



SUMMARY OF HEARING PANEL DECISION AND RECOMMENDATIONS AND REASONS

On 12th March 2024, the Hearing Panel of the Governance Committee of Dover District Council considered the report of an investigation into the alleged conduct of Councillor Paul Carter, a member of Sandwich Town Council.

On 5th August 2022 a member of the public submitted a complaint to the Monitoring Officer at Dover District Council in which he alleged that Councillor Paul Carter submitted a false allegation of harassment to the Police against him solely because he had previously complained about Councillor Paul Carter's conduct. (At the time of the Police report by Councillor Paul Carter there was a live investigation into the previous complaint made against him).

The Hearing Panel considered the report of the Investigating Officer and heard from the Monitoring Officer, the Independent Persons, the Investigating Officer, Councillor Paul Carter and his witnesses.

The Hearing Panel noted the Local Government Association guidance that once there is a possibility of a complaint that the Code of Conduct has been breached, Councillors need to be alert to how their behaviour towards a complainant may be viewed. However innocently the contact is intended or may appear great care should be taken when Councillors deal with people involved with their case. The Hearing Panel were of the opinion that no such care had been taken by Councillor Paul Carter in this regard.

The Hearing Panel determined that when Councillor Paul Carter made a report to the Police, he was acting in his capacity as a Councillor and that he had breached the Sandwich Town Council's Code of Conduct:

- Paragraph 3(2)(b) You must not intimidate or attempt to intimidate any person who is or is likely to be a complainant, a witness or involved in the administration of any investigation or proceedings, in relation to an allegation that a member (including yourself) has failed to comply with this Code.

Sanction:

The Hearing Panel applied the following sanction:

- 5.1(d) Instructing the Monitoring Officer to arrange refresher training for Councillor Paul Carter with reference to capacity and the Kent Code of Conduct from which the Sandwich Town Council Code is taken. Training should be undertaken, where practicable, within six weeks.