom of information regime.

Councillor Campbell referred the Parish Council’s refusal to provide information to the Information Commissioner’s Office (the ICO) which determined that Steyning Parish Council’s reasons for refusing Councillor Campbell’s information requests were incorrect and that Steyning Parish Council could not, without additional evidence, rely on an exemption to withhold information under the Freedom of Information Act 2000. That said, the Committee did not think that the ICO’s findings provide evidence of a code breach.

In addition, the Committee found that the tone of communications was appropriate, respectful, factual, within the remit of their role dealing with information requests and did not compromise Steyning Parish Council or anyone else.

As such, the Committee found no evidence of a code breach.

**B. Complaints - finding of code breaches:**

In addition to the documentation referred to above, the Committee had regard to guidance contained in the Local Government Association Guidance on the Model Councillor Code of Conduct 2020 as outlined below:

**The definition of “Respect”:**

*As a councillor:*

*I treat other councillors and members of the public with respect. I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.*

The guidance states that respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a Councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack. Further that in contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public’s expectations and confidence in Councillors.

**The definition of “Bullying, harassment and discrimination”:**

*As a Councillor:*

*I do not bully any person.*

*I do not harass any person.*

*I promote equalities and do not discriminate unlawfully against any person.*

The guidance states that the Advisory, Conciliation and Arbitration

Service characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient.

Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

**The definition of “disrepute”:**

*As a Councillor:*

*I do not bring my role or local authority into disrepute.*

The guidance states as a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public’s confidence in your or your local authority’s ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

**Complaint 7: Councillor Ballance v Councillor Campbell  
(Investigators File Ref: 003210)**

In this complaint, Councillor Ballance alleges that Councillor Campbell has breached the following limbs of the code of conduct:

(i) Respect, and, (ii) Bullying, Harassment and Discrimination.

To support his claim, Councillor Ballance cites, amongst other things, that the Parish Clerk was being undermined in emails concerning grant applications and the play equipment on the Memorial Playing Fields (“MPF”).

In summary, this complaint was lodged by Councillor Balance against Councillor Campbell on 6 September 2023. Councillor Ballance alleges that the Parish Clerk is being undermined by Councillor Campbell sending a series of emails, which were sometimes copied to all Steyning Parish Council Councillors. The matters referred to in the various emails concerned the Steyning Ukraine Refugee grant application and a missing swing in the play area of the MPF.

The Committee considered several emails involving chains of communications. They considered, in particular, (i) an email of 17 August 2023 sent by Councillor Campbell to the Parish Clerk regarding a *“Long missing swing at the MPF”*, (ii) an email of 5 September 2023 sent by Councillor Campbell to the Parish Clerk and all Steyning Parish Council Councillors, in relation to Councillor Campbell’s FOI request, and, (iii) an email of 16 August 2023 sent by Councillor Campbell to all Steyning Parish Council Councillors in relation to the use of officer time to undertake an administrative task.

They considered too an email of 3 August 2023 (that evolves into a chain of emails to 16 August 2023), where Councillor Campbell remarked to the Parish clerk *“I ask you to reconsider the appropriateness of this time wasting and obfuscating practice”*.

The committee also had regard to the following comment made by Councillor Campbell to the Parish Clerk in an email of 17 August -

*“The thing that wastes everyone’s time is your ongoing obstruction of the provision of timely information”.*

The Committee failed to see how Councillor Campbell’s comments are respectful given the tone of the language used and the inappropriate highlighting of certain sentences in these emails.

In addition, the Committee found that the copying in of other Steyning Parish Council Councillors to emails to the Parish Clerk, was inappropriate and amounted to bullying owing to the negative impact the communications would have on the Parish Clerk.

And, they found that the pattern of behaviour towards the Parish Clerk to be undermining and demeaning. They questioned Councillor Campbell’s motive for copying in other councillors to email communications with the Parish Clerk and assumed it was to draw any ineptitude to the attention of others.

Further, the Committee concluded that Councillor Campbell continually challenges the Parish Clerk in an unprofessional and overly confrontational manner.

The Committee identified an email of 9 August 2023 (in response to an email from the Parish Clerk) where Councillor Campbell refers to *“double speak”* and where he has deliberately underlined certain words which were, for example *“obscures, disguises and distorts the meaning of words and intentional ambiguity”*.

The Committee identified a further example contained in an email of 5 September 2023 where Councillor Campbell replied to the Parish Clerk again copying in other Steyning Parish Council Councillors. In that email, Councillor Campbell said to the Parish Clerk, *“You are also now expressly advocating unlawful decision-making with your references to “superfluous” debate”*. In that same



email, Councillor Campbell highlights his remarks in a blue colour.

The Committee thought that these examples demonstrate disrespectful behaviour because of the impact of the comments and nature of the emphasis that was unwarranted.

The Committee found that Councillor Campbell's comments (contained in his series of emails of 9 and 17 August and 5 September) amounted to a personal attack on the Parish Clerk which sought to undermine him. In particular they thought that the following remarks substantiated this finding: *"You are also now expressly advocating unlawful decision-making with your references to "superfluous" debate" amount to a personal attack on the Clerk.*

As such, the Committee concluded that Councillor Campbell was disrespectful and discourteous in his email communications with the Parish Clerk.

The Committee determined that the content in the emails amounted to disrespect and taken together amount to bullying due to the number of emails with a similar pattern and tone, all with an overall theme of undermining the Parish Clerk.

**Complaint 8: Councillor Karon Foxwell v Councillor Campbell  
(Investigators File Ref: 003234)**

This complaint was lodged by Councillor Foxwell on 22 August 2023, alleging that Councillor Campbell has breached the following limbs of the code of conduct: (i) Respect, (ii) Bullying and Harassment, and, (iii) Bringing the parish council into disrepute.

To support her claim, Councillor Foxwell refers to an email of 21 August 2023 sent by Councillor Campbell (who was not a member to the grant panel), direct to the grant applicant in relation to the

provision of financial information.

Within this email Councillor Campbell said as follows: *“The Parish Clerk is currently and in my opinion improperly refusing to let me see the financial information which you apparently lodged just before the last meeting. He implies that this is at your behest and that you may now be intending to reduce the request to below £250 because that is the financial limit currently given in our policy”*.

The Committee found Councillor’s Campbell’s email to be disrespectful in its tone and language and made negative comments about the Parish Clerk. They concluded that it was disrespectful to the third party and the Parish Clerk.

The Committee found that the email was clear evidence of not treating other Councillors, officers and members of the public with respect. In addition, they found that the tone and manner of that communication to amount to bullying as it was personally critical of the Parish Clerk and undermined his position.

Also, the Committee found that Councillor Campbell’s comments were a deliberate challenge and threat to the mutual trust and confidence between the Parish Clerk and Councillor Campbell. They cited the case of Mamere v France (2009) which said *“that consequently the comments do not just impact adversely on the rights and interests of the Clerk as an individual but on the public interest in good administration”*.

The Committee also found that there was a code breach in bringing the Parish Council into disrepute as evidenced in that same email.

The Committee identified the following extract written by Councillor Campbell to substantiate these code breaches:

*“the Parish Clerk is currently, in my opinion improperly refusing to let me see the financial information which you apparently lodged just before the last meeting”.*

The Committee found that this remark did not show Steyning Parish Council in a positive light in the way in which it conducts its business. They considered that that email contained open criticism undermining the Parish Clerk, referencing the Parish Clerk’s ineptitude, which was a mark of disrespect and inappropriate. Simply, the Committee found it inappropriate to criticise a fellow officer in the public arena. As such, the Committee concluded that Councillor Campbell brought the Parish Council into disrepute.

**Complaint 9: Councillors Norcross, Young, Linfield, Alexander, Bell & Lloyd (“the Councillors”) v Councillor Campbell  
(Investigators File Ref: 003255)**

In this complaint the Councillors allege that Councillor Campbell has breached the following limbs of the code of conduct: (i) Respect, (ii) Bullying, Harassment and Discrimination, and, (iii) Bringing the parish council into disrepute.

To support their claim the Councillors cited an email of 11 August 2023 in which Councillor Campbell replied to the Parish Clerk’s email of 10 August 2023. These communications related to an FOI request concerning agreements/contracts with an energy supplier. In the email of 11 August 2023 Councillor Campbell states *“as I have pointed out in another message, back in 2018 SPC successfully buried the truth about the first neighbourhood plan waste of public money and volunteer time when you and those principally responsible for the fiasco which led to its collapse.”*

Also, in that same email Councillor Campbell states *“Your subsequent attempts to cover up health and safety issues*

*concerning both adult gym equipment and children's play equipment both failed in October 2022".*

In summary, this complaint was lodged on 1 September 2023 against Councillor Campbell. It was prompted by the fact that Councillor Campbell had sent many emails to the Parish Clerk challenging either his performance or other matters under his control. The theme contained in the supporting papers to this complaint centre around Councillor Campbell requesting information and the access and entitlement to certain information.

The Committee found code breaches and evidence of disrespect and bullying.

For example, they identified two emails of 10 and 11 August 2023 where Councillor Campbell wrote *"as I have pointed out in another message, back in 2018 SPC successfully buried the truth about the first neighbourhood plan"* and *"Your subsequent attempts to cover up health and safety issues concerning both adult gym equipment and children's play equipment both failed in October 2022"*.

The Committee identified a further example in the email of 11 August 2023 where Councillor Campbell wrote *"I am afraid this response is deeply unsatisfactory as I am sure you must know. We seem to be in schrodinger's cat territory here"*.

The Committee found that Councillor Campbell's analogy to a physics theory of a cat in a box in relation to Parish business an unusual approach to adopt and one that could be aligned to the viewing of files on a particular matter. They felt and that this demonstrated negative connotations against the Parish Clerk with an implication that he may be hiding something and therefore undermining his position.

	<p>The Committee found that the tone of the emails to be unnecessarily confrontational, disrespectful and hostile towards the Parish Clerk and were persistent in nature.</p> <p>The Committee found, generally across these emails, the number of Freedom of Information requests, the sheer volume of emails sent, an apparent distrust of the Parish Clerk and the persistent and personal nature of the emails, to be a clear demonstration of disrespectful behaviour. Also, given the long period of time over which the emails were sent and their repetitive persistence, that they amount to bullying and harassment.</p> <p>The Committee found that the repeated personal criticism in emails towards the Parish Clerk unacceptable.</p>
<p><b><u>Any mitigating circumstances taken into account</u></b></p>	<p>None</p>
<p><b><u>Sanctions</u></b></p>	<p><b>The Committee thought it appropriate to recommend to Steyning Parish Council the imposition of sanctions for Councillor Paul Campbell.</b></p> <p>When considering the imposition of sanctions, the Committee had regard to the advice of the Independent Person who stated that any sanctions must be reasonable and proportionate to Councillor Campbell's behaviour.</p> <p>In addition, the Committee recognised that the imposition of sanctions would amount to an interference with Councillor Campbell's right of freedom of expression. They recognised that the sanctions must be proportionate and have a proper objective, being</p>

to support the public interest in good administration and help foster public confidence in local democracy.

**The Standards Committee recommended to Steyning Parish Council the following sanctions:**

- i. That Councillor Paul Campbell provides a formal written apology to the Parish Council and the Parish Clerk within one month of the finding of any code breaches by the Standards Committee;
- ii. Councillor Paul Campbell will not serve on any of the Steyning Parish Council's committees, sub-committees, panels or working/steering groups with the one exception to serve and attend at the Steyning Full Parish Council meeting;
- iii. Councillor Paul Campbell will not represent the Steyning Parish Council on any outside body or bodies affiliated with the council and will be removed from outside appointments;
- iv. Contact for communication for Councillor Campbell will only be via the Steyning Parish Council Chair or the Vice Chair of Steyning Parish Council. This includes: Emails, letters or verbal enquiries and requests for information;
- v. Attendance to the office is to be on an appointment basis, arranged in advance with the Chair or Vice Chair and only to meet with the Chair or Vice Chair and to attend the Full Parish Council meetings;
- vi. The Steyning Parish Council Procedures, Guidelines and Policies 1-30 must be followed by everyone and to ensure

<p><b><u>Article 10 of the European Convention of Human Rights</u></b></p>	<p>compliance Councillor Paul Campbell is required to undertake training. This will be arranged by the Chair of Steyning Parish Council with Horsham District Council’s Monitoring Officer/ or Deputy Monitoring Officer or relevant Officer as instructed by the MO. Progress reviews will take place at stages to maintain standards, improve performance and provide credibility;</p> <p>vii. The review of progress to Steyning Parish Council Procedures, Guidelines and Policies 1-30 may result in extension to sanction(s); and</p> <p>viii. These sanctions will be for a period of 16 weeks following the decision by Steyning Parish Council to implement the recommendation of the Standards Committee.</p> <p>Given that the Committee found code breaches and recommended the imposition of sanctions, it was necessary for them to consider Article 10 of the European Convention on Human Rights.</p> <p>The Committee acknowledged that Article 10(1) provides a right to freedom of expression but that this right carries duties and responsibilities. They understood that it protects the freedom to hold and express opinions, and the right to criticise and speculate.</p> <p>The Committee understood that Article 10 is a qualified right, meaning that it can be breached if the interference is justified under Article 10(2).</p> <p>Article 10(2) prescribes that interference with the right can be justified where this is prescribed by law and is necessary in a democratic society, pursuant to a legitimate aim. A fair balance must be struck between the demands of the general interests of the community and the protection of an individual's fundamental rights.</p>
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Therefore, the Committee had regard to the following:

First, to Councillor Campbell's protected rights under Article 10 and noted that they are under an obligation to balance Councillor Campbell's rights to freedom of expression against the rights of others; and

Second, to balancing the aim of upholding public standards in local government through compliance with local authorities' codes of conduct and the importance of upholding members' rights to freedom of expression under Article 10.

They accepted that both the Committee's findings and the imposition of any sanctions constitute a breach of Article 10. However, they concluded that they are justified under Article 10(2) and adopted the following test to assist them in their deliberations as adopted in the High Court cases of Sanders v Kingston [2005] and R (Calver) v Public Services Ombudsman for Wales [2012].

Therefore, the Committee considered the following three questions:

Question 1: "was the Committee entitled to conclude that Councillor Campbell's conduct breached the Code of Conduct?"

Question 2: "if so, was the finding that Councillor Campbell had breached the code or the imposition of a sanction a breach of Article 10?"

Question 3: "If so, was the breach or imposition of a sanction justified under Article 10(2)."

The Committee responded as follows:



Response to question 1:

The Committee was entitled to conclude that Councillor's Campbell's behaviour was in breach of the Code since it amounted to such and is substantiated by the evidence they identified. Councillor Campbell was acting in his official capacity as a Councillor when corresponding with the Parish Clerk and his behaviours were disrespectful, inappropriate, discourteous, and on occasions amounted to bullying and brought his office into disrepute.

Response to question 2:

The Committee's findings of a breach (and the imposition of any sanctions) does constitute a breach of Councillor Campbell's Article 10 rights, however, the primary issue relates to whether the interference can be justified under Article 10(2).

Response to question 3:

The Committee found that (and what is made clear from case law) when considering their justification, is that "political expression" or the "expression of a political view" attract a higher degree of protection while expressions in personal or abusive terms do not attract the same level of protection.

The Committee concluded that the comments made by Councillor Campbell were not expressions of a political view, but an unjustified personal and generic attack on the Parish Clerk that undermined confidence in local government.

The Committee said that whilst it is expected that public officers are to have thicker skins than those not in the public sector, they still expect to be treated with respect and not bullied etc. Officers

	<p>should not be subject to personal unwarranted comments on email or any other form. The Committee found that the comments made by Councillor Campbell strayed beyond what is acceptable in terms of respect and on occasions their persistence and personal nature amounted to bullying.</p> <p>The Committee said that is important for local politicians to ensure that comments they make can reasonably and properly be regarded as raising issues of a legitimate topic of political debate rather than an attack, as seen by them, and as outlined in the evidence they identified and the Investigating Officer's Report, leading to a breach of Steyning Parish Council's Code of Conduct.</p> <p>The Committee acknowledged that their findings interfere with Councillor Campbells' rights, but fulfil a pressing social need, and are proportionate to the aim of protecting the Parish Clerk and upholding the standards regime.</p> <p>In addition, the Committee was satisfied that the sanctions were the minimum required to uphold the public confidence in the standards regime and to protect the Parish Clerk.</p>
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**Signed:**            **Lauren Kelly (electronically)**

**Monitoring Officer**

**Date:**            **22 January 2025**