


Complaint Form – Code of Conduct for Members

Important: Please read Dudley Council's arrangements for dealing with standards allegations under the Localism Act 2011 before completing this form. This document includes the Members' Code of Conduct and is published on our website and available from the Monitoring Officer (contact details are shown below).

To: The Monitoring Officer, Dudley MBC

A. Your details

Please provide us with your name and contact details. The Council will not investigate anonymous complaints, unless there is a clear public interest in doing so.

Title:	Cllr
First name:	Cathryn
Last name:	Bayton
Address:	9 Mayfair Drive Kingswinford West Mids
Contact telephone:	07795528821
Email address:	Cllr.Cathryn.Bayton@Dudleymbc.org.uk
Signature:	
Date of complaint:	18.11.22 Refers to incident on 7th November 22

There is a presumption that a complainant will not be allowed to claim confidentiality unless there are exceptional circumstances.

If you want to keep your name, address or personal contact details confidential, please indicate this in Section C together with the reasons for doing so.

If you complete Section C of this form, we will not immediately disclose your name and other information to the Member against whom you make the complaint, without your prior consent and/or without taking further advice based on the circumstances

of the case.

B. Making your complaint

Please provide us with the name of the Member(s) you believe have breached the Council's Code of Conduct:

Title	First name	Last name
Cllr	Rob	Clinton

Please explain below (or on separate sheet(s)) what the Member is alleged to have done that you believe breaches the Code of Conduct. You should identify the specific provision(s) that you feel the Member has breached. If you are complaining about more than one member you should clearly explain what each individual person has done, with dates / witnesses to substantiate the alleged breach.

It is important that you provide all the evidence you wish to have taken into account when we make a decision as to whether to take any action on your complaint or not.

For example:

- You should be specific, wherever possible, about exactly what you are alleging the Member said or did. For instance, instead of writing that the Member insulted you, you should state what it was they said or did to insult you.
- You should provide the dates of the alleged incidents wherever possible. If you cannot provide exact dates it is important to give a general timeframe.
- You should confirm whether there are any witnesses to the alleged conduct and provide their names and contact details if possible.
- You should provide any relevant background information or other relevant documentary evidence to support your allegation(s).

Please provide us with the details of your complaint. Continue on a separate sheet if there is not enough space on this form.

Dudley Community Forum on Monday 7th November.

Witnesses: Council Officers: Steve Griffiths; Jackie Scott; Myada Abuaffan; Aaron Lawrence; Davinda Tiwana;

Cllrs present; myself (vice chair); Cllr Qari; Cllr Barnett; Cllr Mughal; Cllr Ali; Cllr Cowell (chair); Cllr E Taylor; Cllr Casey; Cllr Aston; Cllr Finch; Cllr Bothul; Cllr Sullivan; Cllr Clinton; Cllr Corfield

External presenters present: YMCA; Thrive At Work; Alzheimers Society

Apprx 20 members of public

Firstly the addresses as per the electoral roll needs to be checked and confirmed to see if they had entitlement to attend the forum. Mrs Corfield; Mr Muhammed Ali; Ms Bhavna Singh; Ms Cope. We believe some or all may not reside within the geographical area of the forum.

It appeared during the meeting that Mr M Ali, Ms Cope and Ms Singh were all there in direct support of councillor Clinton.

The incident arose from the report read out by the chair on the agreed funding

allocations and was in direct reference to the final item, on the Quarry Bank Christmas Lights. The original discussion had been at the previous funding panel meeting when a deferral was agreed pending more information because the application had been submitted in the name of Cllr Clinton and we needed officers to confirm under new procedures that this was allowed as previously councillors have not been able to submit applications. Also the cost of 13k in the current circumstances was felt to be too high. All other forums had received funding requests for Christmas lights/trees from Public Realm. The only quote presented at the panel was 13k, in subsequent email exchanges a further 3 quotes were produced and the application amended to Public Realm's name in order for the 3 QB councillors to make a decision. It also became clear from these emails that Cllr Clinton had been on a site visit with officers and was personally aware of the alternative quotes but did not make them available to anyone else. A decision was reached verbally outside of the two meetings by the 3 QB councillors and all that was required then was for this to be communicated as per meeting guidelines with no discussion allowed and all councillors were aware of this.

The community forum started with the election of Chair and Vice Chair. Mr M Ali questioned the process for this asking if the public got a vote. The chair clarified.

When the chair read out the forum funding details and made it clear it was information only, Mr Ali again interrupted and wanted to know if members of the public had a say in the allocation and why weren't we spending £13000. He was advised they didn't have a say and it was councillors only. At this point another member of the public, Mrs Colbourne, jumped in about the problems she had previously in securing funding. Then Ms Cope shouted out demanding to know how many lights the agreed allocation would provide? The chair advised and stated again that this was not a discussion item and that she was moving on. Cllr Clinton had his hand up to speak and Cllr Corfield, who is not a representative of QB started shouting without being called by the chair. He made a statement that there were 15 councillors in the room and only 4 were leaders the other 11 followed and that only 4 of them did anything for residents. This provoked a response from Cllr Taylor. Vice Chair took the mic (which worked only intermittently) and reminded people that this was a public meeting and they needed to treat each other with respect. Cllr Corfield stood up and continued to shout in his exchange with Cllr Taylor. Cllr Clinton was also standing and then took over waving papers and shouting, the chair again said she was moving on as per the guidelines and he started shouting he was being denied his democratic rights, Cllr Clinton continued shouting, waving his papers and pointing his finger at the chair and advancing towards the chair who was also on her feet and stood her ground. Cllr Ali stated that Cllr Clinton needed to stop pointing and return to his seat. Other comments were made during the process by Cllr Clinton asserting that the application was correctly made in his name. The Chair advised that Cllr Clinton was in fact the only cabinet member in the room who in effect had the power outside of this meeting to look for further funding options. Cllr Clinton replied he would do that and get the full amount request through Cabinet. My interpretation was that Councillor Clinton was behaving in an inflammatory and intimidating manner. During this time Ms Singh (Cllr Clinton's partner) had a heated verbal exchange with a member of the public sat at another table, who had stood up and said the chair needed to be respected. Someone asked if the meeting was minuted and it was asked that it was minuted that the chair was totally disrespected. Cllr Cowell in the chair resolutely stood her ground and kept reiterating that she was moving on. Cllr Clinton eventually retreated to his seat. The meeting then progressed to the World Café.

Residents witnessed this appalling behaviour from elected members and many commented afterwards that they had never seen anything like it before. The external partners who provided Market Place stalls, packed away and left during the heated exchanges. Not only was it a public embarrassment but brought their roles as elected members and ultimately the council into disrepute. There were multiple breaches of the Nolan Principles in the behaviour of the named councillors in this complaint.

Standards Breached.

Cllr Clinton - Selflessness, honesty and leadership

General Principles of Cllr Conduct Breached by Cllr

Clinton

I treat all persons fairly and with respect

I lead by example and act in a way that secures public confidence in the role of a councillor.

Cllr Clinton

I impartially exercise my responsibilities in the interests of the local community

I ensure that public resources are used prudently in accordance with my local authorities requirements and in the public interest.

C. Confidentiality of complainant and the complaint details

Only complete this next section if you are requesting that your identity is kept confidential

In the interests of fairness and the rules of natural justice, we believe that Members who are complained about have a right to know who has made the complaint and the substance of the allegation(s) made against them. We are, therefore, unlikely to withhold your personal details or the details of your complaint unless you have good reason to believe that you have justifiable grounds. For example that you believe you may be victimised or harassed by the Member(s) against whom you are submitting a written complaint (or by a person associated with the same).

If you complete this Section, we will not immediately disclose your name and other information without your prior consent. The Monitoring Officer may, however, need to take further advice based on the circumstances of the case before coming to a decision. If your request for confidentiality is not granted, the Monitoring Officer will usually allow you the opportunity of withdrawing your complaint.

However, it is important to understand that, in exceptional circumstances, where the matter complained about is very serious - we may have to proceed with an investigation (or other action) and may have no choice but to disclose your personal and complaint details, because of the allegation(s) made, even if you have expressly asked us not to.

Please provide us with details of why you believe we should withhold your name, contact information and/or the details of your complaint:

(Continue on separate sheet(s), as necessary)

D. Remedy sought

Please refer to the separate document on Dudley Council's arrangements for dealing with standards allegations under the Localism Act 2011. This document sets out examples of the action that might be considered in cases where it is found that a Member has failed to comply with the Code of Conduct.

It is important to note that a Member cannot be suspended or disqualified from office and allowances cannot be withdrawn from Members pending or following an investigation under the Council's Code of Conduct.

Please indicate the remedy or remedies you are looking for or hoping to achieve by submitting this complaint:

A written public apology to be sent to the attendees of the forum on 7th November from Cllr Clinton about their unacceptable behaviour . To include an apology for encouraging people to attend the forum who, if it is proven by investigation of the electoral register, they knew should not be there and that includes partners.

(Continue on separate sheet(s), as necessary)

E. Additional information

Complaints must be submitted in writing. This includes electronic submissions. Frivolous, vexatious and politically motivated tit-for-tat complaints are likely to be rejected.

In line with the requirements of the Disability Discrimination Act 1995 and the Equality Act 2010, we can make reasonable adjustments to assist you if you have a disability that prevents you from making your complaint in writing. We can also help if English is not your first language. If you need any support in completing this form, please contact the Monitoring Officer.

The Monitoring Officer will consider your complaint and advise you of the outcome of his initial consideration of the matter and the proposed action (if any).

Please send all completed complaint forms to: Mohammed Farooq, Monitoring Officer, Dudley MBC, The Council House, Dudley, West Midlands DY1 1HF (Tel: