

STANDARDS SUB-COMMITTEE ***Agenda***

Date Tuesday 11 November 2025

Time 10.00 am

Venue J R Clynes Second Floor Room 1 - The JR Clynes Building

Notes

1. DECLARATIONS OF INTEREST- If a Member requires advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote he/she is advised to contact Alex Bougatef or constitutional services at least 24 hours in advance of the meeting.

2. For any queries regarding this meeting, please contact
constitutional.services@oldham.gov.uk

3. FILMING - The Council, members of the public and the press may record / film / photograph or broadcast this meeting when the public and the press are not lawfully excluded. Any member of the public who attends a meeting and objects to being filmed should advise the Constitutional Services Officer who will instruct that they are not included in the filming.

Please note that anyone using recording equipment both audio and visual will not be permitted to leave the equipment in the room where a private meeting is held.

Please also note the Public attendance Protocol on the Council's Website
https://www.oldham.gov.uk/homepage/1449/attending_council_meetings

Please note the Sub-Committee and Officers will be asked to observe a period of silence at 11.00am to mark Armistice Day

MEMBERSHIP OF THE STANDARDS SUB-COMMITTEE Councillors
Byrne, Ghafoor, Harrison, Marland and Nasheen

Item No

1 Election of Chair

The Panel is asked to elect a Chair for the duration of the meeting.

2 Apologies For Absence

3 Urgent Business

Urgent business, if any, introduced by the Chair

4 Declarations of Interest

To Receive Declarations of Interest in any Contract or matter to be discussed at the meeting.

5 Assessment of Standards Complaint (Pages 3 - 206)

The attached report relates to the four complaints listed on the agenda.

6 Assessment of Standards Complaint

7 Assessment of Standards Complaint

8 Assessment of Standards Complaint



Report to Standards Sub-Committee

Consideration of Standards Complaint

Report of the Director of Legal

Hearing Date: 11th November 2025

Hearing of the Standards Sub-Committee in Consideration of a Standards Complaint

1. Purpose of Report

- 1.1 The purpose of this report is to outline the reasons for the standards hearing of the 11th November 2025 and assist the standards sub-committee by outlining the process for the hearing. The sub-committee will be required to consider the facts of the complaint, consider the investigation report, hear from the subject members and the independent investigator, an independent solicitor and make a conclusion on whether the members code of conduct has been breached and if so, what resolution should be progressed.

2. Background of Complaint received

- 2.1 The Council's Director of Legal Services & Monitoring Officer received a members code of conduct complaint regarding four elected members (The subject members). The complaint alleged that on 20th May 2024 the Council leader was meeting with two independent council members along with the Chief Executive of the Council and the Assistant Chief Executive for a confidential meeting. Later that evening a sound recording of that meeting was played on a social media site of a third-party individual. The meeting of the 20th May 2024 was a confidential meeting, and it was not clear how a recording of that meeting had been placed on social media. Upon investigation of CCTV footage from the Council building it was clear that an elected member had covertly recorded parts of the meeting from outside the meeting room. It was also noted from the CCTV that three other elected members of the same political party were viewed in close proximity of the first subject member leading to complaints against those subject members alleging that they would have known of this covert recording and were also in breach of the code of conduct.

-
- 2.2 The Director of Legal & Monitoring Officer initially assessed the complaints in conjunction with an independent person and considered that the matters could have breached the members code of conduct and were serious enough to merit full investigation. The complaints and the CCTV footage were sent to an independent solicitor to conduct a full investigation. The original subject member admitted to recording the meeting. The investigator concluded that the original subject member had breached the code of conduct, and the other three subject members had breached the code of conduct by failing to co-operate with the investigation process.
- 2.3 The full investigation report is included with the papers and must now be considered by the Standards Sub-Committee along with the complaint and the Council's Code of Conduct.

3. The Code of Conduct

- 3.1 As required under the Localism Act 2011, Oldham Council has adopted a Code of Conduct which clearly sets out the conduct that is expected of Councillors when acting in their capacity as elected members. Relevant to this complaint are the following general principles and requirements of members:

- *I act with integrity and honesty*
- *I act lawfully*
- *I treat all persons fairly and with respect; and*
- *I lead by example and act in a way that secures public confidence in the role of a Councillor.*

In undertaking my role:

- *I impartially exercise my responsibilities in the interests of the local community*
- *I do not improperly seek to confer an advantage, or disadvantage, on any person*
- *I avoid conflicts of interest*
- *I exercise reasonable care and diligence; and*
- *I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.*

As a Councillor

- *I do not disclose information:*
 - a. *given to me in confidence by anyone*

b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless

i. I have received the consent of a person authorised to give it;

ii. I am required by law to do so;

iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or

iv. the disclosure is:

1. reasonable and in the public interest; and

2. made in good faith and in compliance with the reasonable requirements of the local authority; and

3. I have consulted the Monitoring Officer prior to its release.

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

• 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.

As a Councillor:

• I do not misuse council resources.

• I will, when using the resources of the local authority or authorising their use by others:

a. act in accordance with the local authority's requirements; and

b. ensure that such resources are not used for political

purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.

• You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a Councillor.

Examples include:

- *office support*
- *stationery*
- *equipment such as phones, and computers*
- *transport*
- *access and use of local authority buildings and rooms.*

These are given to you to help you carry out your role as a

Councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

- *As a Councillor:*

I co-operate with any Code of Conduct investigation and/or determination.

4. The Hearing Process

4.1 The Standards Committee has approved a procedure for standards hearings. The process that the hearing must follow is as follows:

1. The Chair shall explain the procedure and ask all present to introduce themselves. The member against whom the complaint has been made shall be known as the Subject Members for the purpose of this procedure.
2. The Investigating Officer outlines his/her report and presents the report, including any documentary evidence and calls such individuals as he/she considers appropriate to give evidence.
3. The Subject Member or their representative may question the Investigating Officer upon the content of their report and may question any witnesses called by the Investigating Officer.
4. Members of the sub-committee may ask questions of the Investigating Officer and any witnesses called.
5. The Subject Member or their representative may present his/her case and call witnesses as required.
6. The Investigating Officer may question the Subject Member and/or any witnesses.
7. Members of the sub-committee may also question the Subject Member and/or any witnesses.
8. The Investigating Officer may sum up the complaint.
9. The Subject Member or representative may sum up their case.

-
10. Members of the sub-committee consider in private the complaint and consider whether there has been a breach of the code.
 11. In the presence of all the parties, the Chair of the sub-committee will announce the decision that either the Subject Member has failed to comply with the Code of Conduct or has not failed to follow the Code and will give reasons for their decision.
 12. If the sub-committee decides that the Subject Member has failed to follow the code, the sub-committee will give the Subject Member the opportunity to make representations on whether action or sanctions should be taken.
 13. The sub-committee will consider in private what action should be taken and then in the presence of all the parties, the chair shall announce the decision.
 14. The Chair will confirm that the decision will be provided in writing to the Subject Member within 7 days following the meeting.
 15. If the Subject Member does not attend the hearing without reasonable excuse, the hearing may proceed in his or her absence.

5. Issues to be determined

1. Have the subject members breached the code of conduct.
2. In the event that the Sub-committee finds that the Code of Conduct has been breached, it will need to determine whether a sanction should be imposed and if so, what sanction, and a timescale by which to comply with the sanction. The available sanctions options that the sub-committee can enforce are:
 - Publish its findings in respect of the Member's conduct.
 - Report its finding to Council (or to the Parish Council) for information.
 - Recommend to Council (or to the Parish Council) that the member be issued with a formal censure by motion.
 - Recommend to the Members' Group Leader (or in case of ungrouped members recommend to Council) that he/she be removed from any or all committees or sub-committees of the Council.
 - Recommend to the Leader of the Council that the Member be removed from the Executive, or removed from their portfolio responsibilities
 - Instruct the Monitoring Officer to (or recommend that the Parish Council) arrange training for the Member.
 - Recommend to Council (or recommend to the Parish Council) that the Member be removed from all outside bodies appointments to which they have been appointed or nominated by the Council (or by the Parish Council).

-
- Withdraw (or recommend to the Parish Council that it withdraws) facilities provided to the Member by the Council such as a computer, website and/or email and internet access.
 - Exclude (or recommend that that Parish Council exclude) the Member from the Council's offices or other premises, with the exception of meeting rooms as necessary for attending Council, Committee and sub-Committee meetings or place such restrictions on access to staff as may be reasonable in the circumstances.
 - Recommend (or recommend to the Parish Council) that the subject member makes an apology at the next full Council meeting.

The Standards Committee or Sub-Committee has no power to suspend or disqualify the subject member or to withdraw members' basic or special responsibility allowances.

6. Financial Implications

- 6.1 The cost to the Council of this process after the conclusion of the hearing is anticipated to be around £10,000.

7. Legal Implications

- 7.1 The sub-committee are required to consider the matters in accordance with the arrangements for dealing with complaints about members.

8. Procurement Implications

- 8.1 None

9. Equality Impact, including implications for Children and Young People

The Equality Act 2010 places specific duties on Local Authorities, including the presence of a clear and concise Code of Conduct which prohibits unlawful discrimination and gives the public confidence in Councillors. Ensuring that the Code of Conduct is maintained meets the Nolan principles and also supports the prohibition.

10. Key Decision

No

11. Background Papers

Oldham Council Code of Conduct

12. Appendices

Appendix 1: Complaint form

Appendix 2. Responses

Appendix 3 Investigation Report and supplementary document

Appendix 4: Arrangements for dealing with complaints about the Code of Conduct for Members

This page is intentionally left blank

COMPLAINT FORM

1. Your details

Please provide us with your name and contact details

Title:	Cllr
First name:	Arooj
Last name:	Shah
Address:	Leader's Office, Room 347, Civic Centre, West Street, OL1 1UL
Daytime telephone:	0161 770 5171
Evening telephone:	07974 852 391
Mobile telephone:	07974 852 391
Email address:	Arooj.shah@oldham.gov.uk

Your address and contact details will not usually be released unless necessary or to deal with your complaint.

However, we will tell the following people you have made this complaint:

- the member(s) you are complaining about
- the monitoring officer of the authority
- the parish or town clerk (if applicable)

We will tell them your name and give them a summary of your complaint. We will give them full details of your complaint where necessary or appropriate to be able to deal with it. If you have serious concerns about your name and a summary, or details of your complaint being released, please complete section three of this form.

Please tell us which complainant type best describes you:

- ☐ Member of the public
☒ An elected or co-opted member of an authority
☐ Member of Parliament
☐ Other council officer or authority employee
☐ Other ()

2. Making your complaint

A complaint is clearly a serious matter both for you and the member concerned. It is a complicated process and council staff can explain how it works in detail.

A simple summary of what will happen is:

Your complaint will be considered by the monitoring officer in consultation with the Independent Person and take a decision as to whether it merits an investigation or another course of action. This decision will normally be taken within 20 working days of receipt of a complaint. The Monitoring Officer may, in exceptional circumstances, refer the question of how to proceed to a Sub-Committee of the Standards Committee.

Please provide us with the name of the member(s) you believe have breached the Code of Conduct and the name of their authority:

Title	First name	Last name	Council or authority name
Cllr	Mark	Kenyon	Oldham

Please explain in this section (or on separate sheets) what the member has done that you believe breaches the Code of Conduct. If you are complaining about more than one member you should explain clearly what each individual person has done that you believe breaches the Code of Conduct.

It is important you provide all the information you wish to have taken into account. For example:

- You should be specific, wherever possible, about exactly what you are alleging the member said or did. For instance, instead of writing the member insulted you, you should state what it was they said.
- You should provide the dates of the alleged incidents wherever possible. If you cannot provide exact dates it is important to give a general time frame.
- 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.

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

On the evening of Monday 20th May, I met with two independent Councillors in my office with the Chief Executive Harry Catherall & Assistant Chief Executive Shelley Kipling. That night audio clips of our meeting were leaked to Raja Miah & Neil Wilby.

The audio was published by Raja Miah here:

Clip

1:<https://www.facebook.com/share/v/6H3YN2hVwMuK9e41/?mibextid=W7C7FNe>

Clip

2:<https://www.facebook.com/share/v/LKuB7ZRDu4hzhf54V/?mibextid=KsPBc6>

And Neil Wilby claims to have been sent to audio clips here:

https://x.com/Neil_Wilby/status/1792656892495564984

Having requested a copy of the CCTV on the members corridor and upon reviewing it, seeing Saddleworth West and Lees Councillor – and Liberal Democrat Group Chief Whip – Mark Kenyon loitering outside my office door listening with his ear practically pressed up against the door before he places some sort of listening device at the foot of my door, shocked me to my core.

Cllr Kenyon can clearly be seen listening to whatever device he has placed outside my office whilst he walks in and out of the Group Room – there is no conceivable explanation for his behaviour here unless he had the express permission of his Group Leader and those members present in the room.

The CCTV evidence in question can be found here: [20240520a.mp4](#) and for ease I'll talk you through the video using the timestamps of the various incidents throughout the almost two-hour video in Appendix 1 at the end of this form.

The behaviour on display here is shocking, it cannot be normalised. I have not – nor would I ever – consider bugging my opponents office under any circumstances. My other concern here is that people do tend to get caught out undertaking this type of behaviour on their first attempt. The very fact that Cllr Kenyon had sophisticated spyware on his persons readily available to record a private meeting he did not know was happening is incredibly unsettling.

The five councillors in question know the attacks I've had to deal with at the hands of both individuals that this audio was leaked to, this personal toll this took on me last week was immense. I was unable to sleep that night due to the stress and the paranoia this incident caused.

The leak itself has also caused significant abuse to both myself and Cllrs Hince & Navesey after the fact, abuse which continues to date and shows no sign of ramping down because members of the Liberal Democrat

Group chose to leak it to the individuals in question.

I expect serious action as a result of this brazen behaviour, it cannot be allowed to stand. If spying on your political opponents was a serious enough incident to bring down a President of the United States of America it cannot be tolerated in local government.

3. Confidentiality – *only complete this section if you are want your identity to be kept confidential*

In the interests of fairness and natural justice, we believe members who are complained about have a right to know who has made the complaint. We also believe they have a right to be provided with a summary of the complaint. We are unlikely to withhold your identity or the details of your complaint unless you:

- Strongly believe you are at risk of some form of reprisal, intimidation or physical harm if your identity is disclosed;
- Are an officer who works closely with the Member and is concerned about the possible consequences to your employment if your identity is disclosed;
- Suffer from a serious health condition and there are medical risks associated with your identity being disclosed.

Please note that requests for confidentiality will not be granted automatically and will be considered by the Monitoring Office. If your request for confidentiality is not granted, we will usually allow you the option of withdrawing your complaint.

Please understand in certain exceptional circumstances where the matter complained about is very serious, we can proceed with an investigation or other action and disclose your name even if you have expressly asked us not to.

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

N/A

4. Additional Help

Complaints must be submitted in writing. This includes fax and electronic submissions. However, in line with the requirements of the Disability Discrimination Act 2000, 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 let us know as soon as possible.

5. Contacts

You should address your complaint to the Council's Monitoring Officer, Paul Entwistle. His contact details are:

Paul Entwistle
Director of Legal Services
Oldham Council
Civic Centre
Room 328, Level 3
West Street
Oldham OL1 1UJ

Tel: 0161 770 4822
paul.entwistle@oldham.gov.uk

Appendix 1:

Timestamp	Approximate time	Incident
0mins	5:50pm	Start of the CCTV footage
11mins	6pm	Cllr Marc Hince, Cllr Lisa Navesey & Parish Councillor Lee Navesey arrive, and the meeting commences in the Leader's Office
55mins	6:45pm	Cllr Dave Murphy, Cllr Diane Williamson & Cllr Mark Kenyon arrive and enter the Liberal Democrats Group Room
56mins	6:46pm	Cllr Mark Kenyon listens at the back door of the Leader's Office
57mins	6:47pm	Cllr Mark Kenyon enters the disabled toilet
58mins	6:48pm	Cllr Howard Sykes and Cllr Louie Hamblett arrive and enter the LD Group Room
59mins	6:49pm	Cllr Kenyon exits the toilet and is seen to place a device at the bottom of the door of the Leader's Office & waits nearby
60mins	6:50pm	Cllr Kenyon walks towards the Liberal Democrats Group Room clearly listening in on his phone on loudspeaker
61mins	6:51pm	Cllr Kenyon enters the Liberal Democrats group room (where Cllrs Sykes, Hamblett, Murphy and Williamson are)
64mins	6:54pm	Cllr Kenyon exists the Liberal Democrats Group room and walks back up the corridor towards the Leader's Office – he stops in the corridor again and listens in on his device
67mins	6:57pm	Cllr Hamblett joins Cllr Kenyon in the corridor and heads into the kitchen (he must walk past the door at which Cllr Kenyon has placed his device to get there)
69mins	6:59pm	Cllr Hamblett re-enters the Liberal Democrats Group Room & Cllr Kenyon is seen either picking up or adjusting the device at the door of the Leader's Office
70mins	7:00pm	Cllr Kenyon can again be seen to adjust the device and continues to listen in on his phone before returning to the Liberal Democrats Group Room
75mins	7:05pm	Cllrs Hamblett, Murphy and Williamson leave the Liberal Democrats Group Room.
97mins	7:27pm	Cllrs Hine and Navesey leave my office, Cllr Kenyon is then seen to take pictures of them and follow them down the corridor – accosting them and filming them.
98mins	7:28pm	Cllr Kenyon re-enters the Liberal Democrats Group room

COMPLAINT FORM

1. Your details

Please provide us with your name and contact details

Title:	Cllr
First name:	Arooj
Last name:	Shah
Address:	Leader's Office, Room 347, Civic Centre, West Street, OL1 1UL
Daytime telephone:	0161 770 5171
Evening telephone:	07974 852 391
Mobile telephone:	07974 852 391
Email address:	Arooj.shah@oldham.gov.uk

Your address and contact details will not usually be released unless necessary or to deal with your complaint.

However, we will tell the following people you have made this complaint:

- the member(s) you are complaining about
- the monitoring officer of the authority
- the parish or town clerk (if applicable)

We will tell them your name and give them a summary of your complaint. We will give them full details of your complaint where necessary or appropriate to be able to deal with it. If you have serious concerns about your name and a summary, or details of your complaint being released, please complete section three of this form.

Please tell us which complainant type best describes you:

- ☐ Member of the public
☒ An elected or co-opted member of an authority
☐ Member of Parliament
☐ Other council officer or authority employee
☐ Other ()

2. Making your complaint

A complaint is clearly a serious matter both for you and the member concerned. It is a complicated process and council staff can explain how it works in detail.

A simple summary of what will happen is:

Your complaint will be considered by the monitoring officer in consultation with the Independent Person and take a decision as to whether it merits an investigation or another course of action. This decision will normally be taken within 20 working days of receipt of a complaint. The Monitoring Officer may, in exceptional circumstances, refer the question of how to proceed to a Sub-Committee of the Standards Committee.

Please provide us with the name of the member(s) you believe have breached the Code of Conduct and the name of their authority:

Title	First name	Last name	Council or authority name
Cllr	Louie	Hamblett	Oldham

Please explain in this section (or on separate sheets) what the member has done that you believe breaches the Code of Conduct. If you are complaining about more than one member you should explain clearly what each individual person has done that you believe breaches the Code of Conduct.

It is important you provide all the information you wish to have taken into account. For example:

- You should be specific, wherever possible, about exactly what you are alleging the member said or did. For instance, instead of writing the member insulted you, you should state what it was they said.
- You should provide the dates of the alleged incidents wherever possible. If you cannot provide exact dates it is important to give a general time frame.
- 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.

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

On the evening of Monday 20th May, I met with two independent Councillors in my office with the Chief Executive Harry Catherall & Assistant Chief Executive Shelley Kipling. That night audio clips of our meeting were leaked to Raja Miah & Neil Wilby.

The audio was published by Raja Miah here:

Clip

1:<https://www.facebook.com/share/v/6H3YN2hVwMuK9e41/?mibextid=W C7FNe>

Clip

2:<https://www.facebook.com/share/v/LKuB7ZRDu4hzhf54V/?mibextid=KsP Bc6>

And Neil Wilby claims to have been sent to audio clips here:

https://x.com/Neil_Wilby/status/1792656892495564984

Having requested a copy of the CCTV on the members corridor and upon reviewing it, seeing Saddleworth West and Lees Councillor – and Liberal Democrat Group Chief Whip – Mark Kenyon loitering outside my office door listening with his ear practically pressed up against the door before he places some sort of listening device at the foot of my door, shocked me to my core.

This brazen assault on democracy calls into question Cllr Kenyon's honesty and integrity, and the CCTV also shows that Cllr Louie Hamblett was in the Liberal Democrat Group Room on the Members Corridor whilst this spying was taking place.

Cllr Kenyon can clearly be seen listening to whatever device he has placed outside my office whilst he walks in and out of the Group Room where Cllr Hamblett is. There is no conceivable explanation where Cllr Hamblett does not know what Cllr Kenyon is doing and made no effort to prevent it happening.

The CCTV evidence in question can be found here: [20240520a.mp4](#) and for ease I'll talk you through the video using the timestamps of the various incidents throughout the almost two-hour video in Appendix 1 at the end of this form.

The behaviour on display here is shocking, it cannot be normalised. I have not – nor would I ever – consider bugging my opponents office under any circumstances. My other concern here is that people do tend to get caught out undertaking this type of behaviour on their first attempt.

The leak itself has also caused significant abuse to both myself and Cllrs Hince & Navesey after the fact, abuse which continues to date and shows no sign of ramping down because members of the Liberal Democrat Group chose to leak it to the individuals in question.

3. Confidentiality – *only complete this section if you want your identity to be kept confidential*

In the interests of fairness and natural justice, we believe members who are complained about have a right to know who has made the complaint. We also believe they have a right to be provided with a summary of the complaint. We are unlikely to withhold your identity or the details of your complaint unless you:

- Strongly believe you are at risk of some form of reprisal, intimidation or physical harm if your identity is disclosed;
- Are an officer who works closely with the Member and is concerned about the possible consequences to your employment if your identity is disclosed;
- Suffer from a serious health condition and there are medical risks associated with your identity being disclosed.

Please note that requests for confidentiality will not be granted automatically and will be considered by the Monitoring Office. If your request for confidentiality is not granted, we will usually allow you the option of withdrawing your complaint.

Please understand in certain exceptional circumstances where the matter complained about is very serious, we can proceed with an investigation or other action and disclose your name even if you have expressly asked us not to.

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

N/A

4. Additional Help

Complaints must be submitted in writing. This includes fax and electronic submissions. However, in line with the requirements of the Disability Discrimination Act 2000, 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 let us know as soon as possible.

5. Contacts

You should address your complaint to the Council's Monitoring Officer, Paul Entwistle. His contact details are:

Paul Entwistle
Director of Legal Services
Oldham Council
Civic Centre
Room 328, Level 3
West Street
Oldham OL1 1UJ

Tel: 0161 770 4822
paul.entwistle@oldham.gov.uk

Appendix 1:

Timestamp	Approximate time	Incident
0mins	5:50pm	Start of the CCTV footage
11mins	6pm	Cllr Marc Hince, Cllr Lisa Navesey & Parish Councillor Lee Navesey arrive, and the meeting commences in the Leader's Office
55mins	6:45pm	Cllr Dave Murphy, Cllr Diane Williamson & Cllr Mark Kenyon arrive and enter the Liberal Democrats Group Room
56mins	6:46pm	Cllr Mark Kenyon listens at the back door of the Leader's Office
57mins	6:47pm	Cllr Mark Kenyon enters the disabled toilet
58mins	6:48pm	Cllr Howard Sykes and Cllr Louie Hamblett arrive and enter the LD Group Room
59mins	6:49pm	Cllr Kenyon exits the toilet and is seen to place a device at the bottom of the door of the Leader's Office & waits nearby
60mins	6:50pm	Cllr Kenyon walks towards the Liberal Democrats Group Room clearly listening in on his phone on loudspeaker
61mins	6:51pm	Cllr Kenyon enters the Liberal Democrats group room (where Cllrs Sykes, Hamblett, Murphy and Williamson are)
64mins	6:54pm	Cllr Kenyon exists the Liberal Democrats Group room and walks back up the corridor towards the Leader's Office – he stops in the corridor again and listens in on his device
67mins	6:57pm	Cllr Hamblett joins Cllr Kenyon in the corridor and heads into the kitchen (he must walk past the door at which Cllr Kenyon has placed his device to get there)
69mins	6:59pm	Cllr Hamblett re-enters the Liberal Democrats Group Room & Cllr Kenyon is seen either picking up or adjusting the device at the door of the Leader's Office
70mins	7:00pm	Cllr Kenyon can again be seen to adjust the device and continues to listen in on his phone before returning to the Liberal Democrats Group Room
75mins	7:05pm	Cllrs Hamblett, Murphy and Williamson leave the Liberal Democrats Group Room.
97mins	7:27pm	Cllrs Hine and Navesey leave my office, Cllr Kenyon is then seen to take pictures of them and follow them down the corridor – accosting them and filming them.
98mins	7:28pm	Cllr Kenyon re-enters the Liberal Democrats Group room

COMPLAINT FORM

1. Your details

Please provide us with your name and contact details

Title:	Cllr
First name:	Arooj
Last name:	Shah
Address:	Leader's Office, Room 347, Civic Centre, West Street, OL1 1UL
Daytime telephone:	0161 770 5171
Evening telephone:	07974 852 391
Mobile telephone:	07974 852 391
Email address:	Arooj.shah@oldham.gov.uk

Your address and contact details will not usually be released unless necessary or to deal with your complaint.

However, we will tell the following people you have made this complaint:

- the member(s) you are complaining about
- the monitoring officer of the authority
- the parish or town clerk (if applicable)

We will tell them your name and give them a summary of your complaint. We will give them full details of your complaint where necessary or appropriate to be able to deal with it. If you have serious concerns about your name and a summary, or details of your complaint being released, please complete section three of this form.

Please tell us which complainant type best describes you:

- ☐ Member of the public
☒ An elected or co-opted member of an authority
☐ Member of Parliament
☐ Other council officer or authority employee
☐ Other ()

2. Making your complaint

A complaint is clearly a serious matter both for you and the member concerned. It is a complicated process and council staff can explain how it works in detail.

A simple summary of what will happen is:

Your complaint will be considered by the monitoring officer in consultation with the Independent Person and take a decision as to whether it merits an investigation or another course of action. This decision will normally be taken within 20 working days of receipt of a complaint. The Monitoring Officer may, in exceptional circumstances, refer the question of how to proceed to a Sub-Committee of the Standards Committee.

Please provide us with the name of the member(s) you believe have breached the Code of Conduct and the name of their authority:

Title	First name	Last name	Council or authority name
Cllr	Howard	Sykes	Oldham

Please explain in this section (or on separate sheets) what the member has done that you believe breaches the Code of Conduct. If you are complaining about more than one member you should explain clearly what each individual person has done that you believe breaches the Code of Conduct.

It is important you provide all the information you wish to have taken into account. For example:

- You should be specific, wherever possible, about exactly what you are alleging the member said or did. For instance, instead of writing the member insulted you, you should state what it was they said.
- You should provide the dates of the alleged incidents wherever possible. If you cannot provide exact dates it is important to give a general time frame.
- 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.

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

On the evening of Monday 20th May, I met with two independent Councillors in my office with the Chief Executive Harry Catherall & Assistant Chief Executive Shelley Kipling. That night audio clips of our meeting were leaked to Raja Miah & Neil Wilby.

The audio was published by Raja Miah here:

Clip

1:<https://www.facebook.com/share/v/6H3YN2hVwMuK9e41/?mibextid=W C7FNe>

Clip

2:<https://www.facebook.com/share/v/LKuB7ZRDu4hzf54V/?mibextid=KsP Bc6>

And Neil Wilby claims to have been sent to audio clips here:

https://x.com/Neil_Wilby/status/1792656892495564984

Having requested a copy of the CCTV on the members corridor and upon reviewing it, seeing Saddleworth West and Lees Councillor – and Liberal Democrat Group Chief Whip – Mark Kenyon loitering outside my office door listening with his ear practically pressed up against the door before he places some sort of listening device at the foot of my door, shocked me to my core.

This brazen assault on democracy calls into question Cllr Kenyon's honesty and integrity, and the CCTV also shows that Cllr Howard Sykes was in the Liberal Democrat Group Room on the Members Corridor whilst this spying was taking place.

Cllr Kenyon can clearly be seen listening to whatever device he has placed outside my office whilst he walks in and out of the Group Room where Cllr Sykes is. There is no conceivable explanation where Cllr Sykes does not know what Cllr Kenyon is doing and made no effort to prevent it happening.

The CCTV evidence in question can be found here: [20240520a.mp4](#) and for ease I'll talk you through the video using the timestamps of the various incidents throughout the almost two-hour video in Appendix 1 at the end of this form.

The behaviour on display here is shocking, it cannot be normalised. I have not – nor would I ever – consider bugging my opponents office under any circumstances. My other concern here is that people do tend to get caught out undertaking this type of behaviour on their first attempt.

The leak itself has also caused significant abuse to both myself and Cllrs Hince & Navesey after the fact, abuse which continues to date and shows no sign of ramping down because members of the Liberal Democrat Group chose to leak it to the individuals in question.

3. Confidentiality – *only complete this section if you want your identity to be kept confidential*

In the interests of fairness and natural justice, we believe members who are complained about have a right to know who has made the complaint. We also believe they have a right to be provided with a summary of the complaint. We are unlikely to withhold your identity or the details of your complaint unless you:

- Strongly believe you are at risk of some form of reprisal, intimidation or physical harm if your identity is disclosed;
- Are an officer who works closely with the Member and is concerned about the possible consequences to your employment if your identity is disclosed;
- Suffer from a serious health condition and there are medical risks associated with your identity being disclosed.

Please note that requests for confidentiality will not be granted automatically and will be considered by the Monitoring Office. If your request for confidentiality is not granted, we will usually allow you the option of withdrawing your complaint.

Please understand in certain exceptional circumstances where the matter complained about is very serious, we can proceed with an investigation or other action and disclose your name even if you have expressly asked us not to.

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

N/A

4. Additional Help

Complaints must be submitted in writing. This includes fax and electronic submissions. However, in line with the requirements of the Disability Discrimination Act 2000, 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 let us know as soon as possible.

5. Contacts

You should address your complaint to the Council's Monitoring Officer, Paul Entwistle. His contact details are:

Paul Entwistle
Director of Legal Services
Oldham Council
Civic Centre
Room 328, Level 3
West Street
Oldham OL1 1UJ

Tel: 0161 770 4822
paul.entwistle@oldham.gov.uk

Appendix 1:

Timestamp	Approximate time	Incident
0mins	5:50pm	Start of the CCTV footage
11mins	6pm	Cllr Marc Hince, Cllr Lisa Navesey & Parish Councillor Lee Navesey arrive, and the meeting commences in the Leader's Office
55mins	6:45pm	Cllr Dave Murphy, Cllr Diane Williamson & Cllr Mark Kenyon arrive and enter the Liberal Democrats Group Room
56mins	6:46pm	Cllr Mark Kenyon listens at the back door of the Leader's Office
57mins	6:47pm	Cllr Mark Kenyon enters the disabled toilet
58mins	6:48pm	Cllr Howard Sykes and Cllr Louie Hamblett arrive and enter the LD Group Room
59mins	6:49pm	Cllr Kenyon exits the toilet and is seen to place a device at the bottom of the door of the Leader's Office & waits nearby
60mins	6:50pm	Cllr Kenyon walks towards the Liberal Democrats Group Room clearly listening in on his phone on loudspeaker
61mins	6:51pm	Cllr Kenyon enters the Liberal Democrats group room (where Cllrs Sykes, Hamblett, Murphy and Williamson are)
64mins	6:54pm	Cllr Kenyon exists the Liberal Democrats Group room and walks back up the corridor towards the Leader's Office – he stops in the corridor again and listens in on his device
67mins	6:57pm	Cllr Hamblett joins Cllr Kenyon in the corridor and heads into the kitchen (he must walk past the door at which Cllr Kenyon has placed his device to get there)
69mins	6:59pm	Cllr Hamblett re-enters the Liberal Democrats Group Room & Cllr Kenyon is seen either picking up or adjusting the device at the door of the Leader's Office
70mins	7:00pm	Cllr Kenyon can again be seen to adjust the device and continues to listen in on his phone before returning to the Liberal Democrats Group Room
75mins	7:05pm	Cllrs Hamblett, Murphy and Williamson leave the Liberal Democrats Group Room.
97mins	7:27pm	Cllrs Hine and Navesey leave my office, Cllr Kenyon is then seen to take pictures of them and follow them down the corridor – accosting them and filming them.
98mins	7:28pm	Cllr Kenyon re-enters the Liberal Democrats Group room

COMPLAINT FORM

1. Your details

Please provide us with your name and contact details

Title:	Cllr
First name:	Arooj
Last name:	Shah
Address:	Leader's Office, Room 347, Civic Centre, West Street, OL1 1UL
Daytime telephone:	0161 770 5171
Evening telephone:	07974 852 391
Mobile telephone:	07974 852 391
Email address:	Arooj.shah@oldham.gov.uk

Your address and contact details will not usually be released unless necessary or to deal with your complaint.

However, we will tell the following people you have made this complaint:

- the member(s) you are complaining about
- the monitoring officer of the authority
- the parish or town clerk (if applicable)

We will tell them your name and give them a summary of your complaint. We will give them full details of your complaint where necessary or appropriate to be able to deal with it. If you have serious concerns about your name and a summary, or details of your complaint being released, please complete section three of this form.

Please tell us which complainant type best describes you:

- ☐ Member of the public
☒ An elected or co-opted member of an authority
☐ Member of Parliament
☐ Other council officer or authority employee
☐ Other ()

2. Making your complaint

A complaint is clearly a serious matter both for you and the member concerned. It is a complicated process and council staff can explain how it works in detail.

A simple summary of what will happen is:

Your complaint will be considered by the monitoring officer in consultation with the Independent Person and take a decision as to whether it merits an investigation or another course of action. This decision will normally be taken within 20 working days of receipt of a complaint. The Monitoring Officer may, in exceptional circumstances, refer the question of how to proceed to a Sub-Committee of the Standards Committee.

Please provide us with the name of the member(s) you believe have breached the Code of Conduct and the name of their authority:

Title	First name	Last name	Council or authority name
Cllr	Dave	Murphy	Oldham

Please explain in this section (or on separate sheets) what the member has done that you believe breaches the Code of Conduct. If you are complaining about more than one member you should explain clearly what each individual person has done that you believe breaches the Code of Conduct.

It is important you provide all the information you wish to have taken into account. For example:

- You should be specific, wherever possible, about exactly what you are alleging the member said or did. For instance, instead of writing the member insulted you, you should state what it was they said.
- You should provide the dates of the alleged incidents wherever possible. If you cannot provide exact dates it is important to give a general time frame.
- 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.

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

On the evening of Monday 20th May, I met with two independent Councillors in my office with the Chief Executive Harry Catherall & Assistant Chief Executive Shelley Kipling. That night audio clips of our meeting were leaked to Raja Miah & Neil Wilby.

The audio was published by Raja Miah here:

Clip

1: <https://www.facebook.com/share/v/6H3YN2hVwMuK9e41/?mibextid=W C7FNe>

Clip

2: <https://www.facebook.com/share/v/LKuB7ZRDu4hzhf54V/?mibextid=KsP Bc6>

And Neil Wilby claims to have been sent to audio clips here:

https://x.com/Neil_Wilby/status/1792656892495564984

Having requested a copy of the CCTV on the members corridor and upon reviewing it, seeing Saddleworth West and Lees Councillor – and Liberal Democrat Group Chief Whip – Mark Kenyon loitering outside my office door listening with his ear practically pressed up against the door before he places some sort of listening device at the foot of my door, shocked me to my core.

This brazen assault on democracy calls into question Cllr Kenyon's honesty and integrity, and the CCTV also shows that Cllr Dave Murphy was in the Liberal Democrat Group Room on the Members Corridor whilst this spying was taking place.

Cllr Kenyon can clearly be seen listening to whatever device he has placed outside my office whilst he walks in and out of the Group Room where Cllr Murphy is. There is no conceivable explanation where Cllr Murphy does not know what Cllr Kenyon is doing and made no effort to prevent it happening.

The CCTV evidence in question can be found here: [20240520a.mp4](#) and for ease I'll talk you through the video using the timestamps of the various incidents throughout the almost two-hour video in Appendix 1 at the end of this form.

The behaviour on display here is shocking, it cannot be normalised. I have not – nor would I ever – consider bugging my opponents office under any circumstances. My other concern here is that people do tend to get caught out undertaking this type of behaviour on their first attempt.

The leak itself has also caused significant abuse to both myself and Cllrs Hince & Navesey after the fact, abuse which continues to date and shows no sign of ramping down because members of the Liberal Democrat Group chose to leak it to the individuals in question.

3. Confidentiality – *only complete this section if you want your identity to be kept confidential*

In the interests of fairness and natural justice, we believe members who are complained about have a right to know who has made the complaint. We also believe they have a right to be provided with a summary of the complaint. We are unlikely to withhold your identity or the details of your complaint unless you:

- Strongly believe you are at risk of some form of reprisal, intimidation or physical harm if your identity is disclosed;
- Are an officer who works closely with the Member and is concerned about the possible consequences to your employment if your identity is disclosed;
- Suffer from a serious health condition and there are medical risks associated with your identity being disclosed.

Please note that requests for confidentiality will not be granted automatically and will be considered by the Monitoring Office. If your request for confidentiality is not granted, we will usually allow you the option of withdrawing your complaint.

Please understand in certain exceptional circumstances where the matter complained about is very serious, we can proceed with an investigation or other action and disclose your name even if you have expressly asked us not to.

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

N/A

4. Additional Help

Complaints must be submitted in writing. This includes fax and electronic submissions. However, in line with the requirements of the Disability Discrimination Act 2000, 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 let us know as soon as possible.

5. Contacts

You should address your complaint to the Council's Monitoring Officer, Paul Entwistle. His contact details are:

Paul Entwistle
Director of Legal Services
Oldham Council
Civic Centre
Room 328, Level 3
West Street
Oldham OL1 1UJ

Tel: 0161 770 4822
paul.entwistle@oldham.gov.uk

Appendix 1:

Timestamp	Approximate time	Incident
0mins	5:50pm	Start of the CCTV footage
11mins	6pm	Cllr Marc Hince, Cllr Lisa Navesey & Parish Councillor Lee Navesey arrive, and the meeting commences in the Leader's Office
55mins	6:45pm	Cllr Dave Murphy, Cllr Diane Williamson & Cllr Mark Kenyon arrive and enter the Liberal Democrats Group Room
56mins	6:46pm	Cllr Mark Kenyon listens at the back door of the Leader's Office
57mins	6:47pm	Cllr Mark Kenyon enters the disabled toilet
58mins	6:48pm	Cllr Howard Sykes and Cllr Louie Hamblett arrive and enter the LD Group Room
59mins	6:49pm	Cllr Kenyon exits the toilet and is seen to place a device at the bottom of the door of the Leader's Office & waits nearby
60mins	6:50pm	Cllr Kenyon walks towards the Liberal Democrats Group Room clearly listening in on his phone on loudspeaker
61mins	6:51pm	Cllr Kenyon enters the Liberal Democrats group room (where Cllrs Sykes, Hamblett, Murphy and Williamson are)
64mins	6:54pm	Cllr Kenyon exists the Liberal Democrats Group room and walks back up the corridor towards the Leader's Office – he stops in the corridor again and listens in on his device
67mins	6:57pm	Cllr Hamblett joins Cllr Kenyon in the corridor and heads into the kitchen (he must walk past the door at which Cllr Kenyon has placed his device to get there)
69mins	6:59pm	Cllr Hamblett re-enters the Liberal Democrats Group Room & Cllr Kenyon is seen either picking up or adjusting the device at the door of the Leader's Office
70mins	7:00pm	Cllr Kenyon can again be seen to adjust the device and continues to listen in on his phone before returning to the Liberal Democrats Group Room
75mins	7:05pm	Cllrs Hamblett, Murphy and Williamson leave the Liberal Democrats Group Room.
97mins	7:27pm	Cllrs Hine and Navesey leave my office, Cllr Kenyon is then seen to take pictures of them and follow them down the corridor – accosting them and filming them.
98mins	7:28pm	Cllr Kenyon re-enters the Liberal Democrats Group room

Simon Goacher

From: Paul Entwistle <Paul.Entwistle@oldham.gov.uk>
Sent: 20 August 2024 13:35
To: Simon Goacher
Subject: FW: Standards Complaint - confidential
Attachments: Response to Complaint OMBC.docx; RE: Standards Complaint - confidential
DOCID: 64513343

This message originated from outside our organisation and was sent to Simon Goacher. The sender name was Paul Entwistle and the sender's email address was paul.entwistle@oldham.gov.uk

Hi,

Responses from Cllr Murphy.

Paul

Paul Entwistle
Director of Legal

From: Cllr D Murphy <Dave.Murphy@oldham.gov.uk>
Sent: Sunday, June 16, 2024 10:01 PM
To: Paul Entwistle <Paul.Entwistle@oldham.gov.uk>
Subject: RE: Standards Complaint - confidential

Good evening Paul

Please find attached and below response to the standards complaint.

Complaint ref Standards Board

Thank you for giving me the opportunity to respond to the complaint from Cllr Arooj Shah.

I completely deny and refute the accusations made in the complaint.

The evidence provided by the complainant and included with this complaint - a video recording which shows me on a corridor I am entitled to be on, going into a room I am entitled to go in and several links does not support the accusation.

I completely deny any involvement of a recording and put it to the Labour Leader Arooj Shah that no evidence has been supplied to back up the complaint she makes against me.

Thank you for taking the time to read this response.
Dave Murphy

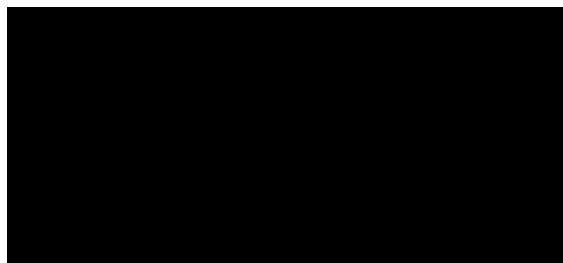
Liberal Democrat Borough Councillor for Crompton ward.

Many thanks

Best regards

Dave

Cllr Dave Murphy
Liberal Democrat
Councillor for Crompton ward
Shadow Cabinet Member for Don't Trash Oldham



Twitter: @CllrDaveMurphy

sent from Mosshey Street



Your privacy is important to me. Your local Liberal Democrat Councillors are committed to ensuring that we are transparent about ways in which we use your personal information and who we share that with (e.g. other Councillors, Council Officers or Officers from other bodies like the NHS, Police, Transport, United Utilities, Environmental Agency etc.) to help resolve any issues you have. The Liberal Democrats will also keep in touch from time to time about issues, but you can always ask us to stop at any time.

From: Paul Entwistle <Paul.Entwistle@oldham.gov.uk>

Sent: Monday, June 3, 2024 3:40 PM

To: Cllr D Murphy <Dave.Murphy@oldham.gov.uk>

Subject: Standards Complaint - confidential

Dear Cllr Murphy,

Please see a standards complaint which has been received. Please could you provide your written comments on the complaint by the 17th June.

Regards, Paul

Paul Entwistle
Director of Legal



Confidentiality: This email and its contents and any attachments are intended only for the above named. As the email may contain confidential or legally privileged information, if you are not, or suspect that you are not, the above

named or the person responsible for delivery of the message to the above named, please delete or destroy the email and any attachments immediately.

Security and Viruses: This note confirms that this email message has been swept for the presence of computer viruses. However, we advise that in keeping with good management practice, the recipient should ensure that the email together with any attachments are virus free by running a virus scan themselves. We cannot accept any responsibility for any damage or loss caused by software viruses.

Monitoring: The Council undertakes monitoring of both incoming and outgoing emails. You should therefore be aware that if you send an email to a person within the Council it may be subject to any monitoring deemed necessary by the organisation from time to time. The views of the author may not necessarily reflect those of the Council.

Access as a public body: The Council may be required to disclose this email (or any response to it) under the Freedom of Information Act, 2000, unless the information in it is covered by one of the exemptions in the Act.

Data Protection: The council is committed to ensuring that we are transparent about the ways in which we use personal information and that we have the right controls in place to ensure it is used responsibly and is kept safe from inappropriate access, theft or misuse. Further information on how we use personal information and individual's privacy rights can be found at www.oldham.gov.uk/dataprotection

Legal documents: The Council does not accept service of legal documents by email.

Complaint ref Standards Board

Thank you for giving me the opportunity to respond to the complaint from Cllr Arooj Shah.

I completely deny and refute the accusations made in the complaint.

The evidence provided by the complainant and included with this complaint - a video recording which shows me on a corridor I am entitled to be on, going into a room I am entitled to go in and several links does not support the accusation.

I completely deny any involvement of a recording and put it to the Labour Leader Arooj Shah that no evidence has been supplied to back up the complaint she makes against me.

Thank you for taking the time to read this response.

Dave Murphy

Liberal Democrat Borough Councillor for Crompton ward.

Simon Goacher

From: Cllr D Murphy <Dave.Murphy@oldham.gov.uk>
Sent: 14 August 2024 16:47
To: Paul Entwistle
Subject: RE: Standards Complaint - confidential

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon Paul

Further to your email please see below.

I feel I have already responded to the complaint; I completely deny and refute the accusations made in the complaint. I deny any involvement of a recording taking place.

Complaint ref Standards Board

Thank you for giving me the opportunity to respond to the complaint from Cllr Arooj Shah.

I completely deny and refute the accusations made in the complaint.

The evidence provided by the complainant and included with this complaint - a video recording which shows me on a corridor I am entitled to be on, going into a room I am entitled to go in and several links does not support the accusation.

I completely deny any involvement of a recording and put it to the Labour Leader Arooj Shah that no evidence has been supplied to back up the complaint she makes against me.

Thank you for taking the time to read this response.
Dave Murphy

Liberal Democrat Borough Councillor for Crompton ward.

Best regards

Dave

Cllr Dave Murphy
Liberal Democrat
Councillor for Crompton ward
Shadow Cabinet Member for Don't Trash Oldham

[REDACTED]

Twitter: @CllrDaveMurphy

[REDACTED]



Your privacy is important to me. Your local Liberal Democrat Councillors are committed to ensuring that we are transparent about ways in which we use your personal information and who we share that with (e.g. other Councillors, Council Officers or Officers from other bodies like the NHS, Police, Transport, United Utilities, Environmental Agency etc.) to help resolve any issues you have. The Liberal Democrats will also keep in touch from time to time about issues, but you can always ask us to stop at any time.

From: Paul Entwistle <Paul.Entwistle@oldham.gov.uk>
Sent: Friday, August 9, 2024 3:44 PM
To: Cllr D Murphy <Dave.Murphy@oldham.gov.uk>
Subject: Re: Standards Complaint - confidential

Dear Councillor Murphy,

Further to the e-mail below, please could you provide a response by the 15th August.

Thank you,

Paul

Paul Entwistle
Director of Legal Services

01617704822

From: Paul Entwistle
Sent: Wednesday, July 24, 2024 5:45:52 AM
To: Cllr D Murphy <Dave.Murphy@oldham.gov.uk>
Subject: RE: Standards Complaint - confidential

Dear Councillor Murphy,

I write further to your response on this matter. Myself and the independent person have considered the complaint and your response and some further information is sought from you – at the time that the meeting in the Leader's office was being recorded, were you aware that the recording was taking place ?

Yours sincerely,

Paul Entwistle
Director of Legal

From: Cllr D Murphy <Dave.Murphy@oldham.gov.uk>
Sent: Sunday, June 16, 2024 10:01 PM
To: Paul Entwistle <Paul.Entwistle@oldham.gov.uk>
Subject: RE: Standards Complaint - confidential

Good evening Paul

Please find attached and below response to the standards complaint.

Complaint ref Standards Board

Thank you for giving me the opportunity to respond to the complaint from Cllr Arooj Shah.

I completely deny and refute the accusations made in the complaint.

The evidence provided by the complainant and included with this complaint - a video recording which shows me on a corridor I am entitled to be on, going into a room I am entitled to go in and several links does not support the accusation.

I completely deny any involvement of a recording and put it to the Labour Leader Arooj Shah that no evidence has been supplied to back up the complaint she makes against me.

Thank you for taking the time to read this response.
Dave Murphy

Liberal Democrat Borough Councillor for Crompton ward.

Many thanks

Best regards

Dave

Cllr Dave Murphy
Liberal Democrat
Councillor for Crompton ward
Shadow Cabinet Member for Don't Trash Oldham

Twitter: @CllrDaveMurphy



Your privacy is important to me. Your local Liberal Democrat Councillors are committed to ensuring that we are transparent about ways in which we use your personal information and who we share that with (e.g. other Councillors, Council Officers or Officers from other bodies like the NHS, Police, Transport, United Utilities, Environmental Agency etc.) to help resolve any issues you have. The Liberal Democrats will also keep in touch from time to time about issues, but you can always ask us to stop at any time.

From: Paul Entwistle <Paul.Entwistle@oldham.gov.uk>

Sent: Monday, June 3, 2024 3:40 PM

To: Cllr D Murphy <Dave.Murphy@oldham.gov.uk>

Subject: Standards Complaint - confidential

Dear Cllr Murphy,

Please see a standards complaint which has been received. Please could you provide your written comments on the complaint by the 17th June.

Regards, Paul

Paul Entwistle
Director of Legal

Simon Goacher

From: Paul Entwistle <Paul.Entwistle@oldham.gov.uk>
Sent: 20 August 2024 13:33
To: Simon Goacher
Subject: FW: Standards complaint - confidential

Sensitivity: Confidential

DOCID: 64513375

This message originated from outside our organisation and was sent to Simon Goacher. The sender name was Paul Entwistle and the sender's email address was paul.entwistle@oldham.gov.uk

Hi,

Response from Cllr Hamblett.

He did not respond when I asked for further information as to whether he was aware of the recording when it was made.

Paul

Paul Entwistle
Director of Legal

From: Cllr L Hamblett <Louie.Hamblett@oldham.gov.uk>
Sent: Sunday, June 16, 2024 3:14 PM
To: Paul Entwistle <Paul.Entwistle@oldham.gov.uk>
Subject: RE: Standards complaint - confidential
Sensitivity: Confidential

Regarding the OMBC Standards complaint,

Councillor Louie M Hamblett, Crompton Ward.
I have been an elected member of Oldham
Metropolitan Borough Council since 2019

I am surprised by the allegations made against me. They have no foundation and no evidence is provided to support them. The complainant offers no evidence for what they allege with regard to me, therefore there is no case against myself.

The facts are I attended a meeting, went to our group room, went to the kitchen, returned, completed some tasks, and then went home.

Louie

Cllr Louie Hamblett

Liberal Democrat Crompton Ward

Liberal Democrat Parish Councillor Crompton North Ward

Shadow Cabinet Member for Health and Social Care

Vice Chair of The Oldham Learning Disability and Autism Collaborative

Chair of Oldham Pride

Pronouns: he/him

Office Num: 0161 770 0026

Home T: 01706660806

Oldham council website: [Crompton borough councillors](#)

FB: <https://www.facebook.com/cllrlouiehamblett/?ref=bookmarks>

Twitter: <https://twitter.com/LouieHamblett?s=09>

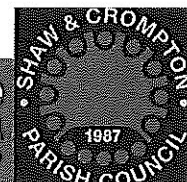
Quick links

[Report a pothole](#) | [Report fly tipping](#) | [Check roadworks](#) | [Report missed bin \(after 6pm\)](#)

[Help with Council Tax](#) | [Help with benefits](#) | [Emergency support](#) | [AV Davies Application Form](#) | [Other support](#)

Love Crompton

**Love
where
you
live**



www.disabilitylibdems.org.uk



[LGBT+ Lib Dems](#) | [Liberal Democrat Disability Association](#) | [Oldham Liberal Democrats](#) |

Open, Tolerant and United

Your privacy is important to me: Your local Liberal Democrat Councillors are committed to ensuring that we are transparent about ways in which we use your personal information and who we share that with (eg other Councillors, Council Officers or Officers from other bodies like the NHS, Police, Transport, United Utilities, Environment Agency etc) to resolve any issues you have. The Liberal Democrats will also keep in touch from time to time about issues, but you can always ask us to stop at any time.

From: Paul Entwistle <Paul.Entwistle@oldham.gov.uk>
Sent: Tuesday, June 4, 2024 1:56 PM
To: Cllr L Hamblett <Louie.Hamblett@oldham.gov.uk>
Subject: Standards complaint - confidential

Dear Louie,

I have received a standards complaint which is attached . Please could you provide your written comments on the complaint by the 17th June. You may seek the views of one of the independent persons, Gillian McCarthy. If you would like to do this, please let me know and the contact details can be provided.

Regards, Paul

Paul Entwistle
Director of Legal



Confidentiality: This email and its contents and any attachments are intended only for the above named. As the email may contain confidential or legally privileged information, if you are not, or suspect that you are not, the above named or the person responsible for delivery of the message to the above named, please delete or destroy the email and any attachments immediately.

Security and Viruses: This note confirms that this email message has been swept for the presence of computer viruses. However, we advise that in keeping with good management practice, the recipient should ensure that the email together with any attachments are virus free by running a virus scan themselves. We cannot accept any responsibility for any damage or loss caused by software viruses.

Monitoring: The Council undertakes monitoring of both incoming and outgoing emails. You should therefore be aware that if you send an email to a person within the Council it may be subject to any monitoring deemed necessary by the organisation from time to time. The views of the author may not necessarily reflect those of the Council.

Access as a public body: The Council may be required to disclose this email (or any response to it) under the Freedom of Information Act, 2000, unless the information in it is covered by one of the exemptions in the Act.

Data Protection: The council is committed to ensuring that we are transparent about the ways in which we use personal information and that we have the right controls in place to ensure it is used responsibly and is kept safe from inappropriate access, theft or misuse. Further information on how we use personal information and individual's privacy rights can be found at www.oldham.gov.uk/dataprotection

Legal documents: The Council does not accept service of legal documents by email.

Simon Goacher

From: Paul Entwistle <Paul.Entwistle@oldham.gov.uk>
Sent: 20 August 2024 13:32
To: Simon Goacher
Subject: FW: Howard Sykes -Standards Complaint - confidential
Attachments: Howard Sykes Oldham Standards response 160624.pdf; Howard Sykes -Standards Complaint - confidential

DOCID: 64513403

This message originated from outside our organisation and was sent to Simon Goacher. The sender name was Paul Entwistle and the sender's email address was paul.entwistle@oldham.gov.uk

Hi,

Responses from Cllr Sykes.

Paul

Paul Entwistle
Director of Legal

From: Howard Sykes <howard.sykes@oldham.gov.uk>
Sent: Sunday, June 16, 2024 6:23 PM
To: Paul Entwistle <Paul.Entwistle@oldham.gov.uk>
Cc: Howard Sykes <howard.sykes@oldham.gov.uk>
Subject: Howard Sykes -Standards Complaint - confidential

Response attached as required.

Please acknowledge safe arrival and please outline the timeline and next steps in this process please.

Many thanks.

Councillor Howard Sykes MBE

Leader of the Real Opposition.
Leader of the Liberal Democrat Group Oldham Council.
Liberal Democrat Spokesperson on Transport in Greater Manchester.
Member for Shaw Ward.
Member for East Ward Shaw & Crompton Town Council.
Vice President Association of Liberal Democrat Councillors.
Office: Room 338, Level 3, Civic Centre, West Street, Oldham OL1 1UL.
E: howard.sykes@oldham.gov.uk
W: <http://howardsykes.mycouncillor.org.uk>
Twitter: @Howard_Sykes
Facebook: @Councillor.Howard.Sykes
Home: 5 Ballard Way, Shaw, Oldham OL2 8DU
E: howard.sykes@oldham.gov.uk

From: Paul Entwistle <Paul.Entwistle@oldham.gov.uk>
Sent: Monday, June 3, 2024 3:30 PM
To: Howard Sykes <howard.sykes@oldham.gov.uk>
Subject: Standards Complaint - confidential

Dear Howard,

Please see attached a complaint which has been made. Please could you provide your written comments on the complaint by the 17th June.

Regards, Paul

Paul Entwistle
Director of Legal



Confidentiality: This email and its contents and any attachments are intended only for the above named. As the email may contain confidential or legally privileged information, if you are not, or suspect that you are not, the above named or the person responsible for delivery of the message to the above named, please delete or destroy the email and any attachments immediately.

Security and Viruses: This note confirms that this email message has been swept for the presence of computer viruses. However, we advise that in keeping with good management practice, the recipient should ensure that the email together with any attachments are virus free by running a virus scan themselves. We cannot accept any responsibility for any damage or loss caused by software viruses.

Monitoring: The Council undertakes monitoring of both incoming and outgoing emails. You should therefore be aware that if you send an email to a person within the Council it may be subject to any monitoring deemed necessary by the organisation from time to time. The views of the author may not necessarily reflect those of the Council.

Access as a public body: The Council may be required to disclose this email (or any response to it) under the Freedom of Information Act, 2000, unless the information in it is covered by one of the exemptions in the Act.

Data Protection: The council is committed to ensuring that we are transparent about the ways in which we use personal information and that we have the right controls in place to ensure it is used responsibly and is kept safe from inappropriate access, theft or misuse. Further information on how we use personal information and individual's privacy rights can be found at www.oldham.gov.uk/dataprotection

Legal documents: The Council does not accept service of legal documents by email.

Simon Goacher

From: Howard Sykes <howard.sykes@oldham.gov.uk>
Sent: 12 August 2024 13:04
To: Paul Entwistle
Cc: Howard Sykes
Subject: Howard Sykes -Standards Complaint - confidential

Dear Paul,

Thank you for your further email regarding this matter.

I responded to the complaint which has no merit, and the complainant provides no evidence to support.

My response fully refuted the allegations made.

Best wishes,

Councillor Howard Sykes MBE

Leader of the Real Opposition.
Leader of the Liberal Democrat Group Oldham Council.
Liberal Democrat Spokesperson on Transport in Greater Manchester.
Member for Shaw Ward.
Member for East Ward Shaw & Crompton Town Council.
Vice President Association of Liberal Democrat Councillors.
Office: Leader of the Opposition and Liberal Democrat Leader, Members Corridor, Level 4, Civic Centre, West Street, Oldham OL1 1UL
E: howard.sykes@oldham.gov.uk
W: <http://howardsykes.mycouncillor.org.uk>
Twitter: @Howard_Sykes
Facebook: @Councillor.Howard.Sykes
Home: 5 Ballard Way, Shaw, Oldham OL2 8DU
E: howard.sykes@oldham.gov.uk

Your privacy is important to me. Your local Liberal Democrat Councillors are committed to ensuring that we are transparent about ways in which we use your personal information and who we share that with (e.g. other Councillors, Council Officers or Officers from other bodies like the NHS, Police, Transport, United Utilities, Environmental Agency etc.) to help resolve any issues you have. The Liberal Democrats will also keep in touch from time to time about issues, but you can always ask us to stop at any time.

From: Paul Entwistle <Paul.Entwistle@oldham.gov.uk>
Sent: Friday, August 9, 2024 3:44 PM
To: Howard Sykes <howard.sykes@oldham.gov.uk>
Subject: Re: Howard Sykes -Standards Complaint - confidential

Dear Howard,

Further to the e-mail below, please could you provide a response by the 15th August .

Regards, Paul

Paul Entwistle
Director of Legal Services

01617704822

From: Paul Entwistle
Sent: Tuesday, July 23, 2024 5:42:35 PM
To: Howard Sykes <howard.sykes@oldham.gov.uk>
Subject: RE: Howard Sykes -Standards Complaint - confidential

Dear Howard,

I write further to your response on this matter. Myself and the independent person have considered the complaint and your response and some further information is sought from you – at the time that the meeting in the Leader's office was being recorded, were you aware that the recording was taking place ?

Regards, Paul

Paul Entwistle
Director of Legal

From: Howard Sykes <howard.sykes@oldham.gov.uk>
Sent: Sunday, June 16, 2024 6:23 PM
To: Paul Entwistle <Paul.Entwistle@oldham.gov.uk>
Cc: Howard Sykes <howard.sykes@oldham.gov.uk>
Subject: Howard Sykes -Standards Complaint - confidential

Response attached as required.

Please acknowledge safe arrival and please outline the timeline and next steps in this process please.

Many thanks.

Councillor Howard Sykes MBE

Leader of the Real Opposition.
Leader of the Liberal Democrat Group Oldham Council.
Liberal Democrat Spokesperson on Transport in Greater Manchester.
Member for Shaw Ward.
Member for East Ward Shaw & Crompton Town Council.
Vice President Association of Liberal Democrat Councillors.
Office: Room 338, Level 3, Civic Centre, West Street, Oldham OL1 1UL.
E: howard.sykes@oldham.gov.uk
W: <http://howardsykes.mycouncillor.org.uk>
Twitter: @Howard_Sykes
Facebook: @Councillor.Howard.Sykes
Home: 5 Ballard Way, Shaw, Oldham OL2 8DU
E: howard.sykes@oldham.gov.uk

Your privacy is important to me. Your local Liberal Democrat Councillors are committed to ensuring that we are transparent about ways in which we use your personal information and who we share that with (e.g. other Councillors, Council Officers or Officers from other bodies like the NHS, Police, Transport, United Utilities, Environmental Agency etc.) to help resolve any issues you have. The Liberal Democrats will also keep in touch from time to time about issues, but you can always ask us to stop at any time.

From: Paul Entwistle <Paul.Entwistle@oldham.gov.uk>
Sent: Monday, June 3, 2024 3:30 PM
To: Howard Sykes <howard.sykes@oldham.gov.uk>
Subject: Standards Complaint - confidential

Dear Howard,

Please see attached a complaint which has been made. Please could you provide your written comments on the complaint by the 17th June.

Regards, Paul

Paul Entwistle
Director of Legal

Councillor Howard Sykes MBE

**For the attention of the Council's Monitoring Officer
Paul Entwistle**

**Complaint submitted to Oldham Council
by Cllr Arooj Shah.**

Response:

Thank you for a copy of the unfounded complaint submitted by Cllr Shah and received by me on 3 June.

For clarity, I completely reject the allegations.

The complainant has provided no evidence to support their allegations. Instead, they rely on commentary, which is clearly opinion and supposition, with no basis in fact.

The allegations are, I believe, a clear attempt to discredit me. The factual evidence for this is the media release by the Labour Party issued, which the complaint clearly facilitated, calling for my resignation. The media release was issued shortly after the complaint was submitted, and clearly prepared in advance.

I believe the very act of issuing a media release relating to a submitted Standards Complaint both indicates the vexatious nature of the allegations and, in itself, is a potential breach of several aspects of the Members Code of Conduct.

Response submitted 16 June 24.

16 June 24

Councillor Howard Sykes MBE

Leader of the Real Opposition.

Leader of the Liberal Democrat Group Oldham Council.

Liberal Democrat Spokesperson on Transport in Greater Manchester.

Member for Shaw Ward.

Member for East Ward Shaw & Crompton Town Council.

Vice President Association of Liberal Democrat Councillors.

E: howard.sykes@oldham.gov.uk

W: <http://howardsykes.mycouncillor.org.uk>

Twitter: @Howard_Sykes

Facebook: @Councillor.Howard.Sykes

Home: 5 Ballard Way, Shaw, Oldham OL2 8DU

Simon Goacher

From: Paul Entwistle <Paul.Entwistle@oldham.gov.uk>
Sent: 20 August 2024 13:30
To: Simon Goacher
Subject: FW: Standards complaint - confidential

DOCID: 64513476

This message originated from outside our organisation and was sent to Simon Goacher. The sender name was Paul Entwistle and the sender's email address was paul.entwistle@oldham.gov.uk

Hi,

Response from Cllr Kenyon.

Paul

Paul Entwistle
Director of Legal

From: Cllr M Kenyon <Mark.Kenyon@oldham.gov.uk>
Sent: Friday, July 19, 2024 2:58 PM
To: Paul Entwistle <Paul.Entwistle@oldham.gov.uk>
Subject: Re: Standards complaint - confidential

Dear Mr Entwistle

I write in response to the complaints made against me regarding the events of Monday 20th May 2024.

Firstly I offer a sincere and unreserved apology to all those who were involved and attended the meeting on that date. Upon reflection, I recognise that I should not have used my phone to record the events in the heat of the moment and I really regret doing so - if I could turn back the clock, I absolutely would do.

I would be tremendously grateful if you would pass on my apology to the complainants and others present at the meeting.

I also apologise to the Council and recognise that this is not the standard of conduct that should be expected of a councillor.

For clarity, no special listening device was used. I could clearly hear what was being said in the room when standing in the corridor. Mindful of all the intensity of discussions around the council administration following the elections in May, what the various parties meeting in that room had publicly said or written about each other and my belief about the role of the Chief Executive in these discussions I decided in the spur of the moment to record what I could clearly hear in the corridor and then share them believing it would be likely to be shared further. I absolutely recognise that this was the wrong action to have taken.

Best regards
Mark

f: fb.me/MarkKenyon4GSL
e: mark.kenyon@oldham.gov.uk
e: MarkKenyon101@gmail.com
t: 07971 363 790

Mark Kenyon
Oldham Borough Councillor | Saddleworth West and Lees

Your privacy is important to me. Your local Liberal Democrat councillors are committed to ensuring that we are transparent about ways in which we use your personal information and who we share that with (e.g. Councillors, Council Officers or Officers from other bodies like the NHS, Police, Transport, United Utilities, Environmental Agency etc.) to help resolve any issues you have.
The Liberal Democrats will also keep in touch from time to time about issues, but you can always ask us to stop at any time.

From: Cllr M Kenyon <Mark.Kenyon@oldham.gov.uk>
Sent: Tuesday, July 9, 2024 9:46:13 PM
To: Paul Entwistle <Paul.Entwistle@oldham.gov.uk>
Subject: Re: Standards complaint - confidential

Hi Paul

By way of further explanation, I'm uncomfortable submitting a response prior to FC tomorrow as the Leader ignored previous advice not to discuss the matter.

I'll leave it up to you as to whether you share that with her, but in the interests of trying to calm things I'd prefer it if you didn't.

Best regards

Mark

f: fb.me/MarkKenyon4GSL
e: mark.kenyon@oldham.gov.uk
e: MarkKenyon101@gmail.com
t: 07971 363 790

Mark Kenyon
Oldham Borough Councillor | Saddleworth West and Lees

Your privacy is important to me. Your local Liberal Democrat councillors are committed to ensuring that we are transparent about ways in which we use your personal information and who we share that with (e.g. Councillors, Council Officers or Officers from other bodies like the NHS, Police, Transport, United Utilities, Environmental Agency etc.) to help resolve any issues you have.
The Liberal Democrats will also keep in touch from time to time about issues, but you can always ask us to stop at any time.

From: Cllr M Kenyon <Mark.Kenyon@oldham.gov.uk>
Sent: Tuesday, July 9, 2024 4:20:59 PM
To: Paul Entwistle <Paul.Entwistle@oldham.gov.uk>
Subject: Re: Standards complaint - confidential

Hello Paul

Yes absolutely I will be doing - please my apologies for the delay.

Best regards

Mark

f: fb.me/MarkKenyon4GSL
e: mark.kenyon@oldham.gov.uk
e: MarkKenyon101@gmail.com
t: 07971 363 790

Mark Kenyon
Oldham Borough Councillor | Saddleworth West and Lees

Your privacy is important to me. Your local Liberal Democrat councillors are committed to ensuring that we are transparent about ways in which we use your personal information and who we share that with (e.g. Councillors, Council Officers or Officers from other bodies like the NHS, Police, Transport, United Utilities, Environmental Agency etc.) to help resolve any issues you have.
The Liberal Democrats will also keep in touch from time to time about issues, but you can always ask us to stop at any time.

From: Paul Entwistle <Paul.Entwistle@oldham.gov.uk>
Sent: Monday, July 8, 2024 10:47:31 AM
To: Cllr M Kenyon <Mark.Kenyon@oldham.gov.uk>
Subject: RE: Standards complaint - confidential

Dear Mark,

Are you able to provide your response ?

Regards, Paul

Paul Entwistle
Director of Legal

From: Cllr M Kenyon <Mark.Kenyon@oldham.gov.uk>
Sent: Monday, June 17, 2024 2:25 PM
To: Paul Entwistle <Paul.Entwistle@oldham.gov.uk>
Subject: Re: Standards complaint - confidential

Morning Paul

Please do accept my apologies - it's not going to be possible to offer a reply by today.

Best regards

Mark

f: fb.me/MarkKenyon4GSL
e: mark.kenyon@oldham.gov.uk
e: MarkKenyon101@gmail.com
t: 07971 363 790

Mark Kenyon

Oldham Borough Councillor | Saddleworth West and Lees

Your privacy is important to me. Your local Liberal Democrat councillors are committed to ensuring that we are transparent about ways in which we use your personal information and who we share that with (e.g. Councillors, Council Officers or Officers from other bodies like the NHS, Police, Transport, United Utilities, Environmental Agency etc.) to help resolve any issues you have. The Liberal Democrats will also keep in touch from time to time about issues, but you can always ask us to stop at any time.

From: Paul Entwistle <Paul.Entwistle@oldham.gov.uk>
Sent: Tuesday, June 4, 2024 1:52 pm
To: Cllr M Kenyon <Mark.Kenyon@oldham.gov.uk>
Subject: Standards complaint - confidential

Dear Mark,

I have received a standards complaint which is attached . Please could you provide your written comments on the complaint by the 17th June. You may seek the views of one of the independent persons, Gillian McCarthy. If you would like to do this, please let me know and the contact details can be provided.

Regards, Paul

Paul Entwistle
Director of Legal



Confidentiality: This email and its contents and any attachments are intended only for the above named. As the email may contain confidential or legally privileged information, if you are not, or suspect that you are not, the above named or the person responsible for delivery of the message to the above named, please delete or destroy the email and any attachments immediately.

Security and Viruses: This note confirms that this email message has been swept for the presence of computer viruses. However, we advise that in keeping with good management practice, the recipient should ensure that the email together with any attachments are virus free by running a virus scan themselves. We cannot accept any responsibility for any damage or loss caused by software viruses.

Monitoring: The Council undertakes monitoring of both incoming and outgoing emails. You should therefore be aware that if you send an email to a person within the Council it may be subject to any monitoring deemed necessary by the organisation from time to time. The views of the author may not necessarily reflect those of the Council.

Access as a public body: The Council may be required to disclose this email (or any response to it) under the Freedom of Information Act, 2000, unless the information in it is covered by one of the exemptions in the Act.

Data Protection: The council is committed to ensuring that we are transparent about the ways in which we use personal information and that we have the right controls in place to ensure it is used responsibly and is kept safe from inappropriate access, theft or misuse. Further information on how we use personal information and individual's privacy rights can be found at www.oldham.gov.uk/dataprotection

Legal documents: The Council does not accept service of legal documents by email.

Oldham Council

Weightmans reference: SIG/433873/97

Report of an investigation into allegations concerning the conduct of
Councillors Louie Hamblett, Mark Kenyon, David Murphy and Howard
Sykes

SG 11

Simon Goacher

From: Cllr L Hamblett <Louie.Hamblett@oldham.gov.uk>
Sent: 05 June 2025 14:29
To: Simon Goacher
Subject: RE: Complaint Against You: Draft Report

DOCID: 70496125

This message originated from outside our organisation and was sent to Simon Goacher. The sender name was Louie.Hamblett@oldham.gov.uk and the sender's email address was louie.hamblett@oldham.gov.uk

Dear Mr Goacher, please find the response to draft report:

Page 31

Bullet 21.

Member's Official Details are not correct as the Pennine Care NHS Trust - Joint Mental Overview & Scrutiny Committee I am listed as Substitute **I** **was in fact OSP from Oldham and still am.**

Page 32 Background

Bullet 29.

Lab 27
Lib Dem 9
Con 8
Fip 2
RIP 2
TOG 6
LAB IND 2
SHAW IND 2
Failsworth Ind 2

Page 36

Bullet 38. Reason for delayed response "I was offered the chance to seek advice on which I did and thus was awaiting their guidance on the matter"

Page 46

Evidence of Cllr Hamblett

Bullet.93/94 Cllr Hamblett explained that the former Liberal Democrat group room used to be one largish room with a table and several desks in it. He stated that he went in just to do some case work, print some documents and do notes and things.

Owing to my sensory needs I tends to wear headphones or earpieces to avoid loud noises or drown out the background noise and listen to music and this is the reason I was not aware of recording of any recording.

Page 46

Bullet. 95 (First paragraph Reason for delayed response as I was offered the chance to seek advice on which I did and thus was awaiting their guidance on the matter)

Page 55/56

Findings of the fact

Bullet. 146 (b) I was not aware that Cllr Kenyon made the recording until I later saw this on social media later that evening.

(reason given under Bullet. 93/94)

Bullet. 147 (b) line 8 Cllr Hamblett's evidence is credible as demonstrated under - Bullet 147 (c) Cllr Hamblett left to make a cup of tea and entered the liberal democrat's group room whilst wear headphones and got in with work, he was not aware of what had transpired

Bullet 156. Cancels out 147 (b) Line 8 - "Clearly indicates that Cllr Hamblett was not aware of the recording being taken place at the time"

Page 61

Bullet 169. *(This is a matter of opinion and please see my response under Page 36)*

My kindest regards and best wishes,

Louie

Cllr Louie Hamblett
Liberal Democrat Crompton Ward
Liberal Democrat Councillor for Crompton North Ward
Shadow Cabinet Member for Adults, Health and Wellbeing
Vice Chair of The Oldham Learning Disability and Autism Collaborative
Chair of Oldham Pride
Pronouns: he/him

Office Num: 0161 770 0026

Home T: 01706660806

Oldham council website: [Crompton borough councillors](#)

FB: <https://www.facebook.com/cllrlouiehamblett/?ref=bookmarks>

Quick links

[Report a pothole](#) | [Report fly tipping](#) | [Check roadworks](#) | [Report missed bin \(after 6pm\)](#)

[Help with Council Tax](#) | [Help with benefits](#) | [Emergency support](#) | [AV Davies Application Form](#) |

[Other support](#)





LGBT+ Lib Dems | Liberal Democrat Disability Association | Oldham Liberal Democrats |

For a Fair Deal,

Your privacy is important to me: Your local Liberal Democrat Councillors are committed to ensuring that we are transparent about ways in which we use your personal information and who we share that with (eg other Councillors, Council Officers or Officers from other bodies like the NHS, Police, Transport, United Utilities, Environment Agency etc) to resolve any issues you have. The Liberal Democrats will also keep in touch from time to time about issues, but you can always ask us to stop at any time.

From: Simon Goacher <Simon.Goacher@Weightmans.com>

Sent: 22 May 2025 10:19

To: Cllr L Hamblett <Louie.Hamblett@oldham.gov.uk>

Subject: Complaint Against You: Draft Report

Dear Cllr Hamblett

I attach my draft report in respect of the complaint made against you.

In accordance with the Council's procedure I am giving you and the complainant an opportunity to comment on the draft report. Any comments which I receive by email by 5.00pm on 6 June 2025 will be considered in finalising my report. Any comments received after that date will not be considered.

I remind you that, at this stage, the process is confidential and you must not discuss or share the report or its contents, in whole or in part, with any other person without first obtaining my consent to do so. This does not prevent you sharing it with a solicitor for the purpose of obtaining legal advice, if you wish to do so.

Yours sincerely

Simon Goacher
Partner
Weightmans LLP



Tel: 0345 073 9900 /ext 139582

DDI: 0151 243 9582

Simon.Goacher@Weightmans.com

<https://www.weightmans.com>

140 specialism rankings and 563 individual rankings in Chambers and Legal 500



Please note that our central postal address for all offices is 100 Old Hall Street, Liverpool, L3 9QJ.

Please consider our environment and send correspondence by email where possible. Only if absolutely necessary send correspondence by hard copy. Also consider whether you need to print this message.

If you are serving proceedings via the Damages Claim Portal please ensure you use dcp@weightmans.com as the defendant solicitor's email address.

For all other types of proceedings we will accept service of proceedings electronically if proceedings are sent to serviceofproceedings@weightmans.com

"Weightmans" is the collective name under which Weightmans LLP and Weightmans (Scotland) LLP provide legal and other services to clients.

Weightmans LLP is a limited liability partnership registered in England & Wales with registered number OC326117 and its registered office at 100 Old Hall Street, Liverpool L3 9QJ. A full list of members is available at the registered office. The term "partner", if used, denotes a member of Weightmans LLP or a senior employee of Weightmans LLP with equivalent standing and qualifications. Authorised and regulated by the Solicitors Regulation Authority. SRA number: 463329. This email is CONFIDENTIAL and LEGALLY PRIVILEGED. If you are not the intended recipient of this email and its attachments, you must take no action based upon them, nor must you copy or show them to anyone. Please contact the sender if you believe you have received this email in error. More information about Weightmans LLP can be found at www.weightmans.com including details of all members.

Fair Processing Notice

Weightmans process personal data for the purposes of our business in providing our services and as part of the claims resolution process and/or in connection with assisting detection/ prevention of fraud. We also process personal data in anonymised form for statistical and/or insurance and/or legal advice purposes. For further information about how Weightmans process data please see our website privacy notice at www.weightmans.com/privacy-notice

Pour voir ce pied de page en français, cliquez [ici](#)

Para ver este pie de página en español, haga clic [aquí](#)

Cyber crime and fraud alert

Please be aware that we do not send notifications of changes to our bank details by email. Fraudsters have been impersonating law firms and some clients of law firms have been tricked into forwarding monies to them. If you receive an email that appears to come from us, providing different bank details to the ones we supplied at the outset of the matter or indicating a change in our bank details, please contact the fee earner dealing with your matter by telephone immediately. Do not reply to the email or act on any information contained in it. We will not accept responsibility if you transfer money into an incorrect account. Nothing in this email can be considered to create a binding contract

Terms and conditions of business

Our standard terms of business apply to every retainer we enter into. They can be accessed on our website at <https://www.weightmans.com/media/m4dhyjwo/weightmans-terms-conditions.pdf>



Confidentiality: This email and its contents and any attachments are intended only for the above named. As the email may contain confidential or legally privileged information, if you are not, or suspect that you are not, the above named or the person responsible for delivery of the message to the above named, please delete or destroy the email and any attachments immediately.

Security and Viruses: This note confirms that this email message has been swept for the presence of computer viruses. However, we advise that in keeping with good management practice, the recipient should ensure that the email together with any attachments are virus free by running a virus scan themselves. We cannot accept any responsibility for any damage or loss caused by software viruses.

Monitoring: The Council undertakes monitoring of both incoming and outgoing emails. You should therefore be aware that if you send an email to a person within the Council it may be subject to any monitoring deemed necessary by the organisation from time to time. The views of the author may not necessarily reflect those of the Council.

Access as a public body: The Council may be required to disclose this email (or any response to it) under the Freedom of Information Act, 2000, unless the information in it is covered by one of the exemptions in the Act.

Data Protection: The council is committed to ensuring that we are transparent about the ways in which we use personal information and that we have the right controls in place to ensure it is used responsibly and is kept safe from inappropriate access, theft or misuse. Further information on how we use personal information and individual's privacy rights can be found at www.oldham.gov.uk/dataprotection

Legal documents: The Council does not accept service of legal documents by email.

Oldham Council

Weightmans reference: SIG/433873/97

Report of an investigation into allegations concerning the conduct of
Councillors Louie Hamblett, Mark Kenyon, David Murphy and Howard
Sykes

SG 12

Simon Goacher

From: Cllr M Kenyon <Mark.Kenyon@oldham.gov.uk>
Sent: 05 June 2025 15:37
To: Simon Goacher
Subject: standards complaint response
Attachments: image001.png; image002.jpg; image003.jpg

DOCID: 70496088

This message originated from outside our organisation and was sent to Simon Goacher. The sender name was mark.kenyon@oldham.gov.uk and the sender's email address was mark.kenyon@oldham.gov.uk

Mr Goacher

Please find my response enclosed to your draft report.

Para 29 – the results are incorrect. Correct results to the election in 2024 are: labour 27, liberal democrat 9, conservative 8, the Oldham Group 6, shaw and Crompton independent 2, FIPs 2, Royton Independent 2, and then 4 independent members comprising independent ex labour 2 & independent ex FIP 2.

Para 36 – my apology is not dated. It should be. Please insert the date the apology was tendered (19th July 2024), and that I acknowledged what I had done, apologised to all the participants in the meeting, and that the previous Monitoring Officer failed to pass on those apologies. It should also be noted that LGA advice is that apologies should be given via the monitoring officer, as direct apologies have been criticised in previous cases. My apology is enclosed for reference.

From: Cllr M Kenyon <Mark.Kenyon@oldham.gov.uk>
Sent: Friday, July 19, 2024 2:58:28 PM
To: Paul Entwistle <Paul.Entwistle@oldham.gov.uk>
Subject: Re: Standards complaint - confidential

Dear Mr Entwistle

I write in response to the complaints made against me regarding the events of Monday 20th May 2024.

Firstly I offer a sincere and unreserved apology to all those who were involved and attended the meeting on that day. In reflection, I recognise that I should not have used my phone to record the events in the heat of the moment and I am sorry for doing so - if I could turn back the clock, I absolutely would do.

I would be tremendously grateful if you would pass on my apology to the complainants and others present at the meeting.

I also apologise to the Council and recognise that this is not the standard of conduct that should be expected of a Councillor.

For clarity, no special listening device was used. I could clearly hear what was being said in the room when standing in the corridor. Mindful of all the intensity of discussions around the council administration following the elections in May 2024, various parties meeting in that room had publicly said or written about each other and my belief about the role of the Executive in the these discussions I decided in the spur of the moment to record what I could clearly hear in the corridor and then share them believing it would be likely to be shared further. I absolutely recognise that this was the wrong action taken.

Best regards

Mark

f: fb.me/MarkKenyon4GSL
e: mark.kenyon@oldham.gov.uk
e: MarkKenyon101@gmail.com
t: 07971 363 790

Mark Kenyon
Oldham Borough Councillor | Saddleworth West and Lees

Para 53 – I have apologised.

Para 65 – Cllr Hince has suffered the effects of his own actions. The criticism of Cllrs Hince and Navesey are a result of their own broken promises to their electorate (“[we] will not form any coalition with the Labour Party..... Such a move would be contrary to our values and.....would be a betrayal of the trust we have built up within our local communities” Cllr Hince prior to the local elections in May 2024 see below and enclosed). I have acknowledged that the recording worsened the atmosphere and apologised for that.

Although as you can appreciate our current focus is on May 2nd. I can give assurances on behalf of The Independent Group. That any of our current serving councillors and associated candidates for the upcoming election. Will not form any coalition with the Labour Party.

As you are very well aware, such a move would be contrary to our values and principles and would be a betrayal of the trust we have built up with our local communities.

Regards

Marc Hince MBA MCMI
Leader of The Independent Group OMBC

Para 67 – incorrect. I asked him whether he was voting to support Labour. There is no evidence to support his claim, so it is completely unfair to conclude that he was abused.

Para 70 – Cllr Hince has not made any complaint to the Liberal Democrat party. Why would they then inform him of the outcome?

Para 74 – Cllr Hince is not privy to any information about the complaint, as he is not a party to it.

Para 76 – I have apologised on 19 July 2024

Para 80 – This did not happen.

Para 107 – This is the advice given by the LGA about apologising in this situation.

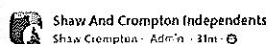
Para 147 a) You claim that the CCTV is inconsistent with my statement about using my phone to record the meeting. In what way? I placed my phone on the ground, and moved away. I then retrieved my phone. This is exactly what is shown on the CCTV. Your conclusions are unsupported opinion and undermines my statement without any evidence.

Para 147b) – my recollection is 100% about the key facts as I made contemporaneous notes. I assume that the recollection of other parties was compromised by the fast pace of events, and the numerous times this matter was discussed in public at full council against the monitoring officer's advice, the facebook posts by Cllrs Hince and Navesey (including edited CCTV footage taken from the Civic Centre), the leaflet produced and distributed by Hince and Navesey and the Labour press release that was covered by BBC and Reach Media outlets.

You also stated that it is "inconceivable" that I would pass on a recording to others without talking to other councillors first. I stated that my reason to pass it on to a third party was to ensure that people listening to it for the first time would see it as a politically neutral act. Discussing it with colleagues would undermine exactly that intent.

Para 152 – see para 36

Para 156 – my notes are private. Nowhere in the standards process does it say that personal notes must be handed over to the standards process. Your conclusions are complete supposition and without basis. You have equated privacy with guilt and completely ignored the potential for abuse that releasing these notes to you could have. This whole standards enquiry has suffered leaks, news stories, facebook posts, speeches in the chamber and also release of excerpts of your own draft report. Why would I release private notes to a process that could very easily be published on Facebook soon after?



BREAKING NEWS!

After an independent inquiry.

Oldham Liberal Democrats councillors:

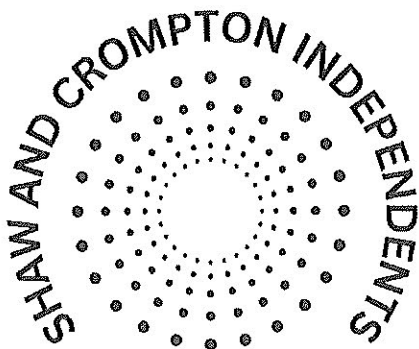
Howard Sykes

Dave Murphy

Mark Kenyon

Have been found in breach of the OMBC's code of conduct!

MORE TO FOLLOW ON THIS STORY AS IT BREAKS!!!



LET'S MAKE OUR TOWN BETTER (✓)

You have stated that not revealing the identity of the third party was a failure to cooperate with the investigation. I explained why I thought that this information was not relevant to the investigation, and you did not challenge that explanation during our interview. It seems contrary to now claim that this was a failure to cooperate.

Para 164 - there is absolutely no evidence of "sophisticated spyware" (this phrase in itself is loaded and biased as it is lifted straight from the ex chief exec's complaint and subsequent Labour press release). If there is evidence to challenge my own account that merely my own phone was used, then you should include it in your report eg a screengrab from CCTV. All the available evidence is completely supportive of me using my only phone, as I stated. Why are you repeating an allegation which has no evidence, merit or support, and denying a statement of facts without any evidence?

Para 171 – I sought advice as I was recommended to. Any inconsistencies in the accounts of my colleagues is not evidence of collusion. I'd also add that your argument is not impartial and is fallacious; on one hand you argue that consistency is evidence of collusion (eg about face-to-face meetings), on the other hand you argue that an inconsistent account is evidence that someone is not telling the truth. Your claim of (in)consistency cannot be used to support two opposing arguments.

Para 174 – I was asked to be interviewed six months after I had already acknowledged my error, and apologised for it. There is no evidenced conclusion in this report which goes beyond my statement and apology. Any costs that have been incurred at this point are caused by the failure of the monitoring officer to follow process, and pass on the apology and acknowledgement.

Further, the complainant and the witnesses to the incident have repeatedly breached the confidentiality of the complaints process, in direct violation of instructions from the monitoring officer. Ensuring that I did the most I could to ensure that I was confident in this part of the process seems not just justified, but essential.

I'd also like to address your comment on my own defence of public's right to know. You have no evidence to conclude that my own motivations are not what I have stated ie public right to know. You might not be happy with the reasons I have provided, but without any evidence to the contrary you are happy to state that my motivation of the public's right to know is false. This is unfair and has no merit.

To give an example of what I think the public should know is the chief executive can be clearly heard in the recording to state that he would only give "the full picture" to groups who were part of the agreement, and that they would

help them "make a narrative" to explain things to people. This goes considerably beyond "facilitating and brokering discussion" and in my opinion is the supposedly politically neutral most senior officer engaging in political campaigning.

I enclose a complete transcript of the recordings below for inclusion in your report.

Recording 1

?? It's a league. It's gone off on it because, you know, and in general terms, every council meeting is nearly spoilt by it.

AroojSHah: "Yeah."

?? And then it goes out it doesn't go right.

HarryCatherall "They should ...

?? it'll get worse and worse and worse.

AS: "You can bring it in to the next full council."

HC: "You can mention it almost immediately, but it will go to July Council meeting.

?? Right.

HC: "If you've done the work about it to turn it around, and then it's away isn't it."

AS: "And the difference here is, Mark, and this is really, really important, you know. Like you said before, you will have officer support, so everything will be right, everything will be checked out, everything will make ... The officers will make sure it is solid because ..."

Recording 2

MarchHince: Two streets where they are not bothered.

?? Correct yeah, but the guidance for people.

MH: Have you got one?

AS: What you have got to understand in this is Marc, what you've got to understand is that it is in my interest for me to make this work.

MH: Yeah.

AS: So there's no there's nothing about it, you know? So once we get the briefing done the whole purpose of them briefings [...] as well. is that we are all averse. And so we know exactly what we saying. how we sign a statement around IX Wireless and stuff like that. It's just not significant enough to be included

MH: No, no, no, I understand that.

HC: And also, what we do in the private room is, this is this factually is where we are, we share with you a full picture.

MH: Yeah.

HC: So you don't go fighting something that you're desperately going to lose.

MH: Yeah.

HC: Nobody wants to do that. Yeah. If we spell out the law to you, and update it, most people, as Marc said, don't want to listen. don't want to believe it. We'll spell it out to you. And then actually you take a position, a very plain narrative. So know you're not setting yourself up to fail.

MH: Yeah.

HC: It's dead easy to set yourself up to fail in some of these contexts.

[...]

AS: I've got emails that I sent to IX Wireless it was everything I fought for But it was just not good enough. And I my personal view is that Lewis was in her head.

MH He is now. He's trying to use. He's trying to use. Because I said to him today, I said, we need to come using this to try to use emotive subjects like Palestine, IX, whatever it might be, you know, generate this "Labour out" at all costs. [...]

AS: Time and actions will prove stuff.

MH: I'm signing this?

AS: Yeah. [...] whatever you want?

MH: No, are we in agreement? [...] Lee?

[...]

Best regards

Mark

f: fb.me/MarkKenyon4GSL

e: mark.kenyon@oldham.gov.uk

e: MarkKenyon101@gmail.com

t: 07971 363 790

Mark Kenyon

Oldham Borough Councillor | Saddleworth West and Lees

Your privacy is important to me. Your local Liberal Democrat councillors are committed to ensuring that we are transparent about ways in which we use your personal information and who we share that with (e.g. Councillors, Council Officers or Officers from other bodies like the NHS, Police, Transport, United Utilities, Environmental Agency etc.) to help resolve any issues you have. The Liberal Democrats will also keep in touch from time to time about issues, but you can always ask us to stop at any time.



Confidentiality: This email and its contents and any attachments are intended only for the above named. As the email may contain confidential or legally privileged information, if you are not, or suspect that you are not, the above named or the person responsible for delivery of the message to the above named, please delete or destroy the email and any attachments immediately.

Security and Viruses: This note confirms that this email message has been swept for the presence of computer viruses. However, we advise that in keeping with good management practice, the recipient should ensure that the email together with any attachments are virus free by running a virus scan themselves. We cannot accept any responsibility for any damage or loss caused by software viruses.

Monitoring: The Council undertakes monitoring of both incoming and outgoing emails. You should therefore be aware that if you send an email to a person within the Council it may be subject to any monitoring deemed necessary by the organisation from time to time. The views of the author may not necessarily reflect those of the Council.

Access as a public body: The Council may be required to disclose this email (or any response to it) under the Freedom of Information Act, 2000, unless the information in it is covered by one of the exemptions in the Act.

Data Protection: The council is committed to ensuring that we are transparent about the ways in which we use personal information and that we have the right controls in place to ensure it is used responsibly and is kept safe from inappropriate access, theft or misuse. Further information on how we use personal information and individual's privacy rights can be found at www.oldham.gov.uk/dataprotection

Legal documents: The Council does not accept service of legal documents by email.

Oldham Council

Weightmans reference: SIG/433873/97

Report of an investigation into allegations concerning the conduct of
Councillors Louie Hamblett, Mark Kenyon, David Murphy and Howard
Sykes

SG 13

Good afternoon Simon

Thank you for the draft report.

Firstly, I would like to make you aware that the findings from your Draft - Confidential Report has been circulated on social media by the Shaw and Crompton Independents.



Shaw Crompton



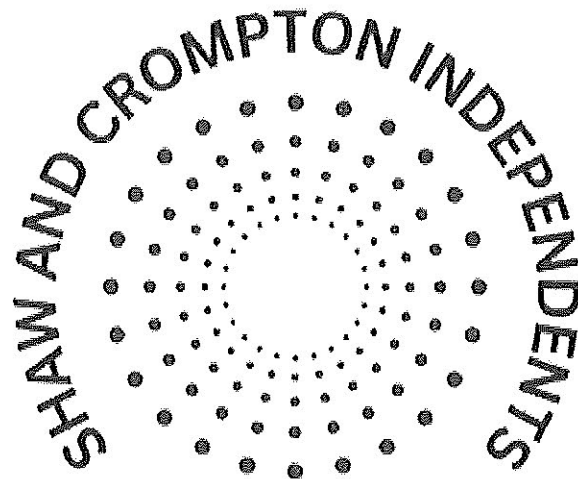
3h · 8%

BREAKING NEWS!

**After an independent inquiry.
Oldham Liberal Democrats councillors:**

**Howard Sykes
Dave Murphy
Mark Kenyon**

**Have been found in breach of the OMBC's
code of conduct!
MORE TO FOLLOW ON THIS STORY AS IT
BREAKS!!!**



LET'S MAKE OUR TOWN BETTER ✓

👤 6

3 comments

👍 Like

💬 Comment

📧 Send

Would you please confirm who has seen your draft report? and if the same instruction I was given applies to them, have they have gone against your direct instruction? and if so, what action you will be taking?

I remind you that, at this stage, the process is confidential and you must not discuss or share the report or its contents, in whole or in part, with any other person without first obtaining my consent to do so.

And in the report

The contents of this report and any accompanying documents are confidential and must not be disclosed.

I am grateful for your conclusion that there has **not** been a failure on my part in the code of conduct in relation to the recording.

I am however extremely disappointed in your report which says **(4)** there has been a failure to comply with the Code with them **(me)** as they **(I)** have not co-operated with the investigation process.

(169) Cllrs Hamblett, Murphy and Sykes all refused to answer a simple question from the Monitoring Officer when he asked them if they were aware that the recording was being made at the time.

This was a simple question and highly pertinent to the complaints being made against them. They have given no satisfactory explanation of why they did not answer this straightforward question. In my view their failure to answer a straightforward question with an answer amounts to a failure to co-operate with a code of conduct

I find this an unfair assessment, and untrue I have fully co-operated with the investigation and have done so in a timely manner, I have been fully open and co-operative, the further question asked of the then Borough Solicitor I believed I had already provided a satisfactory answer. No involvement means no involvement. Your "view of none co-operation" is not fact the facts are the aforementioned.

If I had not co-operated at all then I could accept the conclusion, at worst, it is a misunderstanding of what the exactly the Borough Solicitor required. I did respond to him and I thought the answer was clear on both occasions.

Using the test of (149)

The test in deciding whether or not there has been a breach of the code is objective: would a reasonable person be aware of all the material facts and ignoring all immaterial factors consider that there has been a breach of the code?

I believe a reasonable person would say that apart from the misunderstanding he has fully co-operated with the investigation and should not be labelled as 'not co-operating'.

I respectfully request that I should be given the benefit of doubt and ask that you remove my name from your conclusion (175 ii) in that I have breached the code in none co-operation.

I would like to address (170 – 171) it feels like you are suggesting some sort of pre-discussion. On your written instruction I sort advice, that advice was if possible, to avoid an online meeting, and to request a face to face meeting the rationale being in the toxic world I now find myself in at Oldham Council who else is in the room behind the camera? But more importantly I want the investigator to look me in the whites of my eyes and see for themselves that I am fully co-operating, open, honest and respectful of the investigation.

(128 / 129) mentions the video and leaflet please see evidence to support, you will see members of the public had the option to view the CCTV footage.

The leaflet circulated to households in Shaw and Crompton was an attempt to sway public opinion and discredit the Liberal Democrat Councillors.

The video created for the Shaw and Crompton Independents and circulated by Cllr Lisa Navesey whose name appears at the bottom was then put on social media. It is yet another attempt to discredit and both show utter contempt for an independent investigation.

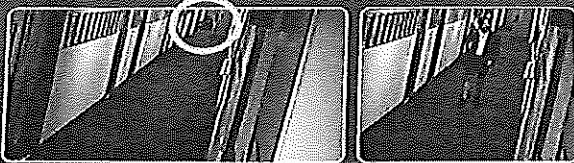
LIB DEM NONSENSE AND THE FACTS

A Lack of Standards, Respect and Trust – The Lib Dem Spy-Gate Scandal

After the local elections in May, the Council fell into no overall control, meaning no one party or group could form an administration. It was therefore up to parties and independent groups to form coalitions or working agreements to try to form an administration to run the council.

This required meetings with different parties and groups to try to establish common grounds. It is accepted these meetings are in private and many discussions took place between groups/parties. Outrageously, the Lib Dems recorded our meeting with the Labour administration, who they had met in private three days before, then released snippets of the recording on social media.

At a time when feelings were running high, consequently both Cllr Hince and Navesey received horrendous abuse online, including death threats, which were no doubt fuelled in a large part by the actions of the Lib Dems. We still await the outcome of an internal Lib Dem inquiry, however at least one councillor remains suspended by the party. Are these the standards you expect from your elected representatives?

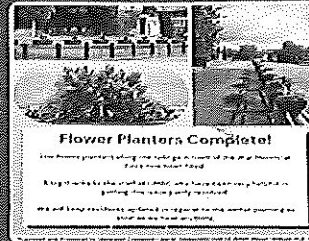
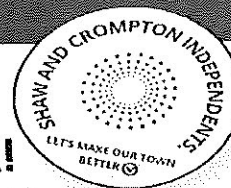


WATCH THE CCTV FOOTAGE ON OUR FB PAGE:
SEARCH, SHAW & CROMPTON INDEPENDENTS



**JOIN WITH US, AND
TOGETHER, LET'S MAKE
SHAW & CROMPTON BETTER!**

Facebook Shaw & Crompton Independents
Website www.sclIndependents.co.uk • Email info@sclIndependents.co.uk



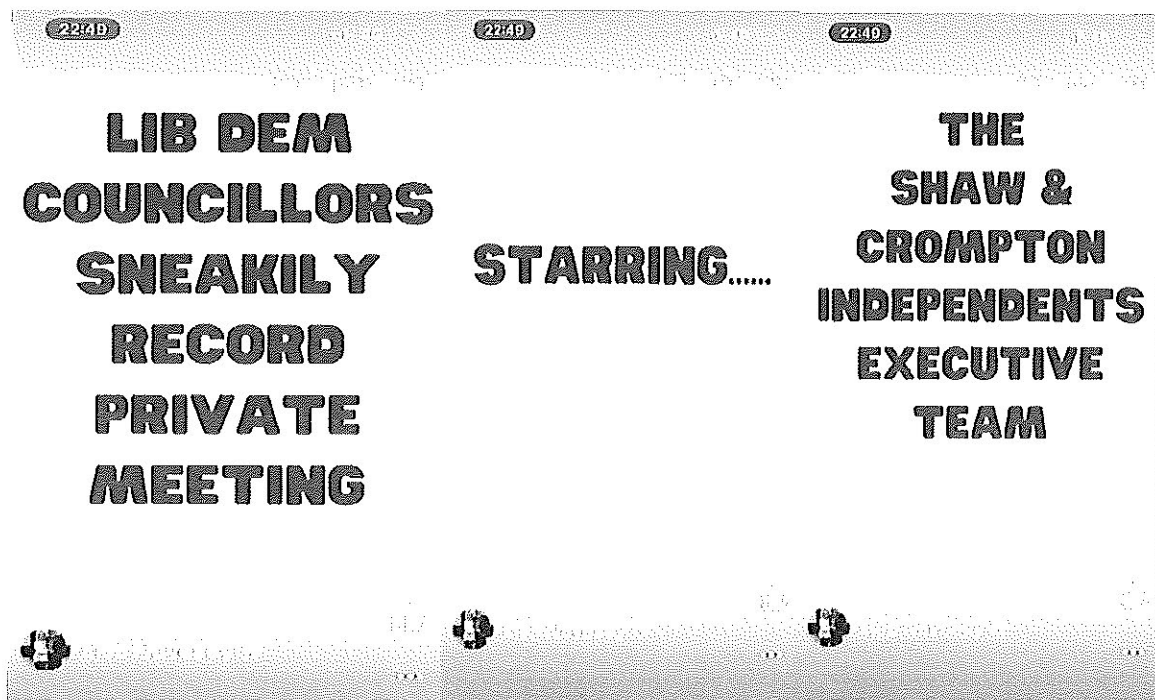
Where Have All The Flowers Gone?

Despite repeated requests, DMBC failed to fill the flower planters for winter along Crompton Way and near the Cenotaph.

Both the Liberal Democrat Councillors and the Town Council provide funding for this seasonal planting. Whilst the Shaw & Crompton Independents ensured the Town Council's obligations were fulfilled, we are still waiting for the Lib Dems to fulfil theirs. This of course did not stop the Lib Dems from trying to take the credit!

As their motto goes - "Why do the work, just take the credit!"

Several stills from the video (which I will try to attach to the email.) each member accused gets mentioned.



In addition, there are some further factual inaccuracies.

(27) I am not a member of these committees.

- MioCare and Support
- Pennine Acute Hospitals NHS Trust- Joint Health Overview & Scrutiny Committee
- Pennine Care NHS Trust – Joint Mental Health Overview & Scrutiny Committee (Substitute)

(54) Cllr Shah did make formal complaints about Cllr Diane Williamson to both the Liberal Democrat National Party and to Oldham Councils Standards Committee. Cllr Williamson was cleared by the National Party and Oldham Council's monitoring Officer who both decided no case to answer.

With reference to Cllrs Hince and Navesey's comments (60-86) they claim the abuse they have received was a result of the recording I would put it to them that members of the public showed their feelings because of the betrayal of the trust given to them in the local elections and them reneging on their commitments.

They categorically said in an open letter later circulated on social media (copy below).

"That any of our current serving councillors and associated candidates for the upcoming election. Will not form any coalition with the Labour party.

As you are very well aware, such a move would be contrary to our values and principles and would be a betrayal of the trust we have built up with our local communities"

Whilst I condemn any abuse, I can understand why they were challenged. The Shaw and Crompton Independents can dress it up and say they have a 'working arrangement' as much as they want. The reality is they betrayed the trust of the electorate who voted for them.

Although as you can appreciate our current focus is on May 2nd. I can give assurances on behalf of The Independent Group. That any of our current serving councillors and associated candidates for the upcoming election. Will not form any coalition with the Labour Party.

As you are very well aware, such a move would be contrary to our values and principles and would be a betrayal of the trust we have built up with our local communities.

Regards

Marc Hince MBA MCM
Leader of The Independent Group OMBC

In conclusion

I am grateful for the outcome of no breach of the Councillors Code of Conduct for the recording but deny that I have not co-operated with the investigation and request that you remove from your conclusion a breach for non-co-operation.

Oldham Council

Weightmans reference: SIG/433873/97

Report of an investigation into allegations concerning the conduct of
Councillors Louie Hamblett, Mark Kenyon, David Murphy and Howard
Sykes

SG 14

**Response from Councillor Howard Sykes to draft report ref:
SIG/433873/97 by Simon Goacher**

**Report of an investigation into allegations concerning the conduct of
councillors Louie Hamblett, Mark Kenyon, Dave Murphy and Howard
Sykes.**

First, thank you for granting an extension to the date for me to respond due to my pre booked leave, which was appreciated.

My colleagues and I have followed the rules and made no comments on this Standards matter as advised. We have made no comments, to the traditional broadcast and print media, via social media or in meetings – that is in stark contrast to others involved in this case.

This matter has been referred to in Full Council meetings on at least three occasions by others who are either complainants or have an interest in the complaint. From what we understand, there has been no sanction against those who have commented. Labour, for example, have issued several media releases saying we are 'guilty' and calling for our resignations.

Despite this clear breach of Standards policy, we made no comment. However, we have clearly suffered a public trial in the media by those who have used the media to pursue their own campaign.

Our silence and abiding by the rules and advice has clearly damaged our reputation which, in my opinion, was the clear intent, along with the obvious implication of attempting to influence the investigation and outcome of the complaint.

If further evidence was required the contents of the draft report have already been leaked/shared. It is certainly not me, my colleagues, or the acting Monitoring Officer as I have asked them all and believe them.

Posts have been made about the draft report and its findings on social media from one of those who gave evidence, but who the draft report was not supplied to.

Again, clearly against advice and the basis on which the draft report was supplied. What action will the Investigating Officer or the Council be taking to identify the source of the leak?

Summary P3

It is wrong to say that I failed to comply with the Code. I did respond. That is a fact. I also clarified that and the reasons for my response during my interview. It might have not been the response the then Monitoring Officer wanted but I did respond. It is important to note that this was during the 'informal' process, before the decision to investigate was taken.

P16

Refers to guidance from the Local Government Association (LGA) and is also referenced elsewhere in the document. This is just that, advice and guidance. It is not statutory or part of the legislation. Also, if an authority, as a number are, was not a member of the LGA I assume this 'advice' would not be referred to.

Member's official details P31 & 32

25., 26., 27., I am not sure these are correct.

However, I am certain 28. is incorrect – it is missing Oldham Community Leisure, Health & Wellbeing Board, Oldham Property Partnership, Bee Committee (TfGM).

Also, I am not and never had been on: Miocare & Support, Pennine Acute Hospitals NHS Trust – Joint Health, Overview & Scrutiny Committee, Pennine Care NHS Trust – Joint Mental Health Overview & Scrutiny Committee (substitute).

I would be grateful for the report to be updated and an explanation of the source of these errors provided to me.

Background P32

29. The political balance figures are incorrect. The correct figures are:

Labour	27
Liberal Democrats	9
Conservative	8
The Oldham Group	6
Failsworth Independent Party	2
Royton Independents	2
Independent Labour	2
Shaw & Crompton Independents	2
Failsworth non-aligned	2
Making a total of	60

30. P32'

Should read: 'the two Shaw & Crompton Independent councillors.....'

34. P32

Also mentioned elsewhere and a phrase first used by the former Chief Executive of the Council. There has never been or any evidence provided of 'sophisticated spyware' yet this is repeated as though it were an established fact several times. The report should be amended to deal with proven fact, not conjecture. Additionally, I have personally reviewed the CCTV and have seen see no evidence to support this allegation which is clearly unfounded.

26. P34

Councillor Mark Kenyon did apologise, correctly in my opinion, to the then Monitoring Officer and asked for that apology to be shared as appropriate.

For reasons unknown to us, the apology was not forwarded. Had we been advised that Officers would not or had not forwarded the apology, we would have sought the Monitoring Officer's agreement that Councillor Kenyon sent the apology immediately to those concerned. This needs to be referenced very clearly in the report so that it is fair, balanced and accurate.

In another Standards case I am aware of; Monitoring Officers have given contradictory advice or been critical of people who have sent apologies directly. I am confident Councillor Kenyon's action was based on advice.

51. P39

The two different issues in this paragraph should be separated. Councillor Shah's views on the Liberal Democrats is one issue. Things in her personal life that involved the police are a totally different issue.

53. P40

This shows that the failure of the Officer to forward or deal with the sincere apology of Councillor Kenyon caused further avoidable and unnecessary distress to Councillor Shah. I suggest that this indicates the Council's standards processes need to be urgently reviewed and updated.

54. P40

Councillor Williamson was part of the original complaint so this paragraph is incorrect. She is clearly listed on the standards complaint form.

58. P40

This is also not true. From memory the national Liberal Democrats followed its own procedures and determined the matter in October 2024. The Liberal Democrats processes are not a matter for a Council Standards complaint.

67. P41

I did witness what I think this refers to and it was not abuse. CCTV footage will clearly show it was just a forthright legitimate question.

75. P43

Abuse of any councillor is not condoned or ever encouraged. I too have been subject to a fair share of it over recent years. Mindful of the concerns identified by Councillor Hince, he may wish to consider asking for his home address to be redacted from his Register of Interests as shown and published on the Council website. (Extract below from the Oldham Council's web site). Clearly, Councillor Hince's home address has and continues to be freely available, published by the Council.

5. Land, Licences and Corporate Tenancies

5.1 Land

You should detail any beneficial interest in land with the Borough (excluding any easement, or right in or over land which does not carry the right to occupy or receive income).

16 Whittle Drive
Shaw
OL2 8TJ

76. P43

This is not true. Councillor Kenyon did apologise. The apology was not forwarded or shared by the then Monitoring Officer.

125. P52

Supports the comments made 54. P40.

141. P55

Supports 54. P60.

147. P56

I have viewed the CCTV coverage about this matter and can see nothing to support the statement made in (a).

157. P58

The last sentence of this paragraph is pure opinion and should not be in the report.

161. P58

LGA advice again and aware of what it says as I helped write some of it. However, the services of the former Chief Executive where not 'equally offered' to other groups as this advice says. I asked for just one specific thing on two occasions – and have a witness who can confirm that it was not provided.

While meetings did take place they were 'box ticking exercises' and far from the constructive and facilitating meetings they should be and I have experience in the past with other Chief Executives. This is in stark contrast to what Councillor Kenyon clearly overheard.

167. P60

'Disappointing' is opinion and should not be in the report and at 168. P60 then details the actions I did take. Also 167. implies a 'higher bar' for myself which is not reflected in the

Code. The report acknowledges that I had no knowledge that Councillor Kenyon was going to publish the recording until after it happened. How could I have advised him not to do something when I had no idea, he was going to do it?

Councillor Kenyon was suspended from the Liberal Democrat Group while the investigations took place. He also reported himself to the standards process at the Council, on my advice, and was reported by the Group to the Liberal Democrats for investigation. He also sent an apology to the Council and the people involved (which the Council lost). I maintain I took every available option for action.

169. P61

The statement of 'no satisfactory explanation' is, once more, an opinion. An answer was given, and the justification for it, this paragraph implies otherwise. I also highlight that this was, as you very clearly state, at the 'initial assessment stage' and no decision to investigate had been taken at that point.

171. P61

Councillors subject to a Standards complaint may, if they wish, seek advice and it has been the case throughout this process that we were advised to get and take advice. Bearing in mind the nature of and language used in the complaints and the subsequent leaks and commentary to the media, we did seek advice.

It is therefore quite understandable that there is some commonality in our responses.

'Highly probable' and 'in fact almost certain' are again your subjective opinions and they should have no place in the report. The fact you have never come across requests for personal meetings simply reflects that you have not been asked previously in other matters you have been engaged upon and not that it is wrong for a councillor subject of a complaint to ask to meet face-to-face.

174. P62

To make reference to these costs and not other costs or the total cost of the report in effect is to cast a 'bad light' on Councillor Kenyon who is accused of a very serious matter and was properly within his rights to ask for a face-to-face interview.

The Council has clearly spent thousands of pounds on this matter and failed to circulate a full and sincere apology made many months ago. If costs are to be included, then include them all or none.

It is, I understand, a process of a Standards complaint to secure, if possible, an early resolution. Had Councillor Kenyon's apology been shared or forwarded, or had he been advised by the Monitoring Officer to send it directly, then it is possible that these matters could have been concluded much more swiftly and at less cost to the public purse.

**Councillor Howard Sykes MBE
17 June 2025**

CONFIDENTIAL

Oldham Council

Weightmans reference: SIG/433873/97

Report of an investigation into allegations concerning the conduct of
Councillors Louie Hamblett, Mark Kenyon, David Murphy and Howard Sykes

The logo for Weightmans, featuring the word "Weightmans" in white text on a dark teal rectangular background with a wavy top edge.

Simon Goacher, Partner
Weightmans LLP
100 Old Hall Street
Liverpool L3 9QJ

The contents of this report and any accompanying documents are
confidential and must not be disclosed.

1

CONFIDENTIAL

Contents

Summary	Page 3
Relevant law/guidance	Pages 3–31
Members' official details	Pages 31–32
Background	Pages 32–38
Summary of the evidence gathered	Pages 38–55
Findings of fact	Pages 55–56
Reasoning as to whether there is a breach of the Code of Conduct	Pages 56–61
Other issues	Pages 61–62
Findings	Page 62
Comments on the draft report	Pages 63–74
Schedule of evidence	Page 75

The contents of this report and any accompanying documents are confidential and must not be disclosed.

Summary

1. A complaint was made by Cllr Arooj Shah (“the Complainant”), the Leader of Oldham Council (“the Council”), that Cllrs Louie Hamblett, Mark Kenyon, David Murphy and Howard Sykes, members of the Council, failed to comply with the Council’s Code of Conduct (“the Code”).
2. The Complainant alleges that Cllr Kenyon failed to comply with the Code in secretly recording a private meeting between her officers and other councillors which took place in her office on Monday 20 May 2024. The Complainant alleges that Cllrs Hamblett, Murphy and Sykes must have been aware of Cllr Kenyon’s actions as they were present in the Liberal Democrat room at the time and Cllr Kenyon went in and out of that room a number of times whilst he was carrying out the recording and that they did nothing to prevent him from recording the meeting.
3. I have investigated these complaints and concluded that there **has been a failure** on the part of Cllr Kenyon to comply with the Code. The reasons are set out in this report.
4. I have also concluded that there **has not been a failure** on the part of Cllrs Hamblett, Murphy and Sykes to comply with the Code in respect of their actions regarding the recording by Cllr Kenyon. However, I have concluded that there **has been a failure** to comply with the Code with them as they have not co-operated with the investigation process. The reasons are set out in this report.

Relevant Law/Guidance

5. The Localism Act 2011 (“the 2011 Act”) governs standards of conduct for members of relevant authorities in England with effect from July 2012. Under the 2011 Act, the Council:
 - a. is under a duty to promote and maintain high standards of conduct;
 - b. must adopt a Code of Conduct which is consistent with the statutory principles of selflessness, integrity,

The contents of this report and any accompanying documents are confidential and must not be disclosed.

objectivity, accountability, openness, honesty and leadership;

6. The 2011 Act requires a principal authority to have in place arrangements for investigating allegations of failure to comply with the Code, and taking decisions about them, including appointing one or more independent persons, one of whose views must be sought before a decision is made, and one of whose views may be sought by the member against whom an allegation is made.
7. The Council adopted a Code of Conduct ("the Code") (SG1) and arrangements for dealing with allegations that a member of the Council has failed to comply with the Code (SG2).
8. So far as material, the Code provides as follows:

General principles of Councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, Councillors and local authority officers; should uphold the Seven Principles of Public Life, also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of Councillor. In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty*
- I act lawfully*
- I treat all persons fairly and with respect; and*
- I lead by example and act in a way that secures public confidence in the role of Councillor.*

In undertaking my role:

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

The contents of this report and any accompanying documents are confidential and must not be disclosed.

- *I do not improperly seek to confer an advantage, or disadvantage, on any person*
- *I avoid conflicts of interest*
- *I exercise reasonable care and diligence; and*
- *I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.*

As a Councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone*
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless*
 - i. I have received the consent of a person authorised to give it;*
 - ii. I am required by law to do so;*
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or*
 - iv. the disclosure is:*
 - 1. reasonable and in the public interest; and*
 - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and*
 - 3. I have consulted the Monitoring Officer prior to its release.*

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

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

The contents of this report and any accompanying documents are confidential and must not be disclosed.

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.

As a Councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local authority or authorising their use by others:

- a. act in accordance with the local authority's requirements; and*
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.*

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a Councillor.

Examples include:

- office support*
- stationery*
- equipment such as phones, and computers*
- transport*
- access and use of local authority buildings and rooms.*

These are given to you to help you carry out your role as a Councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the

The contents of this report and any accompanying documents are confidential and must not be disclosed.

purpose for which they have been provided and the local authority's own policies regarding their use.

As a Councillor:

8.2 I cooperate with any Code of Conduct investigation and/or determination.

9. Section 27 of the 2011 Act provides that a local authority's code of conduct shall apply to members "when they are acting in that capacity."
10. The meaning of and extent of "official capacity" was considered by the courts in the cases of *(R) Mullaney v The Adjudication Panel for England [2009] EWHC 72 (Admin)* ("the Mullaney case") and *Livingstone v APE [2006] EWHC 2533 (Admin)* ("the Livingstone case"). These cases were considered under the Local Government Act 2000 which set out the legal framework governing member conduct in England prior to its repeal by the Act. However, the principles set out in the decisions in those cases remain relevant to the current law.
11. In the Mullaney case, Charles J recognised that applying the term, "is inevitably fact sensitive and whether or not a person is so acting inevitably calls for informed judgment by reference to the facts of the given case." In that case the councillor trespassed on premises and made a video to highlight alleged breaches of planning law and named and shamed the owner. The Council stated that he was not acting in his capacity as a councillor. However, the court did not accept this. Charles J stated:

I acknowledge that there would be advantage in certainty as to where the line is to be drawn between these activities and thus as to when the Code applies and when it does not. But to do that the language of the Code would have to be explained and thus added to, paraphrased or qualified and it seems to me that given that it uses ordinary English words (and is based on ordinary English words used in the statute, namely "in performing his functions" see s. 52(2)) this would be

The contents of this report and any accompanying documents are confidential and must not be disclosed.

inappropriate and would potentially lead to the error being made of applying guidance as to the application of a test as if it was itself such a test.

12. Charles J further stated:

in my view magnetic or core factors in it, which found my view that the Appeals Committee is plainly right, are that the taking and publication of the video was a continuum of steps taken in respect of the property by the Claimant on behalf of a constituent as (and identifying himself as) a Councillor by making "Councillor Enquiries", his membership of the Planning Committee, his legitimate and keen interest in the building as a Councillor (who is interested in planning matters) and his identification of himself as a Councillor on the video and in its publication.

13. In the Livingstone case, Collins J stated, "official capacity will include anything done in dealing with staff, when representing the Council, in dealing with constituents' problems and so on." In the Livingstone case the then Mayor of London had attended an official engagement in his capacity as the mayor. As he was leaving the function he was confronted by a journalist. Mr Livingstone likened the journalist to a concentration camp guard. The Court held that the comments were not made by Mr Livingstone in his capacity. Collins J stated:

The Tribunal correctly decided that the appellant was not in his official capacity when he made the remarks in question. It is not in my view even arguable that when making them he was performing his functions as Mayor.

14. Any allegation of a failure to comply with the Code must also be carefully considered in the light of the Articles of the European Convention on Human Rights as embodied into UK law by the Human Rights Act 1998. Article 10 of the Convention states:

1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and

The contents of this report and any accompanying documents are confidential and must not be disclosed.

impart information and ideas without interference by public authority and regardless of frontiers...

2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of...public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others...

15. The way in which Article 10 rights should be considered in relation to code of conduct allegations was dealt with in the case of *Heesom v Public Services Ombudsman for Wales [2014] EWHC 1504 (Admin)* (“the Heesom case”). It is recognised that enhanced protection is given to “political expression.” In the Heesom case it was stated:

While freedom of expression is important to everyone, Strasbourg has recognised the importance of expression in the political sphere. It has long-recognised that what is said by elected politicians is subject to enhanced protection”, i.e. a higher level of protection, under article 10.

16. In the Heesom case the judge reviewed the previous case law on Article 10 and derived the following principles:

- i) The enhanced protection applies to all levels of politics, including local (Jerusalem, especially at [36]).*
- ii) Article 10 protects not only the substance of what is said, but also the form in which it is conveyed. Therefore, in the political context, a degree of the immoderate, offensive, shocking, disturbing, exaggerated, provocative, polemical, colourful, emotive, non-rational and aggressive, that would not be acceptable outside that context, is tolerated (see, e.g. de Haes at [46]–[48], and Mamère at [25]: see also Calver at [55] and the academic references referred to therein). Whilst, in a political context, article 10 protects the right to make incorrect but honestly made statements, it does not protect statements*

The contents of this report and any accompanying documents are confidential and must not be disclosed.

which the publisher knows to be false (R (Woolas) v Parliamentary Election Court [2012] EWHC 3169 at [105])

iii) Politicians have enhanced protection as to what they say in the political arena; but Strasbourg also recognises that, because they are public servants engaged in politics, who voluntarily enter that arena and have the right and ability to respond to commentators (any response, too, having the advantage of enhanced protection), politicians are subject to “wider limits of acceptable criticism” (see, e.g., Janowski at [33]; but it is a phrase used in many of the cases). They are expected and required to have thicker skins and have more tolerance to comment than ordinary citizens.

iv) Enhanced protection therefore applies, not only to politicians, but also to those who comment upon politics and politicians, notably the press; because the right protects, more broadly, the public interest in a democracy of open discussion of matters of public concern (see, e.g., Janowski at [33]). Thus, so far as freedom of speech is concerned, many of the cases concern the protection of, not a politician's right, but the right of those who criticise politicians (e.g. Janowski, Wabl and Jerusalem). Castells, of course, was both; the senator criticising politicians within the Spanish Government through the press.

v) The protection goes to “political expression”; but that is a broad concept in this context. It is not limited to expressions of or critiques of political views (Calver at [79]), but rather extends to all matters of public administration and public concern including comments about the adequacy or inadequacy of performance of public duties by others (Thorgeirson at [64]: see also Calver at [64] and the academic references referred to therein). The cases are careful not unduly to restrict the concept; although gratuitous personal comments do not fall within it.

vi) The cases draw a distinction between fact on the one hand, and comment on matters of public interest involving value judgment on the other. As the latter is unsusceptible of

The contents of this report and any accompanying documents are confidential and must not be disclosed.

proof, comments in the political context amounting to value judgments are tolerated even if untrue, so long as they have some – any – factual basis (e.g. Lombardo at [58], Jerusalem at [42] and following, and Morel at [36]). What amounts to a value judgment as opposed to fact will be generously construed in favour of the former (see, e.g., Morel at [41]); and, even where something expressed is not a value judgment but a statement of fact (e.g. that a council has not consulted on a project), that will be tolerated if what is expressed is said in good faith and there is some reasonable (even if incorrect) factual basis for saying it, “reasonableness” here taking account of the political context in which the thing was said (Lombardo at [59]).

vii) As article 10(2) expressly recognises, the right to freedom of speech brings with it duties and responsibilities. In most instances, where the State seeks to impose a restriction on the right under article 10(2), the determinative question is whether the restriction is “necessary in a democratic society”. This requires the restriction to respond to a “pressing social need”, for relevant and sufficient reasons; and to be proportionate to the legitimate aim pursued by the State.

viii) As with all Convention rights that are not absolute, the State has a margin of appreciation in how it protects the right of freedom of expression and how it restricts that right. However, that margin must be construed narrowly in this context: “There is little scope under article 10(2) of the Convention for restrictions on political speech or on debate on questions of public interest” (see, e.g., Lombardo at [55]–[56], Monnat at [56]).

ix) Similarly, because of the importance of freedom of expression in the political arena, any interference with that right (either of politicians or in criticism of them) calls for the closest scrutiny by the court (Lombardo at [53]).

17. In the Heesom case, the court endorsed a three stage approach to dealing with Article 10 in code of conduct cases as follows:

The contents of this report and any accompanying documents are confidential and must not be disclosed.

- i. Does the conduct alleged amount to a breach of the Code, putting aside Article 10 considerations?
- ii. If so, does this finding in itself or the imposition of a sanction prima facie a breach of Article 10?
- iii. If so, was the restriction involved one which was justified by reason of the requirements of Article 10(2)?

18. The LGA has issued guidance on its model code of conduct. In respect of when the Code applies it states:

When does the Code apply?

S27(2) of the Localism Act 2011 says that a local authority must adopt 'a code dealing with the conduct that is expected of members and co-opted members of the authority when they are acting in that capacity.'

The term 'capacity' is not further defined in the Act. However, the Model Code states that:

The Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- *you misuse your position as a councillor*
- *your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor.*

This means it applies when you are carrying out your official duties, for example when you are considering or discussing local authority business, either as a councillor or representing the local authority on an outside body.

There is no formal description of what the role of a councillor is, but aside from formal local authority business it would include promoting and representing the local authority in the local community and acting as a bridge between the community and the local authority. The LGA's Guidance for new councillors is a helpful reference point.

The contents of this report and any accompanying documents are confidential and must not be disclosed.

The code does not, therefore, apply solely when you are in local authority meetings or on local authority premises.

The code applies to all forms of communication and interaction, including:

- *at face-to-face meetings*
- *at online or telephone meetings*
- *in written communication*
- *in verbal communication*
- *in non-verbal communications*
- *in electronic and social media communication, posts, statements, and comments.*

This includes interactions with the public as well as with fellow councillors and local authority officers.

Acting as a private individual

For something to fall within the code there must be a clear link to a local authority function or your role as a councillor. For example, an argument with a neighbour which does not relate to local authority business would not engage the code, even if your neighbour happens to know you are a councillor and therefore complains to the local authority about being treated disrespectfully.

This includes interactions with the public as well as with fellow councillors and local authority officers.

Acting as a private individual

For something to fall within the code there must be a clear link to a local authority function or your role as a councillor. For example, an argument with a neighbour which does not relate to local authority business would not engage the code, even if your neighbour happens to know you are a councillor and

The contents of this report and any accompanying documents are confidential and must not be disclosed.

therefore complains to the local authority about being treated disrespectfully.

It is not always immediately apparent in which capacity you are acting, therefore in situations where there may be ambiguity it may be helpful if you can make clear to people in which capacity you are engaging with them.

While the Code does not apply to your non-councillor roles, what you do as a councillor could impact on your position in those other roles.

Political party or group rules may also require you as a councillor to demonstrate certain behaviours as a private individual and failure to do so can result in sanctions from political groups.

Under the Local Government Act 1972 and the Local Government (Disqualification) Act 2022 councillors can be disqualified from being a councillor due to matters in their private life, such as being subject to a bankruptcy order, receiving a custodial sentence of three months or longer (whether or not suspended) or being subject to a sexual offences order.

In what circumstances might I give the impression to a reasonable member of the public that I was engaged on local authority business?

When you use or attempt to use your position as a councillor to seek to gain an advantage for yourself or someone close to you or to disadvantage someone this is an attempt to misuse your position and therefore falls within the scope of the Code of Conduct.

A number of factors will need to be taken into account to determine whether or not you had used or attempted to use your position as a councillor.

The contents of this report and any accompanying documents are confidential and must not be disclosed.

For example:

writing to someone on local authority headed paper or using a local authority email address may lead someone to assume you were writing in your capacity as a councillor
handing out a business card where you describe yourself as a councillor may also lead to that assumption
wearing official local authority regalia.

Examples

Attempting to misuse your position as a councillor would include if you threaten to use your position improperly to block someone's planning, licence or grant application. In effect you would be doing something that only a councillor could do even if as a matter of fact, you did not have the power to do so. That may include an assumption, for example, that you would put inappropriate pressure on officers or fellow councillors or lobby behind the scenes for a particular outcome. It should not be up to a member of the public to have to work out whether you are in fact on a planning committee.

Another example would be disclosing confidential information improperly you had received because of your role as a councillor.

A councillor returning from a party got into an argument with a taxi driver. When he arrived home, he refused to pay the fare and when he spoke to the manager of the taxi company, he said that he was a councillor and would make sure that the taxi driver's licence was withdrawn by the council. While he was entitled to dispute the payment if he was dissatisfied with the service he had received he was found to have breached the code by invoking his office and seeking to misuse his position to intimidate the manager and driver and to seek to gain an advantage for himself, notwithstanding the fact that he did not in reality have the ability to carry out his threat.

19. In respect of the general principles the LGA guidance states:

The contents of this report and any accompanying documents are confidential and must not be disclosed.

The Seven Principles of Public Life (also known as the Nolan Principles) outline the ethical standards those working in the public sector are expected to adhere to. The principles apply to all public office holders at all levels including ministers, civil servants, councillors, and local authority officers, as well as private and voluntary organisations delivering services paid for by public funds. The principles are set out in Appendix 2 below.

These principles underpin the standards that councillors should uphold and form the basis for the Code of Conduct, where the principles have been translated into a series of clear rules. While fundamental to the Code of Conduct, the principles are not part of the rules of the code and should be used for guidance and interpretation only.

20. In respect of confidential information the LGA guidance states:

While local authority business is by law generally open and local authorities should always operate as transparently as possible, there will be times – for example, when discussing a named individual, confidential HR matters or commercially sensitive information – when it is appropriate for local authority business to be kept confidential or treated as exempt information.

In those circumstances, you must not disclose confidential information, or information which you believe to be of a confidential nature, unless:

- *you have the consent of the person authorised to give it*
- *you are required by law to do so*
- *the disclosure is made to a third party for the purposes of obtaining professional advice (for example, your lawyer or other professional adviser) provided that person agrees not to disclose the information to any other person*
- *the disclosure is in the public interest*
- *Disclosure in the public interest*

The contents of this report and any accompanying documents are confidential and must not be disclosed.

Disclosure 'in the public interest' is only justified in limited circumstances, when all the following four requirements are met:

- *the disclosure must be reasonable*
- *the disclosure must be in the public interest*
- *the disclosure must be made in good faith*
- *the disclosure must be made in compliance with any reasonable requirements of your authority*

In relation to the disclosure of confidential information in the public interest, the four requirements are outlined in more detail below.

The first requirement, that the disclosure must be reasonable, requires you to consider matters such as:

- *Whether you believe that the information disclosed, and any allegation contained in it, is substantially true. If you do not believe this, the disclosure is unlikely to be reasonable.*
- *Whether you make the disclosure for personal gain. If you are paid to disclose the information, the disclosure is unlikely to be reasonable.*
- *The identity of the person to whom the disclosure is made. It may be reasonable to disclose information to the police or to an appropriate regulator. It is less likely to be reasonable for you to disclose the information to the world at large through the media.*
- *The extent of the information disclosed. The inclusion of unnecessary detail, and in particular, private matters such as addresses or telephone numbers, is likely to render the disclosure unreasonable.*
- *The seriousness of the matter. The more serious the matter disclosed, the more likely it is that the disclosure will be reasonable.*
- *The timing of the disclosure. If the matter to which the disclosure relates has already occurred, and is unlikely to occur again, the disclosure may be less likely to be*

The contents of this report and any accompanying documents are confidential and must not be disclosed.

reasonable than if the matter is continuing or is likely to reoccur.

- *Whether the disclosure involves your authority failing in a duty of confidence owed to another person.*

2. The second requirement, that the disclosure must be in the public interest, needs to involve one or more of the following matters or something of comparable seriousness, that has either happened in the past, is currently happening, or is likely to happen in the future:

- *a criminal offence is committed.*
- *your local authority or some other person fails to comply with any legal obligation to which they are subject.*
- *a miscarriage of justice occurs.*
- *the health or safety of any individual is in danger.*
- *the environment is likely to be damaged.*
- *that information tending to show any matter falling within the above is deliberately concealed.*

3. The third requirement, that the disclosure is made in good faith, will not be met if you act with an ulterior motive, for example, to achieve a party-political advantage or to settle a score with a political opponent.

4. The fourth requirement, that you comply with the reasonable requirements of your local authority, means that before making the disclosure you must comply with your local authority's policies or protocols on matters such as whistle-blowing and confidential information. You must first raise your concerns through the appropriate channels set out in such policies or protocols.

In summary, to decide whether the disclosure is reasonable and in the public interest, you may need to conduct a balancing exercise weighing up the public interest in maintaining confidentiality against any countervailing public interest favouring disclosure. This will require a careful focus on how confidential the information is, on any potentially harmful

The contents of this report and any accompanying documents are confidential and must not be disclosed.

consequences of its disclosure, and on any factors, which may justify its disclosure despite these potential consequences. If in doubt you should always seek advice from the monitoring officer. Always keep a note of the reason for your decision.

In some situations, it is extremely unlikely that a disclosure can be justified in the public interest. These will include where the disclosure amounts to a criminal offence, or where the information disclosed is protected by legal professional privilege.

Circumstances in which a local authority can treat information as confidential

The presumption under local government law is that local authority business is open unless it falls within a specific category of confidential or exempt information as set out in legislation. These categories are:

- 1. information given to the local authority by a Government Department on terms which forbid its public disclosure or*
- 2. information the disclosure of which to the public is prohibited by or under another Act or by Court Order.*

Generally personal information which identifies an individual, must not be disclosed under the data protection and human rights rules.

Exempt information means information falling within the following categories (subject to any condition):

- 1. relating to any individual.*
- 2. which is likely to reveal the identity of an individual.*
- 3. relating to the financial or business affairs of any particular person (including the authority holding that information).*
- 4. relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the*

The contents of this report and any accompanying documents are confidential and must not be disclosed.

authority or a Minister of the Crown and employees of, or officer-holders under the authority.

- 5. in respect of which a claim to legal professional privilege could be maintained in legal proceedings.*
- 6. which reveals that the authority proposes:*
 - 6.1 to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or*
 - 6.2 to make an order or direction under any enactment*
- 7. relating to any action taken or to be taken in connection with the prevention, investigation, or prosecution of crime.*

Where information is legally classified as 'confidential' under the above categories the public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed. Likewise, public access to reports, background papers, and minutes will also be excluded.

Where an officer recommends that a report to a decision-making committee should be treated as exempt information under the above categories the committee must still agree that the matter should be heard in a closed session. The committee may disagree with any recommendation and decide that those legal tests have not been met; or they may agree that those tests have been met but nevertheless it is in the public interest that the matter be considered in an open session. Again, you should keep a record of the rationale for the decision.

Once the local authority has agreed that the matter be treated as exempt, public access to relevant reports, background papers and minutes will also be excluded and an individual councillor must abide by that collective decision or risk breaching the code if they disclose that information (papers and content of discussion) without lawful excuse.

Does confidentiality under the code apply only to information which is classified as confidential or exempt by law?

The contents of this report and any accompanying documents are confidential and must not be disclosed.

No. The code goes wider than matters simply considered in a formal local authority setting. Information is a broad term. It includes facts, advice, and opinions. It covers written material, including tapes, videos, CDs, DVDs, and other electronic media. It covers material in unwritten form, including intellectual property. Information can only be confidential if all the following apply:-

- it has the necessary 'quality of confidence' about it (trivial information will not be confidential but information that you would expect people to want to be private would be);*
- it was divulged in circumstances importing an obligation of confidence (information properly in the public domain will not be confidential);*
- disclosure of it would be detrimental to the party wishing to keep it confidential.*

For example, you may be told confidential information by a constituent in the course of your duties. That is why the code is written broadly to cover information classed as confidential which you may come across in your duties.

You should use your judgment when you are given information. An individual does not have to explicitly say that information is confidential if they tell you something which a reasonable person would regard as sensitive. You may, however, wish to clarify if somebody tells you something whether they want you to treat it as confidential.

Examples

A councillor was assisting a resident in an adoption process, which the resident decided to subsequently withdraw from. The resident's estranged parent contacted the councillor for information as to what was happening with the case and the councillor inadvertently shared confidential information as she had not realised that father and son were estranged. This was found to be a breach of the code.

The contents of this report and any accompanying documents are confidential and must not be disclosed.

A councillor circulated information about an officer's medical condition to other councillors and a local headteacher with whom he was acquainted. He was found to have disclosed information which should reasonably be regarded as being of a confidential nature and without the officer's consent in breach of the Code of Conduct.

What does consent by the person authorised to give it mean?

If somebody, for example a constituent, has told you something in confidence – for example in the line of casework – you may later want to put that in the public domain as part of pursuing that case. You should always check with the individual before you disclose something you believe is confidential to ensure that they are comfortable with that information being disclosed. You should also be clear with them as to how you may use the information, they give you to help resolve their issue.

In what circumstances am I required to disclose confidential information by law?

This would be where a law enforcement or regulatory agency or the courts required disclosure of information.

In what way could I use information I have obtained to advance myself or others?

As a councillor you will often receive commercially sensitive or other confidential information. You must not use that information to your own advantage. For example, if you know the local authority is considering the purchase of a piece of land, you should not use that information in your private dealings to seek to purchase the land.

How does this relate to the Data Protection Act?

As part of their role councillors will receive personal information. They should seek to ensure they are familiar with

The contents of this report and any accompanying documents are confidential and must not be disclosed.

how the Data Protection Act applies to their role in handling such information through training, and if they are not sure to seek advice from an appropriate officer in the council.

Although councillors are not required to register as a data controller, they will receive personal information from residents in their area. They should only use it for the purpose for which it has been given and must ensure this information is held securely and only share with others that are entitled to it.

In contrast, the local authority is responsible for information they provide to councillors and ensuring they know how it can be used.

21. In respect of disrepute the LGA 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. Article 10 of the European Convention on Human Rights protects your right to freedom of expression, and political speech as a councillor is given enhanced protection but this right is not unrestricted. You should be aware that your actions might have an adverse impact on your role, other councillors and/or your local authority and may lower the public's confidence in your ability to discharge your functions as a councillor or your local authority's ability to discharge its functions.

In general terms, disrepute can be defined as a lack of good reputation or respectability. In the context of the Code of Conduct, a councillor's behaviour in office will bring their role into disrepute if the conduct could reasonably be regarded as either:

- 1) reducing the public's confidence in them being able to fulfil their role; or*
- 2) adversely affecting the reputation of your authority's councillors, in being able to fulfil their role.*

The contents of this report and any accompanying documents are confidential and must not be disclosed.

Conduct by a councillor which could reasonably be regarded as reducing public confidence in their local authority being able to fulfil its functions and duties will bring the authority into disrepute.

For example, circulating highly inappropriate, vexatious or malicious e-mails to constituents, making demonstrably dishonest posts about your authority on social media or using abusive and threatening behaviour might well bring the role of councillor into disrepute. Making grossly unfair or patently untrue or unreasonable criticism of your authority in a public arena might well be regarded as bringing your local authority into disrepute.

Questions:

What distinguishes disrepute to "your role or local authority" from disrepute to you as a person?

The misconduct will need to be sufficient to damage the reputation of the councillor's role or local authority, as opposed simply to damaging the reputation of the individual concerned.

Certain kinds of conduct may damage the reputation of an individual but will rarely be capable of damaging the reputation of the role of councillor or the reputation of the authority.

Here are some of the situations that might tip the balance in favour of disrepute to the role of councillor or to the authority in particular cases:

- 1) Situations where councillors have put their private interests above the public interest, which they are expected to promote as councillors, and therefore reduced the standing of their role. For example, councillors using their position to secure a secret personal profit.*
- 2) Similarly, situations where a councillor defies important and well-established rules of the authority for private gain.*

The contents of this report and any accompanying documents are confidential and must not be disclosed.

- 3) *Where a councillor engages in conduct which directly and significantly undermines the authority's reputation as a good employer or responsible service provider.*

22. In relation to misuse of resources the LGA guidance states:

You may be provided with resources and facilities by your local authority to assist you in carrying out your duties as a councillor.

Examples include:

- *office support*
- *stationery*
- *equipment such as phones, and computers*
- *transport*
- *access and use of local authority buildings and rooms*

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

You must make sure you use the authority's resources for proper purposes only. It is not appropriate to use, or authorise others to use, the resources for political purposes, including party political purposes. When using the authority's resources, you must have regard, if applicable, to any Local Authority Code of Publicity made under the Local Government Act 1986.

The recommended code of practice for local authority publicity published by Ministry of Housing, Communities & Local Government provides guidance on the content, style, distribution, and cost of local authority publicity.

You must be familiar with the rules applying to the use of resources made available to you by your local authority. Failure

The contents of this report and any accompanying documents are confidential and must not be disclosed.

to comply with the local authority's rules is likely to amount to a breach of the code.

If you authorise someone (for example a member of your family) to use your local authority's resources, you must take care to ensure that this is allowed by the local authority's rules.

You should never use local authority resources for purely political purposes, including designing and distributing party political material produced for publicity purposes.

However, your authority may authorise you to use its resources and facilities for legitimate political purposes in connection with your authority's business. For example, holding surgeries in your ward and dealing with correspondence from your constituents. In this case, you must be aware of the limitations placed upon such use for these purposes. Using your authority's resources outside of these limitations is likely to amount to a breach of the Code of Conduct. Where you are part of a formally-recognised political group, your local authority is also allowed to give you such resources as you need for local authority business, for example use of a room for group meetings.

You should never use local authority resources purely for private purposes, for example using a photocopier to print off flyers for your business unless your local authority's procedures allow for you to repay any costs accrued.

What are the "resources of the local authority"?

The resources of the local authority include services and facilities as well as the financial resources of the authority.

Resources could include any land or premises, equipment, computers, and materials. The time, skills, and assistance of anybody employed by the authority, or working on its behalf, are also resources, as is information held by the authority which it has not published.

The contents of this report and any accompanying documents are confidential and must not be disclosed.

What constitutes using resources “improperly for political purposes”?

The code acknowledges that party politics has a proper role to play, both in the conduct of authority business and in the way that councillors carry out their duties.

There will be times when it is acceptable for political groups to use the resources of the local authority, for example, to hold meetings in authority premises. Often it is impractical to separate a councillor’s political campaigning from carrying out their duties as an elected ward member, such as when they hold surgeries or deal with correspondence from constituents.

However, councillors and monitoring officers will need to exercise considerable care to ensure that this provision is not abused. You must ensure that there is a sufficient connection between the use of resources and the business of the authority. Only improper use of resources will be a breach of the Code of Conduct.

This part of the code complements Section 2 of the Local Government Act 1986, which prevents the publication of material “designed to affect public support for a political party”. The code, however, goes further than the Code of Recommended Practice on Publicity. It covers not only the publication of campaigning material but also any other activity that is intended to promote purely party-political interests.

You must have regard to any applicable local authority code of publicity made under the powers contained in Section 4 of the Local Government Act 1986. Publicity is defined as “any communication, in whatever form, addressed to the public at large or to a section of the public”. It will cover meetings, websites, and social media postings as well as printed and other written material.

The contents of this report and any accompanying documents are confidential and must not be disclosed.

You should be particularly scrupulous about the use of authority resources when elections are pending, particularly those resources relating to publicity. When using the local authority's resources in these circumstances, you should not appear to be seeking to influence public opinion in favour of you, your party colleagues, or your party.

How do you know what the authority's requirements for the use of resources are?

Your local authority should have a protocol dealing with use of authority resources. A typical protocol would cover the following topics:

- *use of authority premises*
- *councillor-officer relationships including use of officer time*
- *information technology, for example computer equipment and the use of associated software, including the use of such equipment at home*
- *telephones*
- *photocopying*
- *use of stationery and headed notepaper*
- *postage*
- *use of authority transport*
- *allowances and expenses*

Your local authority may also have a separate protocol on the use of social media which would also be relevant.

The key principle underlying all such protocols should be that public office and public resources should not be used to further purely private or party-political purposes.

It is worth noting that where you authorise someone such as a family member to use the authority's resources, you must check whether the authority's rules allow this.

Examples

The complaint alleged a councillor used his computer equipment provided by his local authority for private purposes by downloading inappropriate adult pornographic images and sending a number of letters to a local newspaper, which he falsely represented as being from members of the public. He was found to have misused the local authority's equipment in breach of the code and had brought his office into disrepute.

A councillor used local authority notepaper in an attempt to avoid parking penalties incurred by his son. He also dishonestly attempted to renew a parking permit for disabled drivers. He was convicted of attempting, by deception, to evade the parking penalties dishonestly. He was also found by his local authority to have breached this paragraph of the code.

23. In relation to cooperation with investigations the LGA guidance states:

8.2 I cooperate with any Code of Conduct investigation and/or determination.

The Code of Conduct is a cornerstone of good governance. It is important for public trust that it is seen to be taken seriously by individual councillors as well as the local authority as a whole.

While being the subject of a complaint that you have breached the Code of Conduct and having your conduct investigated may at times be unpleasant and stressful it is essential that councillors cooperate with any code investigations and determinations. Failure to cooperate will not stop an investigation but may simply drag matters and does not allow you to put your side of the story so increases the risk that inferences are drawn about your unwillingness to cooperate and that you will be found in breach of the Code.

It is equally important if you have made a complaint which the local authority has decided merits investigation that you

The contents of this report and any accompanying documents are confidential and must not be disclosed.

continue to cooperate. Complaints made simply to damage the reputation of an individual through inferences but which you are not willing to support through your cooperation will damage relationships and will also damage the reputation of you and your local authority.

If you are asked to assist the investigator as a potential witness it is again important that you do so to allow as fully rounded a picture as possible to be drawn so that any determination on a case has as much evidence as necessary in order to reach the correct decision. You should let the investigator know if you need any reasonable adjustments made.

24. The LGA has also issued guidance to local authorities who find themselves after elections with no party in overall control and councillors of such local authorities. This can be viewed at <https://www.local.gov.uk/publications/supporting-transition-no-overall-control-30-step-framework> It states:

Chief executive roles

The section below sets out the key roles that chief executives can undertake supporting effective NOC transition and operations. While these roles are familiar to all chief executives, many are given greater currency, immediacy and emphasis when transitioning to NOC. And NOC working often provides a very specific context for undertaking these roles, requiring different approaches and styles of working. It is important to state that each council is unique and this is general guidance which would always require tailoring to specific circumstances.

Politics and politicians

- *understanding the political landscape of the local authority, its political geography and the key players*
- *facilitating and brokering where necessary communication between political groups*
- *anticipating, where possible, potential political change...*

The contents of this report and any accompanying documents are confidential and must not be disclosed.

chief executive may act as a broker and facilitator between different groups

Member's official details

25. Cllr Hamblett has been a member of the Council since 2019. He holds the following committee/outside body roles:

- Adults Social Care and Health Scrutiny Board
- Appeals Committee
- Joint Health Overview and Scrutiny Committee for Northern Care Alliance
- Licensing Committee
- Licensing Driver Panel
- Place, Economic Growth and Environment Scrutiny Board (Substitute)
- MioCare and Support
- Pennine Acute Hospitals NHS Trust- Joint Health Overview & Scrutiny Committee
- Pennine Care NHS Trust - Joint Mental Health Overview & Scrutiny Committee

26. Cllr Kenyon has been a member of the Council since 2021. He holds the following committee roles:

- Governance, Strategy and Resources Scrutiny Board (Substitute)
- Highway Regulation Committee (Substitute)
- Petitioners' Panel (Substitute)
- Planning Committee (Substitute)

27. Cllr Murphy has been a member of the Council for 12 years. He holds the following committee/outside body roles:

- Highway Regulation Committee
- Petitioners' Panel
- Place, Economic Growth and Environment Scrutiny Board
- Planning Committee (Substitute)

The contents of this report and any accompanying documents are confidential and must not be disclosed.

28. Cllr Sykes has been a member of the Council for over 30 years. He is the Leader of the Liberal Democrat Group on the Council and holds the following committee/outside body roles:

- Appointments Committee
- Audit Committee
- Health and Well Being Board
- Oldham Community Leisure
- Oldham Property Partnership
- Bee Committee (TfGM)

Background

29. On 2 May 2024 local elections took place for the Council. 20 of the 60 seats on the Council were contested. Following the elections the Council moved from having a majority of Labour Councillors (31) to no party having overall control. The Council's website currently shows the political make up as being as follows;

Labour	27
Liberal Democrats	9
Conservative	5
Independent	19

30. On Monday 20 May 2024 Cllr Shah met with two independent councillors, Cllrs Hince and Navesey, in her office with the then Chief Executive and Assistant Chief Executive. That night audio clips of the meeting were leaked.

31. CCTV from 20 May 2024 of the corridor outside Cllr Shah's office shows Cllr Kenyon arriving and entering the Liberal Democrat room with Cllrs Murphy and Diane Williamson. He is then seen, having left the Liberal Democrat room, having apparently visited the toilet, apparently placing something outside of Cllr Shah's office. It also shows him entering the Liberal Democrat group room which is along the corridor from Cllr Shah's office on three occasions.

32. The CCTV also shows Cllrs Hamblett, Murphy and Sykes enter the Liberal Democrat room before Cllr Kenyon appears to start recording.
33. An audio recording of the meeting between Cllr Shah and the independent councillors was then placed on social media by people who are not councillors.
34. The Complainant submitted complaints against all four councillors. Her complaint against Cllr Kenyon stated:

The behaviour on display here is shocking, it cannot be normalised. I have not – nor would I ever – consider bugging my opponents office under any circumstances. My other concern here is that people do tend to get caught out undertaking this type of behaviour on their first attempt. The very fact that Cllr Kenyon had sophisticated spyware on his persons readily available to record a private meeting he did not know was happening is incredibly unsettling.

The five councillors in question know the attacks I've had to deal with at the hands of both individuals that this audio was leaked to, this personal toll this took on me last week was immense. I was unable to sleep that night due to the stress and the paranoia this incident caused.

The leak itself has also caused significant abuse to both myself and Cllrs Hince & Navesey after the fact, abuse which continues to date and shows no sign of ramping down because members of the Liberal Democrat Group chose to leak it to the individuals in question.

I expect serious action as a result of this brazen behaviour, it cannot be allowed to stand. If spying on your political opponents was a serious enough incident to bring down a President of the United States of America it cannot be tolerated in local government.

35. The Complainant's complaint against the other councillors stated:

The contents of this report and any accompanying documents are confidential and must not be disclosed.

the CCTV also shows that Cllr Louie Hamblett was in the Liberal Democrat Group Room on the Members Corridor whilst this spying was taking place.

Cllr Kenyon can clearly be seen listening to whatever device he has placed outside my office whilst he walks in and out of the Group Room where Cllr Hamblett is. There is no conceivable explanation where Cllr Hamblett does not know what Cllr Kenyon is doing and made no effort to prevent it happening...

the CCTV also shows that Cllr Dave Murphy was in the Liberal Democrat Group Room on the Members Corridor whilst this spying was taking place.

Cllr Kenyon can clearly be seen listening to whatever device he has placed outside my office whilst he walks in and out of the Group Room where Cllr Murphy is. There is no conceivable explanation where Cllr Murphy does not know what Cllr Kenyon is doing and made no effort to prevent it happening...

the CCTV also shows that Cllr Howard Sykes was in the Liberal Democrat Group Room on the Members Corridor whilst this spying was taking place.

Cllr Kenyon can clearly be seen listening to whatever device he has placed outside my office whilst he walks in and out of the Group Room where Cllr Sykes is. There is no conceivable explanation where Cllr Sykes does not know what Cllr Kenyon is doing and made no effort to prevent it happening.

36. Cllr Kenyon in his response to the Monitoring Officer stated:

I write in response to the complaints made against me regarding the events of Monday 20th May 2024.

Firstly I offer a sincere and unreserved apology to all those who were involved and attended the meeting on that date. Upon reflection, I recognise that I should not have used my phone to

The contents of this report and any accompanying documents are confidential and must not be disclosed.

record the events in the heat of the moment and I really regret doing so – if I could turn back the clock, I absolutely would do.

I would be tremendously grateful if you would pass on my apology to the complainants and others present at the meeting.

I also apologise to the Council and recognise that this is not the standard of conduct that should be expected of a councillor.

For clarity, no special listening device was used. I could clearly hear what was being said in the room when standing in the corridor. Mindful of all the intensity of discussions around the council administration following the elections in May, what the various parties meeting in that room had publicly said or written about each other and my belief about the role of the Chief Executive in these discussions I decided in the spur of the moment to record what I could clearly hear in the corridor and then share them believing it would be likely to be shared further. I absolutely recognise that this was the wrong action to have taken.

37. Cllr Hamblett in his response to the Monitoring Officer stated:

Regarding the OMBC Standards complaint,

Councillor Louie M Hamblett, Crompton Ward.

I have been an elected member of Oldham Metropolitan Borough Council since 2019

I am surprised by the allegations made against me. They have no foundation and no evidence is provided to support them. The complainant offers no evidence for what they allege with regard to me, therefore there is no case against myself.

The facts are I attended a meeting, went to our group room, went to the kitchen, returned, completed some tasks, and then went home.

The contents of this report and any accompanying documents are confidential and must not be disclosed.

38. The Monitoring Officer indicated that Cllr Hamblett did not respond when the Monitoring Officer asked him whether he was aware of the recording when it was made.

39. Cllr Murphy in his response to the Monitoring Officer stated:

Thank you for giving me the opportunity to respond to the complaint from Cllr Arooj Shah.

I completely deny and refute the accusations made in the complaint.

The evidence provided by the complainant and included with this complaint – a video recording which shows me on a corridor I am entitled to be on, going into a room I am entitled to go in and several links does not support the accusation.

*I completely deny any involvement of a recording and put it to the Labour Leader Arooj Shah that no evidence has been supplied to back up the complaint she makes against me.
Thank you for taking the time to read this response.*

40. After he received Cllr Murphy's response he wrote to him again in 24 July 2024. In his email the Monitoring Officer stated:

I write further to your response on this matter. Myself and the independent person have considered the complaint and your response and some further information is sought from you – at the time that the meeting in the Leader's office was being recorded, were you aware that the recording was taking place ?

41. The Monitoring Officer chased Cllr Murphy for a response to this email on 9 August 2024. Cllr Murphy responded on 14 August 2024 stating:

Further to your email please see below.

I feel I have already responded to the complaint; I completely deny and refute the accusations made in the complaint. I deny any involvement of a recording taking place.

Complaint ref Standards Board

Thank you for giving me the opportunity to respond to the complaint from Cllr Arooj Shah.

I completely deny and refute the accusations made in the complaint.

The evidence provided by the complainant and included with this complaint – a video recording which shows me on a corridor I am entitled to be on, going into a room I am entitled to go in and several links does not support the accusation.

I completely deny any involvement of a recording and put it to the Labour Leader Arooj Shah that no evidence has been supplied to back up the complaint she makes against me.

Thank you for taking the time to read this response.

42. Cllr Sykes in his response to the Monitoring Officer stated:

Response:

Thank you for a copy of the unfounded complaint submitted by Cllr Shah and received by me on 3 June.

For clarity, I completely reject the allegations.

The complainant has provided no evidence to support their allegations. Instead, they rely on commentary, which is clearly opinion and supposition, with no basis in fact.

The allegations are, I believe, a clear attempt to discredit me. The factual evidence for this is the media release by the Labour

The contents of this report and any accompanying documents are confidential and must not be disclosed.

Party issued, which the complaint clearly facilitated, calling for my resignation. The media release was issued shortly after the complaint was submitted, and clearly prepared in advance.

I believe the very act of issuing a media release relating to a submitted Standards Complaint both indicates the vexatious nature of the allegations and, in itself, is a potential breach of several aspects of the Members Code of Conduct.

Response submitted 16 June 24.

43. The Monitoring Officer requested further information from Cllr Sykes after receiving the response. He emailed Cllr Sykes on 23 July 2024, stating:

I write further to your response on this matter. Myself and the independent person have considered the complaint and your response and some further information is sought from you – at the time that the meeting in the Leader's office was being recorded, were you aware that the recording was taking place ?

44. The Monitoring Officer wrote to Cllr Sykes again on 9 August 2024 chasing a response to his email. Cllr Sykes responded on 12 August 2024 stating:

Thank you for your further email regarding this matter.

I responded to the complaint which has no merit, and the complainant provides no evidence to support.

My response fully refuted the allegations made.

Summary of the Evidence Gathered

45. The following witnesses were interviewed during the investigation:

The Complainant (SG3)
Cllr Hince (SG4)
Cllr Navesey (SG5)

The contents of this report and any accompanying documents are confidential and must not be disclosed.

Cllr Hamblett (SG6)
Cllr Kenyon (SG7)
Cllr Murphy (SG8)
Cllr Sykes (SG9)

46. All witnesses have approved a written record of their interviews.
47. The Council's Monitoring Officer described the process leading to my instructions and supplied me with relevant documentation, including the complaints and responses from the councillors complained about (SG10).
48. Cllr Hince provided me with screenshots of examples of comments made on social media following the publication of the recording.

Evidence of the Complainant

49. The Complainant confirmed that she had submitted the complaints, that she wished them to proceed and the contents were true to the best of her knowledge and belief.
50. She confirmed that she is a member of the Council. She explained that she was first elected in 2012, she then lost her seat in 2016, she was elected again in 2018 and then lost her seat again in 2022 before being elected again in 2023. She confirmed that she is the leader of the Council and has been since being re-elected in 2023. She explained that she had also been leader in 2021–22.
51. Cllr Shah stated that she had never experienced an opposition as toxic as it is at the moment on the Council. She stated that usually the Liberal Democrats are quite sensible but, in her view, unfortunately they had begun to peddle and echo a hateful and misleading narrative recently. She referred to issues which she had faced in her personal life where she had to involve the police which caused a lot of distress. She explained that this incident and the abuse which had followed brought back a lot of distress.
52. She stated that this had been very unnerving. She stated that the audio of her meeting which Cllr Kenyon had recorded was released

The contents of this report and any accompanying documents are confidential and must not be disclosed.

whilst AS was still in the meeting. She stated that she looked at the independent councillors with suspicion.

53. Cllr Shah stated that to this date the councillors had not apologised. She stated that if a member of her group had done this she would have apologised straight away.
54. I stated that in her complaint Cllr Shah had stated that Cllr Williamson was also in the Liberal Democrats room when Cllr Kenyon had made the recording but she was not included in the complaints. I asked if this was correct. Cllr Shah stated that it was. She stated that because of personal issues Cllr Williamson had which she was aware of, she had not complained about her.
55. I asked Cllr Shah about her comment in the complaints that she and the independent councillors had significant abuse directed at them as a result and asked if she could give some examples. 'She stated that some members of the Asian community could not handle having a female Council Leader and some members of the white community could not handle having a Muslim as Leader of the Council. She stated that there were also some far-right people who accuse her of taking brown envelopes and of having criminal connections because her brother went to prison.
56. Cllr Shah stated that she had received racist abuse on social media. She stated that someone had said that she needed to be "finished off".
57. Cllr Shah stated that at one point Cllr Kenyon had his ear at the door of her room. She stated that it was freaky.
58. Cllr Shah stated that the national Liberal Democrat party had not been able to formalise a panel to investigate despite complaining to them about this six months ago.
59. I asked Cllr Shah if she had any evidence other than the contents of the video to support the contention that the other councillors knew what Cllr Kenyon was doing. She stated that she did not. She stated

The contents of this report and any accompanying documents are confidential and must not be disclosed.

that at one stage on the video Cllr Hamblett can be seen in the corridor with Cllr Kenyon listening to his phone.

Evidence of Cllr Hince

60. Cllr Hince confirmed that he is a member of the Council and has been for two years. He explained that in May 2024, after the elections the Council fell into no overall control. He stated that where that happens the process is that the different groups try to form a majority. He stated that he is the Leader of the Independent Group on the Council and he met with the other independent groups but they could not find any common ground to form a coalition.
61. Cllr Hince stated that he was invited to meet with Cllr Shah, the Leader of the Council, to discuss an informal arrangement. He stated that he had made an election pledge that he would not enter a coalition with the Labour Group.
62. Cllr Hince stated that he was aware that Cllr Shah had also met with the Liberal Democrat Group leader Cllr Sykes.
63. He stated that he and Cllr Navesy met with Cllr Shah to discuss a working agreement.
64. Cllr Hince stated that the meeting with Cllr Shah was secretly recorded by Cllr Kenyon and selected snippets of the recording were placed on social media to make them look bad.
65. Cllr Hince stated that after that happened his life, "went to shit." He stated that he was subjected to horrendous vile abuse online, including death threats. He stated that his children could not go to school. He stated that abuse was left on his mother's grave.
66. Cllr Hince stated that the Council put CCTV and other security measures in his house as a result. He stated that he lost his job because of the negative publicity.
67. He stated that Cllr Kenyon also gave him abuse when he left the meeting with Cllr Shah.

The contents of this report and any accompanying documents are confidential and must not be disclosed.

68. Cllr Hince stated that he does not do politics and he had not known what a cesspit these people operate in when he became a councillor.
69. Cllr Hince stated that it was the worst moment of his life and has had a significant impact on him as set out in the confidential appendix.
70. Cllr Hince stated that he was appalled by the Liberal Democrat party. He stated that he has not been told directly by the Liberal Democrat party what the outcome of their investigation had been. He stated that he had made a complaint but was told that, as the Council had already complained, it was an ongoing investigation and he could not make one.
71. Cllr Hince stated that the behaviour was malicious and was an orchestrated load of ferocious abuse. He confirmed that he had reported the issues to the police but they had not been very helpful. He stated that some of the comments had maybe not crossed the criminal threshold.
72. Cllr Hince stated that it was a private conversation. He stated that they had gone to discuss a working relationship for the benefit of they represent. He stated that they have achieved things as a result, for example the CSE inquiry and standing against the development of the Green Belt has happened as a result of their involvement.
73. I asked Cllr Hince why he had not submitted a complaint himself. He stated that he had been told by the Chief Executive of the Council that the Council would handle the complaint and also make complaints to the police and the Liberal Democrat party. He stated that he was not of a mind to make a complaint himself because of that state of mind he was in. He stated that he does intend to take his own private legal action once this complaint is finished.
74. Cllr Hince stated that he was perplexed about the time taken for the investigation and had been chasing the outcome. He stated that he had not been kept up to date. He stated that he had not raised the

The contents of this report and any accompanying documents are confidential and must not be disclosed.

complaint but he was a victim and believed he was owed a duty of care to include him in the investigation.

75. Cllr Hince stated that there may be no direct connection between Cllr Kenyon and the death threats but people sharing the recording was what led to the threats and Cllr Kenyon is responsible for that. He stated that he did not think that Cllr Kenyon could claim the consequences were not his responsibility. He stated that it only would have taken one person to take the matter further and put a knife in him. He stated that someone had found out where his mother was buried so they could find out where he lived. He stated that there had been no remorse for what happened.,
76. Cllr Hince stated that Cllr Kenyon's actions beggared belief. He stated that Cllr Kenyon had been campaigning in his ward. He stated that he is disappointed by the way the Liberal Democrat party had dealt with things. He stated that there had been no decency to reach out and apologise. He stated that he is still waiting for the Council to tell him what the outcome of the complaint to the Liberal Democrat party was.

Evidence of Cllr Navesey

77. Cllr Navesey confirmed that she is a member of the Council and has been since May 2024. She explained that she had been elected at the start of May and they had not known that the Labour administration would lose its majority on the Council in the elections. She stated that for the next three weeks after that as the Council was now in no overall control, it was difficult to say who would be the administration after Annual Council.
78. Cllr Navesey stated that she started getting messages from residents in Shaw, saying that she should not prop up Labour.
79. She stated that she and Cllr Hince were invited to meet with other Councillors to see if they wanted to join up with them. She stated that they were invited to meet Cllr Shah. She stated that there had been two meetings with Cllr Shah and she had not attended the first one but had attended the second one.

The contents of this report and any accompanying documents are confidential and must not be disclosed.

80. Cllr Navesey stated that she was worried as a new councillor and just sat and listened. She stated that when she and Cllr Hince left and were walking down the corridor Cllr Kenyon had appeared from a room and approached them holding a mobile phone videoing them. She stated that Cllr Kenyon said, "this is going everywhere." She stated that Cllr Kenyon laughed.
81. Cllr Navesey explained that she is a member of the Shaw Independents group but on the ballot paper it said that she was an independent. She stated that Cllr Hince, who is the leader of the group, had already been a member of the Council for 12 months before she was elected and she, Cllr Hince and other members of Shaw Independents had been members of the Town Council for a while.
82. Cllr Navesey stated that the recording of the meeting had been shared on social media and a woman she had known well commented calling her a traitor and scum. She stated that the recording had been posted all over social media.
83. She stated that they had agreed to have a working agreement with Labour and then she had gone away on holiday. She stated that it had been a holiday from hell because of the abuse she had received over social media and in texts. She stated that she did not think that she had done anything wrong. She stated that the recording had incited hatred against her and she was still receiving abuse now.
84. I asked Cllr Navesey why she had not made a complaint herself. She stated that immediately after it happened she went on holiday. She stated that she had been appalled. She stated that she could not do anything when she was away. She stated that she thought that the Council would deal with it itself as it happened in a Council building. She stated that she had not had any discussion with Council officers about the process for dealing with complaints.
85. I asked Cllr Navesey how she was aware of the investigation. She stated that she had been liaising with Cllr Hince about it.

The contents of this report and any accompanying documents are confidential and must not be disclosed.

86. Cllr Navesey stated that she just wanted to explain how Cllr Kenyon's actions had affected her and her family. She explained that her children are in their 20s and 30s and had been subjected to vile comments about her and her family. She stated that there was a man on a blog who kept making comments, including accusing her of reporting her nephew to the police for murder which is not true. She stated that she is seeing someone in the Council about getting extra security because of all of this. She stated that she should not have to live in fear because of someone's silly actions.

Evidence of Cllr Hamblett

87. Cllr Hamblett explained that he has been a member of the Council since 2019 and had become a parish councillor in 2015. He confirmed that he had received training on the code of conduct three times. He confirmed that he was aware of the need to comply with the code when acting as a councillor.
88. Cllr Hamblett confirmed that he had been in the Council's offices when Cllr Kenyon had recorded a meeting taking place between Cllr Shah, two independent councillors and the then Chief Executive.
89. Cllr Hamblett stated that he was not aware what Cllr Kenyon was doing. He stated that he only became aware of it a few hours later when the recording appeared on Facebook.
90. I asked Cllr Hamblett what he discussed with Cllr Kenyon when he is seen on the CCTV recording talking to him. Cllr Hamblett stated that he had been heading towards the kitchen as he was going to wash his cup and make a cup of tea. He stated that he offered Cllr Kenyon a brew, he stated that he said that he was going to boil a kettle and asked Cllr Kenyon if he wanted a brew. He stated that Cllr Kenyon had said no, so he replied fine and went and made himself a drink.
91. Cllr Hamblett stated that he did not think to ask Cllr Kenyon what he was doing. He stated that the corridor can be quite a busy place and people come and go. He stated that he had no knowledge whatsoever of what Cllr Kenyon was doing. He stated that he did not see or hear anything outside of Cllr Shah's room. He stated that he

The contents of this report and any accompanying documents are confidential and must not be disclosed.

can be quite oblivious sometimes. He stated that with the kettle boiling and the dishwasher going it was quite loud so couldn't hear anything.

92. Cllr Hamblett stated that he left with Cllrs Murphy and Williamson. He explained that he does not drive and one of them probably gave him a lift.
93. He explained that the Liberal Democrat room is just one large room with a big table and several desks in it. He stated that he went in just to do some case work, print some documents and do some notes and things.
94. Cllr Hamblett stated that he wasn't aware of Cllr Kenyon's recording until later when it appeared on social media. He stated that he was quite shocked at first. He stated that he was more amazed that he was not aware about what had taken place.
95. I asked Cllr Hamblett why, when the Monitoring Officer asked him if was aware of the recording at the time, he did not answer. He stated that he was surprised that a complaint had been made about him. He stated that he had not taken any part in the recording. He stated that it was quite a strong allegation against him and his character. He stated that he and Cllr Shah had a relationship of trust. He stated that he felt that he had nothing to answer for. He stated that he felt that he had not done anything to offend or upset Cllr Shah and cause this complaint from her.
96. Cllr Hamblett stated that he had not done anything to cause this. He stated that he was quite saddened by the whole thing. He stated that there had been a segregation of nearly half the councillors away from officers as a result of this. He stated that he felt it had been dealt with in an undue manner by Cllr Shah.

Evidence of Cllr Kenyon

97. Cllr Kenyon explained that he has been a member of the Council since 2021. He confirmed that he had received training on the Code

The contents of this report and any accompanying documents are confidential and must not be disclosed.

of Conduct and that he was aware of the requirement to comply with the Code when acting as a councillor.

98. Cllr Kenyon confirmed that he did record a meeting which had taken place between Cllr Shah, two independent councillors and the then Chief Executive and Deputy Chief Executive of the Council. He stated that he took exception to the use of the word "covert" to describe it. He stated that he could clearly hear what was happening in the meeting in the corridor outside. He stated that he did not use any covert listening equipment. He stated that he simply used the standard voice recording memo app on his phone. Cllr Kenyon stated that the recording took place outside the room and no device was placed in the room. I asked Cllr Kenyon if he had the consent of the people in the room to record their meeting. He stated that he did not. I asked if they were aware that he was recording at the time. Cllr Kenyon stated that they were not.

99. I asked Cllr Kenyon what he did with the recording. He stated that he listened to it to check the quality and then he shared it. Cllr Kenyon stated that he made the recording in the public interest. He stated that he could not believe that the parties were in the room together despite the comments that they had made about each other in the past.

100. Cllr Kenyon stated that he knew what he was doing was wrong but he considered that he was doing it for the right reason; people deserved to know what was happening; not only were the Shaw independents and labour considering sharing power but that the chief executive was brokering the deal. He stated that Oldham is a grim place to operate as a politician and a lot of things happen which people do not believe. He stated that it is a morass of lies and untruths and in that split second he made the decision to record the meeting. He explained that he did this because he did not believe what he was hearing and he knew that if he reported it his word would not be sufficient because it would be denied.

101. Cllr Kenyon stated that you only need to look back at Council meetings over the last two years to see vitriol and disbelief that there is in Oldham. He stated that a councillor's word means not

The contents of this report and any accompanying documents are confidential and must not be disclosed.

very much. He stated that he made the decision not to go to the bathroom but stop and record the meeting. He explained that he had been on his way to the toilet, which is opposite Cllr Shah's office when he heard the meeting.

102. I asked Cllr Kenyon who he shared the recording with. Cllr Kenyon stated that he did not believe that it was relevant who he had shared it with. Cllr Kenyon explained that he did not share it publicly himself because he did not want it to be tainted with a political bent. He stated that he wanted people to hear it without the taint of political bias. He stated that he shared it with someone who would not be tainted by this bias. He stated that he knew it was going to be shared by the person he shared it with.

103. I asked Cllr Kenyon what he was doing in the Council's offices at the time. He stated that he is allowed to be.

104. I stated that the complaint also cited Cllr Hamblett, Murphy and Sykes, who the complainant alleges were in the Liberal Democrat office at the time. Cllr Kenyon stated that it is fairly clear from the video who was in the office. I asked if those councillors were aware of what he was doing. Cllr Kenyon stated that they were not aware.

105. I stated that Cllr Kenyon could be seen on the video talking to Cllr Hamblett. I asked Cllr Kenyon if they discussed what Cllr Kenyon was doing. Cllr Kenyon stated that they did not. Cllr Kenyon stated that if I knew Cllr Hamblett he would understand that. Cllr Kenyon stated that he could not remember exactly what Cllr Hamblett had said. He stated that he prepared a note of what had happened a few days after the events, so it was nearly contemporaneous. He stated that the note said the Cllr Hamblett had said something like, "do you want a brew? I'm going to the kitchen" He stated that this was consistent with what he remembered. I asked Cllr Kenyon if he could provide him with a copy of the note. Cllr Kenyon said that he would not, saying that they were private notes.

106. Cllr Kenyon stated that there had been no discussion with any of the other councillors about what he was doing. I said it seemed surprising given the nature of the meeting and Cllr Kenyon's

The contents of this report and any accompanying documents are confidential and must not be disclosed.

thoughts about it that he would go in and out of the group room over the course of around an hour and not mention what he had heard. Cllr Kenyon stated that he had not and none of the members in the room had been aware what he was doing. He stated that the first time those members had become aware of what he had done was when the recording was made public.

107. I stated that in his response to the Monitoring Officer Cllr Kenyon had apologised for what he did and asked the Monitoring Officer to pass on his apology. Cllr Kenyon confirmed that he had done so. I asked if he had apologised directly to those in the meeting. Cllr Kenyon stated that he had not. He stated that the code of conduct process had started fairly soon after the incident had happened and he did not want to circumvent the process. He stated that he would apologise directly to Cllr Shah. He stated that he had defended Cllr Shah in the past.

108. Cllr Kenyon stated that, apart from the flights of fancy in Labour press releases about spies and covert devices, for him the facts are largely not in dispute. He stated that it was about his state of mind at the time. He stated that he accepted that what he had done was wrong but he had absolutely done it in the public interest. He stated that the people in the room had called each other out in the past and said horrendous things about each other. He stated that he was appalled that the then Chief Executive had been persuading the participants in the room and campaigning for Labour and the Shaw Independents to come together to form an administration. Cllr Kenyon stated that the then Chief Executive's conduct was clearly a political act and he believed that the then Chief Executive had acted improperly. He stated that the independent councillors had campaigned and been elected as being anti-Labour and Cllr Shah had long complained about bullying and abuse online which the Shaw Independent councillors have taken part in and benefitted from. Cllr Kenyon stated that because of all this, he believed that it had been in the public interest for people to know what was happening.

Evidence of Cllr Murphy

109. Cllr Murphy explained that he has been a member of the Council for 12 years. He confirmed that he had received training on the code of conduct and was aware of the requirement to comply with the code when acting as a councillor and that was something he always tried to do.
110. Cllr Murphy stated that he accepted that he was present in the Council's offices in the Liberal Democrat room when Cllr Kenyon had recorded a meeting between Cllr Shah, two independent councillors and the Chief Executive. He stated that he was in a room which he was entitled to be in. He stated that the Liberal Democrat councillors conduct a lot of their business in that room.
111. I asked Cllr Murphy if, as well as him, and Cllr Kenyon, Cllrs Hamblett, Sykes and Diane Williamson were also there. Cllr Murphy stated that accorded with his recollection of who had been there. Cllr Murphy stated that he now knows that Cllr Kenyon was recording the meeting but he was not aware at the time that Cllr Kenyon was doing it.
112. Cllr Murphy stated that he was surprised when the Monitoring Officer said that the complaint was moving forward. He stated that he was just in a room. He explained that he was supporting Cllr Williamson. He stated that because he happened to be in the same room he was being tarred with something he had absolutely nothing to do with.
113. He stated that it feels like Cllr Shah just wants heads to roll and he is being accused of guilt by association. He stated that this has made him fall out of love with being a councillor. He stated that the only evidence against him is a video of him going down a corridor.
114. Cllr Murphy stated that he knew nothing about the recording. He stated that he had no discussions with Cllr Kenyon about what was taking place.

115. Cllr Murphy stated that there was a discussion about independent councillors being in Cllr Shah's office. He stated that they were quite loud and could be heard in the corridor. He stated that he could not remember who said it but someone said something like, "I wonder if they are doing a deal." He stated that there was no discussion about recording the conversation or documenting it; it was just a discussion. He stated that it was just a discussion like you would have in the street. He stated that other than that they had just been talking in general and that was it.

116. Cllr Murphy stated that he did not know exactly who had been in Cllr Shah's office. He stated that all he knew was that the independent councillors were in there. He stated that he did not know the Chief Executive was in there until Cllr Kenyon said that he had done the recording.

117. Cllr Murphy stated that Cllr Kenyon told them that he had made the recording when they were in the room. He stated that they were all in shock that the Chief Executive had been in the room. Cllr Murphy stated that Cllr Kenyon played a snippet of his recording to them in the room. He stated that they were all in shock that the Chief Executive had been brokering a deal.

118. Cllr Murphy stated that at that point Cllr Sykes asked everyone to leave except for him and Cllr Kenyon. He stated that they then all left to leave just Cllr Sykes and Cllr Kenyon in the room; Cllr Murphy stated that he was unaware as to what they discussed after he left but he was aware they were due to have a meeting with opposition councillors from another party imminently.

119. Cllr Murphy stated that he did not have any other discussions about the recording after that with anyone. He stated that he was shocked as everyone else when he heard it on social media.

120. I asked Cllr Murphy if he thought what Cllr Kenyon did was wrong. Cllr Murphy stated that at the time he was more in shock that the Chief Executive could be heard brokering a deal.

121. Cllr Murphy stated that there was a suspicion that the then Chief Executive was too friendly with the Labour administration and his actions were too top heavy and not politically neutral and heavy handed. He stated that he was more shocked by that; it was horrendous.

122. Cllr Murphy stated that he did not say to Cllr Kenyon that he had been out of order. He stated that it had happened so quickly. He stated that Cllr Kenyon had only played a snippet of the conversation. He stated that the whole thing was only a couple of minutes which was not long enough to call out any alleged inappropriate behaviour.

123. I asked Cllr Murphy what Cllr Kenyon used to record the conversation. Cllr Murphy stated that he thought Cllr Kenyon had used his phone.

124. Cllr Murphy stated that within seconds of hearing the part of the recording Cllr Sykes asked them to leave.

125. Cllr Murphy stated that he and the other councillors have not spoken about the complaint. He stated that they have been deliberately quiet about it. He stated that Cllr Williamson said that she had been cleared. He stated that they had no discussions about what they would say.

126. I asked Cllr Murphy why when the Monitoring Officer had asked him if he knew of the recording at the time he had not answered him. Cllr Murphy stated that he wished he had now. He stated that he wished the Monitoring Officer had rung him rather than sent him a formal email. He stated that he wished he had told the Monitoring Officer that he had no knowledge at the time. He stated that he felt that he had already responded to the Monitoring Officer, so that was why he had replied as he did.

127. Cllr Murphy stated that by the time the Monitoring Officer wrote to him the recording had been very well circulated on social media and Cllr Shah had brought it up at full council in May. He stated that everyone was aware of it by then.

The contents of this report and any accompanying documents are confidential and must not be disclosed.

128. Cllr Murphy stated that a leaflet and the CCTV video had been circulated on social media containing confidential information about the investigation. He stated that the leaflet with stills from the video had been circulated to a number of houses in Shaw and Crompton.

129. Cllr Murphy stated that it felt like because he was being quiet and not making public statements his guilt had already been decided.

130. Cllr Murphy stated that he had been in the wrong place at the wrong time. He stated that he felt that the complaint was politically motivated and named anyone who happened to be in the room. He stated that he understood the complaint about Cllr Kenyon but he could not understand how just being in the room could be evidence. He stated that he genuinely feels that he had done nothing wrong.

Evidence of Cllr Sykes

131. Cllr Sykes explained that he has been a member of the Council for over 30 years. He confirmed that he had received training on the code of conduct and knew that he was required to comply with the code when acting as a councillor.

132. Cllr Sykes confirmed that he was in the Council's offices in the Liberal Democrat room at the time when Cllr Kenyon recorded a meeting which was taking place between Cllr Shah, two independent councillors and the then Chief Executive.

133. Cllr Sykes stated that he was in the Council's offices to have a meeting with colleagues in other groups about the potential for an administration at the annual council meeting. He explained that this was one or two days later.

134. Cllr Sykes stated that he did not know that Cllr Shah was in her office with the others. He stated that he did not know that Cllr Kenyon was recording the meeting.

135. Cllr Sykes stated that when Cllr Kenyon came back into the group room he mentioned that he had heard a meeting. He stated that Cllr

The contents of this report and any accompanying documents are confidential and must not be disclosed.

Kenyon waved his phone around and said that he had managed to record part of it. Cllr Sykes stated that there had been a lot going on but his recollection was that Cllr Kenyon had said this but he could not remember if that was the first, second or third time he came back into the room.

136. Cllr Sykes stated that he said that everyone else needed to leave apart from him and Cllr Kenyon as they needed to prepare for the meeting they were having. He stated that the others were talking and he and Cllr Kenyon needed to prepare for the meeting. He stated that there was no discussion with Cllr Kenyon about the recording, they talked about the meeting they were there to have.

137. He stated that he was not paying much attention to the recording as he was focussed on the negotiations they were there to have. He stated that Cllr Kenyon did not discuss with him what he intended to do with the recording. He stated that, if Cllr Kenyon had told him what he was doing, he would have told him to stop. He stated that he did not do anything afterwards about what Cllr Kenyon had done; he stated that there was no point as Cllr Kenyon had done it. After the interview Cllr Sykes stated that when he realised what Cllr Kenyon had done, he asked him to report himself to the standards committee (which he did). He stated that he was also reported to the party. He stated that by the time that the Council had responded to Cllr Kenyon's report to say he could not report himself, the complaints process was already in process, so they did not put in a second standards complaint against him.

138. Cllr Sykes stated that he only found out that Cllr Kenyon intended to put the recording in the public domain after he had done it. He stated that from memory that was the first time he had heard the recording in its entirety. He stated that he was shocked and surprised.

139. Cllr Sykes stated that he was focussed on the meeting he was there for. He stated that it did not cross his mind that he could or should do something about what Cllr Kenyon had done. He stated that they had discussed the recording at a group meeting but it had been a brief discussion.

The contents of this report and any accompanying documents are confidential and must not be disclosed.

140. I asked Cllr Sykes why, when the Monitoring Officer asked him if he knew at the time that Cllr Kenyon was recording the meeting, he did not answer the question. Cllr Sykes stated that he was not having trial by email. He stated that he had made it clear to the Monitoring Officer formally and informally that there was no merit in the complaint.

141. Cllr Sykes stated that he was being accused of something because he happened to be in a room at the same time. He stated that another colleague who had been in the room as well had the complaint against her dismissed.

142. Cllr Sykes stated that Cllr Shah was wanting to get media publicity about him. He stated that she and other councillors had referred to this in the Annual Council meeting and at other subsequent council meetings, despite clear advice that she should not refer to this matter as it was subject to an investigation. He stated that people should not do that. He stated that the CCTV coverage had been shared with political opponents. He stated that this included a still from the video which had been printed and distributed in the area.

143. Cllr Sykes stated that if he had known what Cllr Kenyon was doing he would have told him to stop.

144. Cllr Sykes stated that the officers' involvement in the meeting with Cllr Shah was quite shocking and that encouraged Cllr Kenyon to record it because he could not believe it. He stated that he would have told Cllr Kenyon not to record it but he could understand why he did, as he would not have believed Cllr Kenyon if he had told him what had happened without the recording.

Findings of fact

145. The following facts relevant to the complaint in the case are not in dispute. Cllr Kenyon accepts that he recorded the meeting in Cllr Shah's office and that he did not have permission to record the meeting nor were the people in the meeting aware that he was recording it. He also accepts that he supplied the audio recording of

The contents of this report and any accompanying documents are confidential and must not be disclosed.

the meeting to an unnamed third party and that the recording was then placed on social media.

146. In respect of the facts in dispute, my findings on the balance of probabilities, are:

- (a) Cllr Kenyon placed a device immediately outside Cllr Shah's office which he used to record the meeting;
- (b) Cllrs Hamblett, Murphy and Sykes were aware immediately after Cllr Kenyon made the recording and before he passed it to anyone else that he had made the recording;
- (c) Cllrs Hamblett, Murphy and Sykes were not aware that Cllr Kenyon was recording the meeting until he had done it;
- (d) When asked directly by the Monitoring Officer if they were aware of the recording being made by Cllr Kenyon at the time, Cllrs Hamblett, Murphy and Sykes did not answer the question.

147. The reasons for my findings are:

- (a) This is clearly seen on the CCTV recording. Cllr Kenyon can be seen kneeling down outside the room and placing something on the floor and retrieving it later. As he walks away from whatever he has placed he is listening on his phone. His suggestion that he merely used his phone to record the meeting is not consistent with the CCTV evidence;
- (b) The evidence of the councillors is inconsistent. Cllr Kenyon states that he did not tell the others about the recording and they only became aware of it when it was published on social media. Cllr Hamblett also stated that. However, both Cllr Murphy and Cllr Sykes stated that Cllr Kenyon played them a snippet of the recording. On balance I believe the evidence of Cllrs Murphy and Sykes. It is not in their interests to lie about this and the evidence of Cllr Kenyon and Hamblett is not credible. This was such a significant

The contents of this report and any accompanying documents are confidential and must not be disclosed.

issue in terms of what was happening at the Council that Cllr Kenyon decided to secretly record what was happening and pass it to someone, presumably in the knowledge it would be published. It is inconceivable that he would not have mentioned it to his close colleagues;

- (c) They all deny being aware of this. They were in the Liberal Democrat room throughout the time Cllr Kenyon was recording, apart from Cllr Hamblett, who left to make a cup of tea. He spoke to Cllr Kenyon but the CCTV has no audio so there is no evidence of what was said apart from their evidence which is consistent and cannot be contradicted by what is in the recording;
- (d) This is clear from all of their responses.

Reasoning as to whether there is a breach of the Code.

148. The relevant parts of the Code which I have considered during my investigation are paragraphs 4.1, 5.1, 7.1 and 8.1.

149. The test in deciding whether or not there has been a breach of the code is objective: would a reasonable person be aware of all the material facts and ignoring all immaterial factors consider that there has been a breach of the code?

150. The Code only applies to the conduct of a member acting as a councillor and not at any other time. I have considered whether the councillors were acting in his capacity as a councillor when they acted as they did. In my view they clearly were and they have not sought to deny that. They were on council premises, accessing facilities provided to them by the Council to carry out their council duties.

151. I have considered whether in acting as he did the councillors failed to comply with the Code. The position regarding Cllr Kenyon is clearly different to that of the others. Therefore, I shall consider his position first and separately from the others.

The contents of this report and any accompanying documents are confidential and must not be disclosed.

152. Cllr Kenyon accepted in his response to the Monitoring Officer that he should not have done what he did and apologised, asking for that apology to be forwarded to those present at the meeting.

153. His actions were entirely wrong, as he recognises, and a misuse of Council facilities offered to him and his group. It is fundamental that groups have facilities and the ability to use those facilities discuss confidential issues in a safe space without anyone secretly recording them. This amounted to a breach of paragraph 7.1 of the Code.

154. In acting as he did Cllr Kenyon breached paragraphs 4.1 by disclosing confidential information which he had obtained without authorisation or consent.

155. Cllr Kenyon also brought his office and the Council into disrepute. The public are entitled to expect that councillors will act fairly and will not secretly record private meetings taking place between other councillors or officers. The action of doing so undermines trust in councillors and their integrity and thus brings the Council into disrepute.

156. Cllr Kenyon also referred to a note which he had prepared shortly after the events, as evidence that Cllr Hamblett did not know about the recording. He refused to provide a copy of the notes saying that they were "private." It is difficult to see how notes prepared by Cllr Kenyon himself could be private. The only conclusions I can draw from his refusal to supply them was because they contained information he wanted to withhold from the investigation. I also asked Cllr Kenyon to whom he passed his audio recording and he refused to tell me. In these actions Cllr Kenyon failed to co-operate with my investigation in breach of paragraph 8.1 of the Code.

157. Although Cllr Kenyon has accepted that what he did was wrong and apologised (though not directly to the people affected) he has and continues to seek to justify his actions by stating that they were in the public interest. There is no justification for the actions he took and it is disappointing that he still seeks to excuse and minimise his actions.

The contents of this report and any accompanying documents are confidential and must not be disclosed.

158. Cllr Kenyon cites as the justification what he did the public interest in people being aware that councillors were having discussions with other groups when they had told the electorate in campaigning they would not do so and in the Chief Executive being involved in the discussions.

159. It is a fact of politics that if a Council moves into no overall control then groups will consider whether arrangements can be made to achieve a grouping which will enable a majority to be formed to enable clear decisions to be made. This could be in the nature of a formal coalition or a working arrangement and it was inevitable following the elections in May 2024 that this would happen in Oldham. It is not unusual that groups who may have disagreed quite strongly and criticised each other in the past and in the election campaign speak about the possibility of working together.

160. Cllrs Kenyon and Sykes were in the Council building on 20 May 2024 to have discussions with another group about working together. The LGA guidance on councils moving into no overall control states:

Often, chief executives will help broker and facilitate deals between different political groups.

161. The LGA Guidance for councillors on Councils with no overall control states:

Ask your chief executive for advice and information: during the discussion stage, your chief executive will become as involved as you want them to be. They, and other officers, can help with practical measures such as arranging meeting rooms, providing information and facilitating discussions, and of course can offer impartial and confidential advice.

162. Whilst it is important that Chief Executives remain politically neutral this does not prevent them from supporting and facilitating discussions between political groups after elections. There is nothing to suggest that what the chief executive at the time did went beyond what is suggested in the LGA guidance as appropriate action in facilitating and brokering discussion.

The contents of this report and any accompanying documents are confidential and must not be disclosed.

163. Cllr Kenyon took exception to the suggestion that he used a covert recording device to record the meeting and stated that he simply used his phone. The CCTV evidence shows him placing something outside the room and then listening to his phone as he walks along the corridor. It also shows him retrieving whatever that device was before he goes into the Liberal Democrat room for the final time that day.

164. Only Cllr Kenyon knows exactly what device he used. I cannot say whether it was, as the Complainant suggests, "sophisticated spyware". It may be that he has two phones. In any event it is not relevant to my investigation or finding the exact device which Cllr Kenyon used to record the meeting, the breach of the Code arises from the fact he recorded the meeting secretly without the knowledge or consent of those involved.

165. Given the nature of the breaches of the Code there is no impact on Cllr Kenyon's Article 10 rights which arise from the finding of breach or any sanctions which might be imposed.

166. In relation to the other councillors the complaint against them is based on the assertion that they must have known what Cllr Kenyon was doing and did nothing about it. On the evidence my finding is that they were not aware of what he was doing until after he had made the recording, albeit they were made aware immediately afterwards and before they left the building. The Code does not require them to report another councillor who has breached the Code nor to take specific steps when they become aware of misconduct of another councillor.

167. The response of the councillors, including Cllr Sykes as group leader, in apparently doing nothing to admonish Cllr Kenyon on his actions or advise him to delete the recording or at least not publish it or arrange for it to be published is disappointing but it is not a breach of the Code.

168. Cllr Sykes points out that he did report Cllr Kenyon to his party and also suggested Cllr Kenyon refer himself to the Standards

The contents of this report and any accompanying documents are confidential and must not be disclosed.

Committee which he did, so some action was taken, albeit this was after the recording had been made public.

169. Cllrs Hamblett, Murphy and Sykes all refused to answer a simple question from the Monitoring Officer when he asked them if they were aware that the recording was being made at the time. This was a simple question and highly pertinent to the complaints being made against them. They have given no satisfactory explanation of why they did not answer this straightforward question. In my view their failure to answer a straightforward question with an answer amounts to a failure to co-operate with a code of conduct investigation on breach of paragraph 8.1 of the Code. Although this was a question asked by the Monitoring Officer at the initial assessment stage it was part of the overall process and in my view the term co-operate with the any investigation and/or determination includes the whole complaints process.

Other Issues

170. I wrote to all of the councillors who are the subject of complaints inviting them to be interviewed via Teams or Zoom. This has been my practice since March 2020 with all standards investigations for all complainants, witnesses and subject members. In that time, I have carried out a significant number of investigations and it is extremely rare for anyone to ask for interviews to be held in person. As far as I can recall only one member has insisted that they would only be interviewed in person.

171. In this case all of the subject members responded asking for their interviews to be in person. In my view this makes it highly probable, in fact almost certain, that their responses were co-ordinated. As I have indicated it is extremely rare for anyone to respond to a request for a virtual interview by asking for a personal meeting. For four parties in the same case to respond in exactly the same way it is highly unlikely that they have done this independently. In my opinion the chances that they have independently decided to do this with no co-ordination is virtually nil.

The contents of this report and any accompanying documents are confidential and must not be disclosed.

172. In the cases of Cllrs Murphy and Sykes, they did eventually agree to meet virtually. I agreed to meet with Cllr Hamblett in person as a result of the reasons he gave to me for wishing to do so.

173. I advised Cllr Kenyon that meeting in person was not necessary and would increase costs for the Council. I asked him if there was any reason why the interview needed to be in person. He responded stating:

The request for further investigation was not made by me so I'm not responsible for any of these costs.

I'd feel happier doing this in person and don't feel the need to explain any further. I will not be available via Teams.

174. Cllr Kenyon's preference to hold the meeting in person resulted in an additional cost to the Council of approximately £650 plus VAT entirely unnecessarily. The approach taken by Cllr Kenyon to this as a councillor is both surprising and disappointing. I would have expected a councillor who did not have a specific and valid reason for needing an interview to be in person to recognise the imperative to reduce the spending of council tax payers money unnecessarily and to act accordingly.

Finding

175. My finding is that there:

- i. **has been a failure** to comply with paragraphs 4.1, 5.1, 7.1 and 8.2 of the Council's Code of Conduct by Cllr Kenyon;
- ii. **has been a failure** to comply with paragraph 8.2 of the Council's Code of Conduct by Cllrs Hamblett, Murphy and Sykes.

176. I will be sending a copy of my final report to the Monitoring Officer of the Council.

The contents of this report and any accompanying documents are confidential and must not be disclosed.

Comments on the Draft Report

177. I sent a draft of my report to the Complainant and Cllrs Hamblett, Kenyon, Murphy and Sykes for their comments. I received comments from each of them and these are summarised below together with my views on them.

178. The Complainant suggested some clarifications to points which she had raised in her evidence. These resulted in some minor amendments being made to that part of my report but these had no impact on my findings.

179. Cllr Hamblett sent a response (SG11). He indicated that the details of his committee memberships was wrong and this has been amended. He also made comments about the political makeup of the Council which has been amended (see below). There were no other changes made as a result of Cllr Hamblett's comments.

180. Cllr Kenyon sent me a response (SG12). He also referred to the political makeup of the Council which I have changed. Cllr Kenyon stated that the date of his apology should be included. The offer of an apology was made in Cllr Kenyon's response to the Monitoring Officer about the complaint against him. This was sent on 19 July 2024.

181. Cllr Kenyon makes comments on evidence provided by some of the evidence raised by the other witnesses. He is entitled to disagree with what they have said but the evidence recorded is what they have said.

182. Cllr Kenyon stated:

Para 147 a) You claim that the CCTV is inconsistent with my statement about using my phone to record the meeting. In what way? I placed my phone on the ground, and moved away. I then retrieved my phone. This is exactly what is shown on the CCTV. Your conclusions are unsupported opinion and undermines my statement without any evidence.

The contents of this report and any accompanying documents are confidential and must not be disclosed.

183. The recording shows Cllr Kenyon placing something by the door. After having placed it he is seen listening to his phone or some other device further down the corridor. The evidence shows two devices were being used. As I have indicated regardless of how he recorded the meeting he breached the code. It is also not the case that he simply stood in the corridor and recorded what he could hear openly he placed a recording device whether it be his phone or something else directly outside the room and left it there.

184. In respect of paragraph 156 Cllr Kenyon stated:

my notes are private. Nowhere in the standards process does it say that personal notes must be handed over to the standards process. Your conclusions are complete supposition and without basis. You have equated privacy with guilt and completely ignored the potential for abuse that releasing these notes to you could have. This whole standards enquiry has suffered leaks, news stories, facebook posts, speeches in the chamber and also release of excerpts of your own draft report. Why would I release private notes to a process that could very easily be published on Facebook soon after?

185. Cllr Kenyon sought in his evidence to me and in his comments on the draft report to state that his evidence was supported by contemporaneous notes but he refused to share those notes. If those notes relate to issues connected with a standards complaint then he should share them with the process. He cannot have his cake and eat it, saying my evidence is right because it is supported by contemporaneous notes but I am not going to provide those notes to do this because they are "private".

186. Cllr Kenyon also stated:

there is absolutely no evidence of "sophisticated spyware" (this phrase in itself is loaded and biased as it is lifted straight from the ex chief exec's complaint and subsequent Labour press release). If there is evidence to challenge my own account that merely my own phone was used, then you should include it in

The contents of this report and any accompanying documents are confidential and must not be disclosed.

your report eg a screengrab from cctv. All the available evidence is completely supportive of me using my only phone, as I stated. Why are you repeating an allegation which has no evidence, merit or support, and denying a statement of facts without any evidence?

187. It is somewhat difficult to say that I do not have the evidence to support an allegation without saying what the allegation is. This paragraph makes it clear that I cannot make any findings on this point and that it is a breach of the Code whatever device(s) was used.

188. Cllr Kenyon also stated in relation to paragraph 171;

- I sought advice as I was recommended to. Any consistencies in the accounts of my colleagues is not evidence of collusion. I'd also add that your argument is not impartial and is fallacious; on one hand you argue that consistency is evidence of collusion (eg about face-to-face meetings), on the other hand you argue that an inconsistent account is evidence that someone is not telling the truth. Your claim of (in)consistency cannot be used to support two opposing arguments.

189. Cllr Kenyon does not specify who the advice was from. He is conflating two different issues. An assessment of the evidence is part of the investigation process. This is fact specific and inconsistencies are relevant in determine, on the balance of probabilities was likely to have happened. The comments in paragraph 171 about collusion did not relate to the member's evidence about what happened but to the way in which the councillors responded to and cooperated with the investigation process. This is a different issue.

190. Cllr Kenyon further stated:

I was asked to be interviewed six months after I had already acknowledged my error, and apologised for it. There is no evidenced conclusion in this report which goes beyond my statement and apology. Any costs that have been incurred at

The contents of this report and any accompanying documents are confidential and must not be disclosed.

this point are caused by the failure of the monitoring officer to follow process, and pass on the apology and acknowledgement.

Further, the complainant and the witnesses to the incident have repeatedly breached the confidentiality of the complaints process, in direct violation of instructions from the monitoring officer. Ensuring that I did the most I could to ensure that I was confident in this part of the process seems not just justified, but essential.

191. The Monitoring Officer considered Cllr Kenyon's offer of an apology and considered that the complaint was sufficiently serious, nevertheless, to warrant investigation and a formal conclusion. That is a decision he was entitled to make. He is not required to accept a proposal for informal resolution if he does not believe that is appropriate.

192. If other members have breached the Code, then Cllr Kenyon should raise that with the Monitoring Officer and that would need to be dealt with through the Council's procedures. It is not within the remit of my investigation.

193. Cllr Kenyon also stated:

I'd also like to address your comment on my own defence of public's right to know. You have no evidence to conclude that my own motivations are not what I have stated ie public right to know. You might not be happy with the reasons I have provided, but without any evidence to the contrary you are happy to state that my motivation of the public's right to know is false. This is unfair and has no merit.

194. Only Cllr Kenyon knows what his motives were for doing what he did. I am clear that as a matter of law he could not justify doing what he did based on a "public interest" test, as set out in the Code and the law.

195. Cllr Kenyon stated:

The contents of this report and any accompanying documents are confidential and must not be disclosed.

To give an example of what I think the public should know is the chief executive can be clearly heard in the recording to state that he would only give "the full picture" to groups who were part of the agreement, and that they would help them "make a narrative" to explain things to people. This goes considerably beyond "facilitating and brokering discussion" and in my opinion is the supposedly politically neutral most senior officer engaging in political campaigning

I enclose a complete transcript of the recordings below for inclusion in your report.

Recording 1

?? It's a league. It's gone off on it because, you know, and in general terms, every council meeting is nearly spoilt by it.

AroojSHah: "Yeah."

?? And then it goes out it doesn't go right.

HarryCatherall "They should ...

?? it'll get worse and worse and worse.

AS: "You can bring it in to the next full council."

HC: "You can mention it almost immediately, but it will go to July Council meeting.

?? Right.

HC: "If you've done the work about it to turn it around, and then it's away isn't it."

AS: "And the difference here is, Mark, and this is really, really important, you know. Like you said before, you will have officer support, so everything will be right, everything will be checked

out, everything will make ... The officers will make sure it is solid because ..."

Recording 2

MarcHince: Two streets where they are not bothered.

?? Correct yeah, but the guidance for people.

MH: Have you got one?

AS: What you have got to understand in this is Marc, what you've got to understand is that it is in my interest for me to make this work.

MH: Yeah.

AS: So there's no there's nothing about it, you know? So once we get the briefing done the whole purpose of them briefings [...] as well. is that we are all averse. And so we know exactly what we saying. how we sign a statement around IX Wireless and stuff like that. It's just not significant enough to be included

MH: No, no, no, I understand that.

HC: And also, what we do in the private room is, this is this factually is where we are, we share with you a full picture.

MH: Yeah.

HC: So you don't go fighting something that you're desperately going to lose.

MH: Yeah.

HC: Nobody wants to do that. Yeah. If we spell out the law to you, and update it, most people, as Marc said, don't want to listen. don't want to believe it. We'll spell it out to you. And then

The contents of this report and any accompanying documents are confidential and must not be disclosed.

actually you take a position, a very plain narrative. So know you're not setting yourself up to fail.

MH: Yeah.

HC: It's dead easy to set yourself up to fail in some of these contexts.

[...]

AS: I've got emails that I sent to IX Wireless it was everything I fought for But it was just not good enough. And I my personal view is that Lewis was in her head.

MH He is now. He's trying to use. He's trying to use. Because I said to him today, I said, we need to come using this to try to use emotive subjects like Palestine, IX, whatever it might be, you know, generate this "Labour out" at all costs. [...]

AS: Time and actions will prove stuff.

MH: I'm signing this?

AS: Yeah. [...] whatever you want?

MH: No, are we in agreement? [...] Lee?

[...]

196. Cllr Kenyon's interpretation of the comments made by the chief executive in that meeting do not justify the covert recording of the meeting nor the sharing of it for publication.

197. Cllr Murphy sent me a response to the draft report (SG13) stated that the outcome of my investigation had been published by the Shaw and Crompton independents. I confirmed that my report had only been sent to the Monitoring Officer and the parties and on terms of confidentiality.

The contents of this report and any accompanying documents are confidential and must not be disclosed.

198. Cllr Murphy also stated:

I am grateful for your conclusion that there has not been a failure on my part in the code of conduct in relation to the recording.

I am however extremely disappointed in your report which says (4) there has been a failure to comply with the Code with them (me) as they (I) have not co-operated with the investigation process...

I find this an unfair assessment, and untrue I have fully co-operated with the investigation and have done so in a timely manner, I have been fully open and co-operative, the further question asked of the then Borough Solicitor I believed I had already provided a satisfactory answer. No involvement means no involvement. Your "view of none co-operation" is not fact the facts are the aforementioned.

If I had not co-operated at all then I could accept the conclusion, at worst, it is a misunderstanding of what the exactly the Borough Solicitor required. I did respond to him and I thought the answer was clear on both occasions...

199. I set out my rationale for my finding. Cllr Murphy was asked a very specific and direct question which he did not answer. I believe this was part of a deliberate strategy not to be clear on what had happened at the event in question and not to engage openly and clearly with the investigation. I believe that this finding is amply supported by a simple reading of the correspondence and even in stating "I thought the answer was clear". He does not state that he answered the specific question which he had been asked, it is obvious from a simple reading of the correspondence that he did not do so. The failure to answer this explicit and clear question appears to have been a deliberate strategy. Had he and the other members answered that question at that stage it may not have been necessary to incur the expense of an investigation, given my findings.

The contents of this report and any accompanying documents are confidential and must not be disclosed.

200.Cllr Murphy further stated:

I would like to address (170 – 171) it feels like you are suggesting some sort of pre-discussion. On your written instruction I sort (sic) advice, that advice was if possible, to avoid an online meeting, and to request a face to face meeting the rationale being in the toxic world I now find myself in at Oldham Council who else is in the room behind the camera? But more importantly I want the investigator to look me in the whites of my eyes and see for themselves that I am fully co-operating, open, honest and respectful of the investigation.

201.Cllr Murphy does not state who that advice was from. As I indicate in my report the use of virtual platforms for interviews for these type of investigations has been the norm since the pandemic. It is very rare for a member or other party to request a face to face meeting in these investigations and to have all four in one case to do so cannot be co-incidence. The only reasonable inference which can be drawn is collusion between them, especially when added to the obvious failure to answer a very simple and straightforward question from the Monitoring Officer with a straight answer by three of the members (all that were asked that specific question.).

202.Cllr Murphy also stated:

(54) Cllr Shah did make formal complaints about Cllr Diane Williamson to both the Liberal Democrat National Party and to Oldham Councils Standards Committee. Cllr Williamson was cleared by the National Party and Oldham Council's monitoring Officer who both decided no case to answer.

203.I do not know how Cllr Murphy would know the details of other confidential complaints but the evidence of Cllr Shah was that she made no complaint to the Monitoring Officer about Cllr Williamson. I was also told this was the case by the Monitoring Officer. Even if it were correct that a different decision was made by the Monitoring Officer in respect of a separate complaint that may have been perfectly justified, all complaints are considered on their own facts and merits.

The contents of this report and any accompanying documents are confidential and must not be disclosed.

204.Cllr Murphy also stated that the details for his memberships of bodies in paragraph 27 was incorrect. I took these from the Council website but have amended them to reflect Cllr Murphy's comments.

205.Cllr Murphy made comments about information relating to the complaints being published by other councillors. These are not within my remit and I understand that they have been referred to the Monitoring Officer for separate consideration.

206.Cllr Sykes made comments on the draft report (SG14). He stated:

It is wrong to say that I failed to comply with the Code. I did respond. That is a fact. I also clarified that and the reasons for my response during my interview. It might have not been the response the then Monitoring Officer wanted but I did respond. It is important to note that this was during the 'informal' process, before the decision to investigate was taken.

207.Cllr Sykes did respond to the Monitoring Officer but he did not reply to a very clear, simple and straightforward question. The initial assessment stage is part of the process and an important one and the Code does not limit co-operation to the investigation or any other stage.

208.Cllr Sykes also raised concerns about alleged breaches of confidentiality of the process by others. This is not part of the remit of my investigation and I have referred these to the Monitoring Officer.

209.Cllr Sykes also stated that the details of his membership of bodies was incorrect. As with all councillors I took these from the Council's website and I apologise if there was an error on my report in copying them.

210.Cllr Sykes also stated that the political makeup of the Council included in my draft report was incorrect. He provided me with some figures though they differ from what is included on the Council's website. I have included the figure on the council's website. The key

The contents of this report and any accompanying documents are confidential and must not be disclosed.

point is that after the election the Labour group no longer had a majority on the Council.

211. Cllr Sykes made a number of points about the summary of evidence of others which he disagreed with or felt should be presented differently. This was a summary of the evidence which was given by people to me so I cannot change it. Cllr Sykes stated that the comments about the Liberal Democrat complaints process were wrong. He states that they are not part of the standards process. I agree that they are of limited relevance but Cllrs Shah and Hince both indicated their belief was that that appropriate action had not been taken by the Liberal Democrat group nationally and that exacerbated their concerns. That is a view they are entitled to hold and express.

212. Cllr Sykes states that he has viewed the CCTV recording and he does not believe that this supports my finding. I find this comment difficult to understand as it is extremely clear to me on viewing the recording that Cllr Kenyon bends down outside the room and places an object.

213. Cllr Sykes states that my opinion expressed about the actions taken by him and others is unfair and should not be included. I disagree I believe that as an investigator I am fully entitled to express my views on matters connected with the complaint. I have also not applied a higher standard to Cllr Sykes than to other members of the council, reflected in the fact that my findings in respect of each of them is consistent. Any leader of a group will have expectations of leadership and will have more levers of control over discipline and behaviour of members of their group than other members.

214. In relation to paragraph 161 Cllr Sykes states:

Councillors subject to a Standards complaint may, if they wish, seek advice and it has been the case throughout this process that we were advised to get and take advice. Bearing in mind the nature of and language used in the complaints and the subsequent leaks and commentary to the media, we did seek advice.

The contents of this report and any accompanying documents are confidential and must not be disclosed.

It is therefore quite understandable that there is some commonality in our responses.

'Highly probable' and 'in fact almost certain' are again your subjective opinions and they should have no place in the report. The fact you have never come across requests for personal meetings simply reflects that you have not been asked previously in other matters you have been engaged upon and not that it is wrong for a councillor subject of a complaint to ask to meet face-to-face.

215. Cllr Sykes does not say who advice was sought from. I asked Cllr Kenyon if there were any reasons why he needed the meeting to be face to face. Not only did he not do so he made it clear that was purely his preference. Nevertheless he insisted that the meeting take place face to face. That was entirely unnecessary and he was aware that it would add costs to the investigation. Part of my role is to evaluate evidence and reach conclusions. Based on the evidence I believe that my conclusions were more than justified by the evidence and the actions of the councillors.

216. Cllr Sykes makes reference to Cllr Kenyon making an apology to the Monitoring Officer and the Council choosing not to pass that on. The fact that Cllr Kenyon is clearly set out in the report.

Simon Goacher, Partner
Weightmans LLP
Date: 23 June 2025

Schedule of evidence

SG1	Oldham Council Code of Conduct applicable at the time
SG2	Oldham Council arrangements for dealing with complaints about members
SG3	Record of Interview of the Complainant
SG4	Record of Interview of Cllr Hince
SG5	Record of Interview of Cllr Navesey
SG6	Record of Interview of Cllr Hamblett
SG7	Record of Interview of Cllr Kenyon
SG8	Record of Interview of Cllr Murphy
SG9	Record of Interview of Cllr Sykes
SG10	Complaint forms and associated information provided by the Monitoring Officer, including responses from Cllrs Hamblett, Kenyon, Murphy and Sykes
SG11	Cllr Hamblett response to the draft report
SG12	Cllr Kenyon response to the draft report
SG13	Cllr Murphy response to the draft report
SG14	Cllr Sykes response to the draft report

The contents of this report and any accompanying documents are confidential and must not be disclosed.

This page is intentionally left blank

Oldham Council

Weightmans reference: SIG/433873/97

Report of an investigation into allegations concerning the conduct of
Councillors Louie Hamblett, Mark Kenyon, David Murphy and Howard
Sykes

SG 3

Complaint about Cllrs Hamblett, Kenyon, Murphy and Sykes– Oldham Borough Council

Note of interview with Cllr Arooj Shah, 8 November 2024

- 1 The interview was conducted by Simon Goacher, Weightmans LLP ("SG").
- 2 SG explained that he had been instructed by the Monitoring Officer ("MO") of Oldham Borough Council ("the Council") to investigate the complaints which had been made about Cllrs Hamblett, Kenyon, Murphy and Sykes.
- 3 SG explained the process. He explained that the process was confidential but if the matter proceeded to a hearing then the complaint details could be published including the complaint and this note of the interview.
- 4 Cllr Arooj Shah ("AS") confirmed that she is a member of the Council. She explained that she was first elected in 2012, she then lost her seat in 2016, she was elected again in 2018 and then lost her seat again in 2022 before being elected again in 2023. She confirmed that she is the leader of the Council and has been since being re-elected in 2023. She explained that she had also been leader in 2021–22.
- 5 AS confirmed that she had submitted the complaints, that she wished them to proceed and the contents were true to the best of her knowledge and belief.
- 6 AS stated that she had never experienced an opposition as toxic as it is at the moment on the Council. She stated that usually the Liberal Democrats are quite sensible. AS referred to issues which she had faced in her personal advice where she had to involve the police which caused a lot of distress. She explained that this incident and the abuse which had followed brought aback up a lot of distress.
- 7 AS stated that this had been very unnerving. She stated that the audio of her meeting which Cllr Kenyon ("MK") had recorded was released whilst AS was still in the meeting. She stated that she looked at the independent councillors with suspicion.
- 8 AS stated that to this date the councillors had not apologised. She stated that if a member of her group had done this she would have apologised straight away.
- 9 SG stated that in her complaint AS had stated that Cllr Williamson ("DW") was also in the Liberal Democrats room when MK had made the recording but she was not included in the complaints. SG asked if this was correct. AS stated that it was. She stated that because of personal issues D had she was aware of it she had not complained about her.
- 10 SG asked AS about her comment in the complaints that she and the independent councillors had significant abuse directed at them as a result and asked if she could give some examples. AS stated that some members of the Asian community could not handle having a Muslim leader of the Council. She stated that there were also some far right people who accuse her of taking brown envelopes and of having criminal connections because her brother went to prison.
- 11 AS stated that she had received racist abuse on social media. She stated that someone had said that she needed to be "finished off".

- 12 AS stated that at one point MK had his ear at the door of her room. She stated that it was freaky.
- 13 AS stated that the national Liberal Democrat party had not been able to formalise a panel to investigate despite complaining to them about this six months ago.
- 14 SG asked AS if she had any evidence other than the contents of the video to support the contention that the other councillors knew what MK was doing. She stated that she did not. She stated that at one stage on the video Cllr Hamblett can be seen in the corridor with MK listening to his phone.

I agree that this is a true and accurate record of the interview and the contents are true to the best of my knowledge and belief.

Signed.....
Cllr Arooj Shah

Dated.....

Oldham Council

Weightmans reference: SIG/433873/97

Report of an investigation into allegations concerning the conduct of
Councillors Louie Hamblett, Mark Kenyon, David Murphy and Howard
Sykes

SG 4

Complaint about Cllrs Hamblett, Kenyon, Murphy and Sykes- Oldham Borough Council

Note of interview with Cllr Marc Hince, 1 April 2025

- 1 The interview was conducted by Simon Goacher, Weightmans LLP ("SG").
- 2 SG explained that he had been instructed by the Monitoring Officer ("MO") of Oldham Borough Council ("the Council") to investigate the complaints which had been made about Cllrs Hamblett, Kenyon, Murphy and Sykes.
- 3 SG explained the process. He explained that the process was confidential but if the matter proceeded to a hearing then the complaint details could be published including the complaint and this note of the interview.
- 4 Cllr Hince ("MH") confirmed that he is a member of the Council and has been for two years.
- 5 MH explained that in May 2024, after the elections the Council fell into no overall control. He stated that where that happens the process is that the different groups try to form a majority. He state that he is the Leader of the Independent Group on the Council and he met with the other independent groups but they could not find any common ground to form a coalition.
- 6 MH stated that he was invited to meet with Cllr Shah ("AS"), the Leader of the Council, to discuss an informal arrangement. He stated that he had made an election pledge that he would not enter a coalition with the Labour Group.
- 7 MH stated that he was aware that AS had also met with the Liberal Democrat Group leader Cllr Sykes ("HS").
- 8 MH stated that he and Cllr Navesy ("LN") met with AS to discuss a working agreement.
- 9 MH stated that the meeting with AS was secretly recorded by Cllr Kenyon ("MK") and selected snippets of the recording were placed on social media to make them look bad.
- 10 MH stated that after that happened his life, "went to shit." He stated that he was subjected to horrendous vile abuse online, including death threats. He stated that his children could not go to school. He stated that abuse was left on his mother's grave.
- 11 MH stated that the Council put CCTV and other security measures in his house as a result. He stated that he lost his job because of the negative publicity.
- 12 MH stated that MK also gave him abuse when he left the meeting with AS.
- 13 MH stated that he does not do politics and he had not known what a cesspit these people operate in when he became a councillor.
- 14 MH stated that it was the worst moment of his life and has had a significant impact on him as set out in the confidential appendix.

- 15 MH stated that he was appalled by the Liberal Democrat party. He stated that he has not been told directly by the Liberal Democrat party what the outcome of their investigation had been. He stated that he had made a complaint but was told that, as the Council had already complained, it was an ongoing investigation and he could not make one.
- 16 MH stated that the behaviour was malicious and was an orchestrated load of ferocious abuse. MH confirmed that he had reported the issues to the police but they had not been very helpful. He stated that some of the comments had maybe not crossed the criminal threshold.
- 17 MH stated that it was a private conversation. He stated that they had gone to discuss a working relationship for the benefit of they represent. He stated that they have achieved things as a result, for example the CSE inquiry and standing against the development of the Green Belt has happened as a result of their involvement.
- 18 SG asked MH why he had not submitted a complaint himself. He stated that he had been told by the Chief Executive of the Council that the Council would handle the complaint and also make complaints to the police and the Liberal Democrat party. He stated that he was not of a mind to make a complaint himself because of that state of mind he was in. He stated that he does intend to take his own private legal action once this complaint is finished.
- 19 MH stated that he was perplexed about the time taken for the investigation and had been chasing the outcome. He stated that he had not been kept up to date. He stated that he had not raised the complaint but he was a victim and believed he was owed a duty of care to include him in the investigation.
- 20 MH stated that there may be no direct connection between MK and the death threats but people sharing the recording was what led to the threats and MK is responsible for that. He stated that he did not think that MK could claim the consequences were not his responsibility. MH stated that it only would have taken one person to take the matter further and put a knife in him. He stated that someone had found out where his mother was buried so they could find out where he lived. He stated that there had been no remorse for what happened.,
- 21 MH stated that MK's actions beggared belief. He stated that MK had been campaigning in his ward. He stated that he is disappointed by the way the Liberal Democrat party had dealt with things. He stated that there had been no decency to reach out and apologise. He stated that he is still waiting for the Council to tell him what the outcome of the complaint to the Liberal Democrat party was.

I agree that this is a true and accurate record of the interview and the contents are true to the best of my knowledge and belief.

Signed.....
Cllr Marc Hince

Dated.....

Oldham Council

Weightmans reference: SIG/433873/97

Report of an investigation into allegations concerning the conduct of
Councillors Louie Hamblett, Mark Kenyon, David Murphy and Howard
Sykes

SG 5

Complaint about Cllrs Hamblett, Kenyon, Murphy and Sykes– Oldham Borough Council

Note of interview with Cllr Lisa Navesey, 4 April 2025

- 1 The interview was conducted by Simon Goacher, Weightmans LLP ("SG").
- 2 SG explained that he had been instructed by the Monitoring Officer ("MO") of Oldham Borough Council ("the Council") to investigate the complaints which had been made about Cllrs Hamblett, Kenyon, Murphy and Sykes.
- 3 SG explained the process. He explained that the process was confidential but if the matter proceeded to a hearing then the complaint details could be published including the complaint and this note of the interview.
- 4 Cllr Navesey ("LN") confirmed that she is a member of the Council and has been since May 2024. She explained that she had been elected at the start of May and they had not known that the Labour administration would lose its majority on the Council in the elections. She stated that for the next three weeks after that as the Council was now in no overall control, it was difficult to say who would be the administration after Annual Council.
- 5 LN stated that she started getting messages from residents in Shaw, saying that she should not prop up Labour.
- 6 She stated that she and Cllr Hince ("MH") were invited to meet with other Councillors to see if they wanted to join up with them. She stated that they were invited to meet Cllr Shah ("AS"), the Leader of the Council. She stated that there had been two meetings with AS and she had not attended the first one but had attended the second one.
- 7 LN stated that she was worried as a new councillor and just sat and listened. She stated that when she and MH left and were walking down the corridor Cllr Kenyon ("MK") had appeared from a room and approached them holding a mobile phone videoing them. She stated that MK said, "this is going everywhere." She stated that MK laughed.
- 8 LN explained that she is a member of the Shaw Independents group but on the ballot paper it said that she was an independent. She stated that MH, who is the leader of the group, had already been a member of the Council for 12 months before she was elected and she, MH and other members of Shaw Independents had been members of the Town Council for a while.
- 9 LN stated that the recording of the meeting had been shared on social media and a woman she had known well commented calling her a traitor and scum. She stated that the recording had been posted all over social media.
- 10 She stated that they had agreed to have a working agreement with Labour and then she had gone away on holiday. She stated that it had been a holiday from hell because of the abuse she had received over social media and in texts. She stated that she did not think that she had done anything wrong. She stated that the recording had incited hatred against her and she was still receiving abuse now.

- 11 SG asked LN why she had not made a complaint herself. She stated that immediately after it happened she went on holiday. She stated that she had been appalled. She stated that she could not do anything when she was away. She stated that she thought that the Council would deal with it itself as it happened in a Council building. She stated that she had not had any discussion with Council officers about the process for dealing with complaints.
- 12 SG asked LN how she was aware of the investigation. She stated that she had been liaising with MH about it.
- 13 LN stated that she just wanted to explain how MK's actions had affected her and her family. She explained that her children are in their 20s and 30s and had been subjected to vile comments about her and her family. She stated that there was a man on a blog who kept making comments, including accusing her of reporting her nephew to the police for murder which is not true. She stated that she is seeing someone in the Council about getting extra security because of all of this. She stated that she should not have to live in fear because of someone's silly actions.

I agree that this is a true and accurate record of the interview and the contents are true to the best of my knowledge and belief.

Signed

Lisa Adele Navesey.

Cllr Lisa Navesey

Dated 19/05/2025

Oldham Council

Weightmans reference: SIG/433873/97

Report of an investigation into allegations concerning the conduct of
Councillors Louie Hamblett, Mark Kenyon, David Murphy and Howard
Sykes

SG 6

Complaint about Cllrs Hamblett, Kenyon, Murphy and Sykes– Oldham Borough Council

Note of interview with Louie Hamblett, 22 January 2025 (Cllr Hamblett was accompanied by Cllr Sam Al-Hamdani)

- 1 The interview was conducted by Simon Goacher, Weightmans LLP ("SG").
- 2 SG explained that he had been instructed by the Monitoring Officer ("MO") of Oldham Borough Council ("the Council") to investigate the complaints which had been made about Cllrs Hamblett, Kenyon, Murphy and Sykes.
- 3 SG explained the process. He explained that the process was confidential but if the matter proceeded to a hearing then the complaint details could be published including the complaint and this note of the interview.
- 4 Cllr Hamblett ("LH") confirmed that he had been a member of the Council since 2019 and had become a parish councillor in 2015. He confirmed that he had received training on the code of conduct three times. He confirmed that he was aware of the need to comply with the code when acting as a councillor.
- 5 LH confirmed that he had been in the Council's offices when Cllr Kenyon ("MK") had recorded a meeting taking place between Cllr Shah ("AS"), two independent councillors and the then Chief Executive.
- 6 LH stated that he was not aware what MK was doing. He stated that he only became aware of it a few hours later when the recording appeared on Facebook.
- 7 SG asked LH what he discussed with MK when he is seen on the CCTV recording talking to him. LH stated that he had been heading towards the kitchen as he was going to wash his cup and make a cup of tea. He stated that he offered MK a brew, he stated that he said that he was going to boil a kettle and asked MK if he wanted a brew. He stated that MK had said no, so he replied fine and went and made himself a drink.
- 8 LH stated that he did not think to ask MK what he was doing. He stated that the corridor can be quite a busy place and people come and go. He stated that he had no knowledge whatsoever of what MK was doing. He stated that he did not see or hear anything outside of AS's room. He stated that he can be quite oblivious sometimes. He stated that with the kettle boiling and the dishwasher going it was quite loud so couldn't hear anything.
- 9 LH stated that he left with Cllrs Murphy and Williamson. He explained that he does not drive and one of them probably gave him a lift.
- 10 LH explained that the Liberal Democrat room is just one large room with a big table and several desks in it. He stated that he went in just to do some case work, print some documents and do some notes and things.
- 11 LH stated that he wasn't aware of MK's recording until later when it appeared on social media. He stated that he was quite shocked at first. He stated that he was more amazed that he was not aware about what had taken place.

- 12 SG asked LH why, when the MO asked him if was aware of the recording at the time, he did not answer. LH stated that he was surprised that a complaint had been made about him. He stated that he had not taken any part in the recording. He stated that it was quite a strong allegation against him and his character. He stated that he and AS had a relationship of trust. He stated that he felt that he had nothing to answer for. He stated that he felt that he had not done anything to offend or upset AS and cause this complaint from her.
- 13 LH stated that he had not done anything to cause this. He stated that he was quite saddened by the whole thing. He stated that there had been a segregation of nearly half the councillors away from officers as a result of this. He stated that he felt it had been dealt with in an undue manner by AS.

I agree that this is a true and accurate record of the interview and the contents are true to the best of my knowledge and belief.

Signed 
Cllr Louie Hamblett

Dated 03/02/2025

Oldham Council

Weightmans reference: SIG/433873/97

Report of an investigation into allegations concerning the conduct of
Councillors Louie Hamblett, Mark Kenyon, David Murphy and Howard
Sykes

SG 7

Complaint about Cllrs Hamblett, Kenyon, Murphy and Sykes– Oldham Borough Council

Note of interview with Cllr Mark Kenyon, 9 January 2025 (Cllr Kenyon was accompanied by Cllr Sam Al-Hamdani)

- 1 The interview was conducted by Simon Goacher, Weightmans LLP ("SG").
- 2 SG explained that he had been instructed by the Monitoring Officer ("MO") of Oldham Borough Council ("the Council") to investigate the complaints which had been made about Cllrs Hamblett, Kenyon, Murphy and Sykes.
- 3 SG explained the process. He explained that the process was confidential but if the matter proceeded to a hearing then the complaint details could be published including the complaint and this note of the interview.
- 4 Cllr Kenyon ("MK") confirmed that he is a member of the Council and has been since 2021. He confirmed that he had received training on the Code of Conduct and that he was aware of the requirement to comply with the Code when acting as a councillor.
- 5 MK confirmed that he did record a meeting which had taken place between Cllr Shah ("AS"), two independent councillors and the then Chief Executive and Deputy Chief Executive of the Council. He stated that he took exception to the use of the word "covert" to describe it. He stated that he could clearly hear what was happening in the meeting in the corridor outside. He stated that he did not use any covert listening equipment. He stated that he simply used the standard voice recording memo app on his phone. MK stated that the recording took place outside the room and no device was placed in the room. SG asked MK if he had the consent of the people in the room to record their meeting. He stated that he did not. SG asked if they were aware that he was recording at the time. Mk stated that they were not.
- 6 SG asked MK what he did with the recording. He stated that he listened to it to check the quality and then he shared it. MK stated that he made the recording in the public interest. He stated that he could not believe that the parties were in the room together despite the comments that they had made about each other in the past.
- 7 MK stated that he knew what he was doing was wrong but he considered that he was doing it for the right reason; people deserved to know what was happening; not only were the Shaw independents and labour considering sharing power but that the chief executive was brokering the deal. MK stated that Oldham is a grim place to operate as a politician and a lot of things happen which people do not believe. He stated that it is a morass of lies and untruths and in that split second he made the decision to record the meeting. He explained that he did this because he did not believe what he was hearing and he knew that if he reported it his word would not be sufficient because it would be denied.
- 8 MK stated that you only need to look back at Council meetings over the last two years to see vitriol and disbelief that there is in Oldham. He stated that a councillor's word means not very much. He stated that he made the decision not to go to the bathroom but stop and record the meeting. He explained that he had been on his way to the toilet, which is opposite AS's office when he heard the meeting.

- 9 SG asked MK who he shared the recording with. MK stated that he did not believe that it was relevant who he had shared it with. MK explained that he did not share it publicly himself because he did not want it to be tainted with a political bent. He stated that he wanted people to hear it without the taint of political bias. He stated that he shared it with someone who would not be tainted by this bias. He stated that he knew it was going to be shared by the person he shared it with.
- 10 SG asked MK what he was doing in the Council's offices at the time. He stated that he is allowed to be.
- 11 SG stated that the complaint also cited Cllr Hamblett ("LH"), Murphy and Sykes, who the complainant alleges were in the Liberal Democrat office at the time. MK stated that it is fairly clear from the video who was in the office. SG asked if those councillors were aware what he was doing. MK stated that they were not aware.
- 12 SG stated that MK could be seen on the video talking to LH. SG asked MK if they discussed what MK was doing. MK stated that they did not. MK stated that if SG knew LH he would understand that LH MK stated that he could not remember exactly what LH had said. He stated that he prepared a note of what had happened a few days after the events, so it was nearly contemporaneous. He stated that the note said the LH had said something like, "do you want a brew? I'm going to the kitchen" He stated that this was consistent with what he remembered. SG asked MK if he could provide him with a copy of the note. MK said that he would not, saying that they were private notes.
- 13 MK stated that there had been no discussion with any of the other councillors about what he was doing. SG said it seemed surprising given the nature of the meeting and MK's thoughts about it that he would go in and out of the group room over the course of around an hour and not mention what he had heard. MK stated that he had not and none of the members in the room had been aware what he was doing. He stated that the first time those members had become aware of what he had done was when the recording was made public.
- 14 SG stated that in his response to the MO MK had apologised for what he did and ask the MO to pass on his apology. MK confirmed that he had done so. SG asked if he had apologised directly to those in the meeting. MK stated that he had not. He stated that the code of conduct process had started fairly soon after the incident had happened and he did not want to circumvent the process. He stated that he would apologise directly to Cllr Shah. He stated that he had defended Cllr Shah in the past.

MK stated that, apart from the flights of fancy in Labour press releases about spies and covert devices, for him the facts are largely not in dispute. He stated that it was about his state of mind at the time. He stated that he accepted that what he had done was wrong but he had absolutely done it in the public interest. He stated that the people in the room had called each other out in the past and said horrendous things about each other. He stated that he was appalled that the then Chief Executive had been persuading the participants in the room and campaigning for Labour and the Shaw Independents to come together to form an administration. MK stated that the then Chief Executive's conduct was clearly a political act and he believed that the then Chief Executive had acted improperly. He stated that the independent councillors had campaigned and been elected as being anti-Labour and Cllr Shah had long complained about bullying and abuse online which the Shaw Independent councillors have taken part in and benefitted from. MK stated that because of all this, he believed that it had been in the public interest for people to know what was happening.

I agree that this is a true and accurate record of the interview and the contents are true to the best of my knowledge and belief.

Signed.....

Cllr Mark Kenyon

Dated.....

Oldham Council

Weightmans reference: SIG/433873/97

Report of an investigation into allegations concerning the conduct of
Councillors Louie Hamblett, Mark Kenyon, David Murphy and Howard
Sykes

SG 8

Complaint about Cllrs Hamblett, Kenyon, Murphy and Sykes– Oldham Borough Council

Note of interview with Cllr Dave Murphy, 20 January 2025

- 1 The interview was conducted by Simon Goacher, Weightmans LLP ("SG").
- 2 SG explained that he had been instructed by the Monitoring Officer ("MO") of Oldham Borough Council ("the Council") to investigate the complaints which had been made about Cllrs Hamblett, Kenyon, Murphy and Sykes.
- 3 SG explained the process. He explained that the process was confidential but if the matter proceeded to a hearing then the complaint details could be published including the complaint and this note of the interview.
- 4 Cllr Murphy ("DM") was accompanied by Chris Gloster. DM confirmed that he had been a member of the Council for 12 years. He confirmed that he had received training on the code of conduct and was aware of the requirement to comply with the code when acting as a councillor and that was something he always tried to do.
- 5 DM stated that he accepted that he was present in the Council's offices in the Liberal Democrat room when Cllr Kenyon ("MK") had recorded a meeting between Cllr Shah ("AS"), two independent councillors and the Chief Executive. He stated that he was in a room which he was entitled to be in. He stated that the Liberal Democrat councillors conduct a lot of their business in that room.
- 6 SG asked DM if as well as him and MK, Cllrs Hamblett, Sykes ("HS") and Williamson ("DW") were also there. DM stated that accorded with his recollection of who had been there. DM stated that he now knows that MK was recording the meeting but he was not aware at the time that MK was doing it.
- 7 DM stated that he was surprised when the MO said that the complaint was moving forward. He stated that he was just in a room. He explained that he was supporting DW, who had just got out of hospital. He stated that because he happened to be in the same room he was being tarred with something he had absolutely nothing to do with.
- 8 He stated that it feels like AS just wants heads to roll and he is being accused of guilt by association. He stated that this has made him fall out of love with being a councillor. He stated that the only evidence against him is a video of him going down a corridor.
- 9 DM stated that he knew nothing about the recording> He stated that he had no discussions with MK about what was taking place.
- 10 DM stated that there was a discussion about independent councillors being in AS's office. He stated that they were quite loud and could be heard in the corridor. He stated that he could not remember who said it but someone said something like, "I wonder if they are doing a deal." He stated that there was no discussion about recording the conversation or documenting it; it was just a discussion. He stated that it was just a discussing like you would have in the street. He stated that other than that they had just been talking in general and that was it.

- 11 DM stated that he did not know exactly who had been in AS's office. He stated that all he knew was that the independent councillors were in there. He stated that he did not know the Chief Executive was in there until MK said that he had done the recording.
- 12 DM stated that MK told them that he had made the recording when they were in the room. He stated that they were all in shock that the Chief Executive had been in the room. DM stated that MK played a snippet of his recording to them in the room. He stated that they were all in shock that the Chief Executive had been brokering a deal.
- 13 DM stated that at that point HS asked everyone to leave except for him and MK. He stated that they then all left to leave HS and MK in the room; DM stated that he was unaware as to what they discussed after he left but he was aware they were due to have a meeting with opposition councillors from another party imminently.
- 14 DM stated that he did not have any other discussions about the recording after that with anyone. He stated that he was shocked as everyone else when he heard it on social media.
- 15 SG asked DM if he thought what MK did was wrong. DM stated that at the time he was more in shock that the Chief Executive could be heard brokering a deal.
- 16 DM stated that there was a suspicion that the then Chief Executive was too friendly with the Labour administration and his actions were too top heavy and not politically neutral and heavy handed. He stated that he was more shocked by that; it was horrendous.
- 17 DM stated that he did not say to MK that he had been out of order. He stated that it had happened so quickly. He stated that MK had only played a snippet of the conversation. He stated that the whole thing was only a couple of minutes which was not long enough to call out any alleged inappropriate behaviour.
- 18 SG asked DM what MK used to record the conversation. DM stated that he thought MK had used his phone.
- 19 DM stated that within seconds of hearing the part of the recording HS asked them to leave.
- 20 DM stated that he and the other councillors have not spoken about the complaint. He stated that they have been deliberately quiet about it. He stated that DW said that she had been cleared. He stated that they had no discussions about what they would say.
- 21 SG asked DM why when the MO had asked him if he knew of the recording at the time he had not answered him. DM stated that he wished he had now. He stated that he wished the MO had rung him rather than sent him a formal email. He stated that he wished he had told the MO that he had no knowledge at the time. He stated that he felt that he had already responded to the MO, so that was why he had replied as he did.
- 22 DM stated that by the time the MO wrote to him the recording had been very well circulated on social media and AS had brought it up at full council in May. He stated that everyone was aware of it by then.

- 23 DM stated that a leaflet and the CCTV video had been circulated on social media containing confidential information about the investigation. He stated that the leaflet with stills from the video had been circulated to a number of houses in Shaw and Crompton.
- 24 DM stated that it felt like because he was being quiet and not making public statements his guilt had already been decided.
- 25 DM stated that he had been in the wrong place at the wrong time. He stated that he felt that the complaint was politically motivated and named anyone who happened to be in the room. He stated that he understood the complaint about MK but he could not understand how just being in the room could be evidence. He stated that he genuinely feels that he had done nothing wrong.

I agree that this is a true and accurate record of the interview and the contents are true to the best of my knowledge and belief.

Signed.....Dave Murphy.....
Cllr Dave Murphy

Dated.....12/02/2025.....

Oldham Council

Weightmans reference: SIG/433873/97

Report of an investigation into allegations concerning the conduct of
Councillors Louie Hamblett, Mark Kenyon, David Murphy and Howard
Sykes

SG 9

Complaint about Cllrs Hamblett, Kenyon, Murphy and Sykes- Oldham Borough Council

Note of interview with Cllr Howard Sykes, 21 January 2025 (Cllr Sykes was accompanied by Cllr Sam Al-Hamdani)

- 1 The interview was conducted by Simon Goacher, Weightmans LLP ("SG").
- 2 SG explained that he had been instructed by the Monitoring Officer ("MO") of Oldham Borough Council ("the Council") to investigate the complaints which had been made about Cllrs Hamblett, Kenyon, Murphy and Sykes.
- 3 SG explained the process. He explained that the process was confidential but if the matter proceeded to a hearing then the complaint details could be published including the complaint and this note of the interview.
- 4 Cllr Sykes ("HS") confirmed that he had been a member of the Council for over 30 years. He confirmed that he had received training on the code of conduct and knew that he was required to comply with the code when acting as a councillor.
- 5 HS confirmed that he was in the Council's offices in the Liberal Democrat room at the time when Cllr Kenyon ("MK") recorded a meeting which was taking place between Cllr Shah ("AS"), two independent councillors and the then Chief Executive.
- 6 HS stated that he was in the Council's offices to have a meeting with colleagues in other groups about the potential for an administration at the annual council meeting. He explained that this was one or two days later.
- 7 HS stated that he did not know that AS was in her office with the others. He stated that he did not know that MK was recording the meeting.
- 8 HS stated that when MK came back into the group room he mentioned that he had heard a meeting. He stated that MK waved his phone around and said that he had managed to record part of it. HS stated that there had been a lot going on but his recollection was that MK had said this but he could not remember if that was the first, second or third time he came back into the room.
- 9 HS stated that he said that everyone else needed to leave apart from him and MK as they needed to prepare for the meeting they were having. He stated that the others were talking and he and MK needed to prepare for the meeting. He stated that there was no discussion with MK about the recording, they talked about the meeting they were there to have.
- 10 He stated that he was not paying much attention to the recording as he was focussed on the negotiations they were there to have. He stated that MK did not discuss with him what he intended to do with the recording. He stated that, if MK had told him what he was doing, he would have told him to stop. He stated that he did not do anything afterwards about what MK had done; he stated that there was no point as MK had done it. After the interview HS stated that when he realised what MK had done, he asked him to report himself to the standards committee (which he did). He stated that he was also reported to the party. He stated that by the time that the Council had responded to MK's report to say he could not report himself, the complaints process

was already in process, so they did not put in a second standards complaint against him.

- 11 HS stated that he only found out that MK intended to put the recording in the public domain after he had done it. He stated that from memory that was the first time he had heard the recording in its entirety. He stated that he was shocked and surprised.
- 12 HS stated that he was focussed on the meeting he was there for. He stated that it did not cross his mind that he could or should do something about what MK had done. He stated that they had discussed the recording at a group meeting but it had been a brief discussion.
- 13 SG asked HS why, when the MO asked him if he knew at the time that MK was recording the meeting, he did not answer the question. HS stated that he was not having trial by email. He stated that he had made it clear to the MO formally and informally that there was no merit in the complaint.
- 14 HS stated that he was being accused of something because he happened to be in a room at the same time. He stated that another colleague who had been in the room as well had the complaint against her dismissed.
- 15 HS stated that AS was wanting to get media publicity about him. He stated that she and other councillors had referred to this in the Annual Council meeting and at other subsequent council meetings, despite clear advice that she should not refer to this matter as it was subject to an investigation. He stated that people should not do that. He stated that the CCTV coverage had been shared with political opponents. He stated that this included a still from the video which had been printed and distributed in the area.
- 16 HS stated that if he had known what MK was doing he would have told him to stop.
- 17 HS stated that the officers' involvement in the meeting with AS was quite shocking and that encouraged MK to record it because he could not believe it. He stated that he would have told MK not to record it but he could understand why he did, as he would not have believed MK if he had told him what had happened without the recording.

I agree that this is a true and accurate record of the interview and the contents are true to the best of my knowledge and belief.

Signed: *Howard Sykes*
Cllr Howard Sykes

Dated: 13/02/25

This page is intentionally left blank

Arrangements for dealing with complaints about the Code of Conduct for Members

1. Introduction

1.1 This procedure applies when a complaint is received that a Member, Co-opted Member or Parish Council Member has or may have failed to comply with the Code of Conduct for Members.

1.2 The person making the complaint will be referred to as “the complainant” and the person against whom the complaint is made will be referred to as the “Subject Member”.

1.3 No member of officer will participate in any stage of the arrangements if he or she has, or may have, any personal conflict of interest in the matter

2. Making a complaint

2.1 A complaint must be made in writing, either by post or e-mail to; The Monitoring Officer, Oldham Council, Civic Centre, West Street, Oldham, OL1 1UL or via email for the Monitoring Officer’s attention constitutional.services@oldham.gov.uk

2.2 The Monitoring Officer will acknowledge receipt of the complaint within five working days of receiving it and, at the same time, write to the subject Member (and in the case of a complaint about a Parish Councillor to the Clerk of the Parish Council also) with details of the allegations (subject to any representations from the complainant on confidentiality, which are accepted as valid by the Monitoring Officer). The subject member may, within 10 working days of receipt, make written representations to the Monitoring Officer which must be taken into account when deciding how the complaint should be dealt with. Representations received after this time may be taken into account, at the discretion of the Monitoring Officer, but will in any event not be considered after the Monitoring Officer has issued the initial assessment of the complaint.

3. Initial Assessment of Complaint

3.1 The Monitoring Officer will reject a complaint if it is not a complaint against a Councillor of Oldham MBC or a Parish Councillor within the area or the Councillor was not in office at the time of the alleged conduct. The Monitoring Officer will review the complaint and following consultation with the Independent Person, take a decision (Initial Assessment) as to whether it merits investigation, or another course of action. This decision will normally be taken within 20 working days of receipt of a complaint.

3.2 If appropriate, the Monitoring Officer will consider the following criteria where relevant in deciding whether a complaint should be accepted for investigation, dealt with informally, or rejected;

- Whether a substantially similar allegation has previously been made by the complainant to The Council, or the complaint has been the subject of an investigation by another regulatory authority
- whether the complaint appears to be malicious, vexatious, politically motivated or tit for tat.
- Whether the complaint is about something that happened so long ago that those involved are unlikely to remember it clearly enough to provide credible evidence, or where the lapse of time means there would be little benefit or point in taking action now;
- Whether the allegation is anonymous
- Whether the allegation discloses a potential breach of the Code of Conduct, but the complaint is not serious enough to merit any action and the resources needed to investigate and determine the complaint are wholly disproportionate to the allegations and whether in all the circumstances there is no overriding public benefit in carrying out an investigation.
- Whether the complaint suggests that there is a wider problem throughout the Authority;
- Whether it is apparent that the subject of the allegation is relatively inexperienced as a Member or has admitted making an error and the matter would not warrant a more serious sanction;
- Whether training or conciliation would be the appropriate response.

The Monitoring Officer will consult with the Independent Person and then give a decision on how the complaint will be dealt with. The Monitoring Officer may in exceptional circumstances refer the question of how to proceed to a sub-committee of the Standards Committee.

4. Additional Information

4.1 The Monitoring Officer may require additional information to come to a decision and may request information from the Subject Member. Where the complaint relates to a Parish Councillor, the Monitoring Officer may also inform the Clerk of the Parish Council of the complaint and seek the views of the Clerk of the Parish Council before deciding whether the complaint merits formal investigation or other action. In appropriate cases, the Monitoring Officer may seek to resolve the complaint informally, without the need for an investigation. Such informal resolution may involve the subject member accepting that his/her conduct was unacceptable and offering an apology, or taking other steps. Where the subject Member or the Council

(in appropriate cases) makes a reasonable offer of local resolution, but it is rejected by the complainant, the Monitoring Officer will take account of this in deciding whether the complaint merits formal investigation.

4.2 If the complaint identifies criminal conduct or breach of other regulations by any person, the Monitoring Officer is authorised to report this to the Police or other prosecuting or regulatory authority in addition, to any action taken pursuant to the Code of Conduct.

5. Confidentiality

5.1 If a complaint has asked for their identity to be withheld, this request will be considered by the Monitoring Officer at the initial assessment stage .

5.2 As a matter of fairness and natural justice the subject Member should usually be told who has complained about them and receive details of the complaint. However, in exceptional circumstances, the Monitoring Office may withhold the complainant's identity if on request from the complainant, or otherwise, they are satisfied that the complainant has reasonable grounds for believing that they or any witness relevant to the complaint may be at risk of physical harm, or his or her employment may be jeopardised if their identity is disclosed, or where there are medical risks (supported by medical evidence) associated with the complainant's identity being disclosed

5.3 If the Monitoring Officer decides to refuse a request by a complainant for confidentiality, they will offer the complainant the option to withdraw the complaint, rather than proceed with his or her identity being disclosed. The Monitoring Officer will balance whether the public interest in taking action on a complaint will outweigh the complainant's wish to have his or her identity withheld from the subject Member.

6. Investigation

6.1 The Monitoring Officer will appoint an investigating officer where a complaint merits formal investigation. The investigating officer may be a Council officer, an officer from another Council, or an external investigator.

6.2 The investigating officer will follow guidance if issued by the Monitoring Officer on the investigation of complaints. The guidance will follow the principles of proportionality and the cost effective use of Council resources and shall be interpreted in line with these principles.

6.3 At the end of their investigation, the investigating officer will produce a draft report and will send copies of that draft report to the complainant and to the Subject Member, for comments. The investigating officer will take such comments into account before issuing their final report to the Monitoring Officer.

7. Investigating Officer finding of no failure to comply with the Code of Conduct

7.1 Where the Investigating Officer's report finds that the Subject Member has not failed to comply with the Code of Conduct, the Monitoring Officer, in consultation with the Independent Person, will review the Investigating Officer's report and if satisfied, will confirm the finding of no failure to comply with the Code of Conduct.

7.2 The Monitoring Officer will write to the Complainant and the Subject Member (and to the Clerk of the Parish Council, where the complaint relates to a Parish Member), with a copy of the decision and the Investigating Officer's report.

7.3 If the Monitoring Officer is not satisfied that the investigation has been conducted thoroughly, the Investigating Officer may be asked to reconsider the report and the conclusions.

8. Investigating Officer finding of sufficient evidence of failure to comply with the Code of Conduct

Where the Investigating Officer's report finds that the Subject Member has failed to comply with the Code of Conduct, the Monitoring Officer will review the Investigating Officer's report and will then having consulted the Independent Person either send the matter for local hearing before the hearing panel or seek local resolution.

8.1 Local Resolution

If the Monitoring Officer considers that the matter can reasonably be resolved without the need for a hearing, they will consult with the Independent Person and the Complainant and seek to agree a fair resolution. Such resolution may include the Subject Member accepting their conduct was unacceptable and offering an apology, and/or other remedial action including mediation or training. If the Subject Member accepts the suggested resolution, the Monitoring Officer will report the outcome to the Standards Committee and the Clerk to the Parish Council (if appropriate) for information, but will take no further action. If the Complainant or the Subject Member refuses local resolution in principle or to engage with the agreed outcome, the Monitoring Officer will refer the matter for a local hearing without further reference to the Complainant or the Subject Member.

8.2 Local Hearing

Where, in the opinion of the Monitoring Officer, local resolution is not appropriate or the Complainant and/or Subject Member refuses to accept local resolution, then the Monitoring Officer will report the Investigating Officer's findings to the Hearing Panel which will conduct a local hearing before deciding whether the Member has failed to comply with a Code of Conduct and, if so, what action (if any) to take in respect of the Member.

9. Constitution of the Hearing's Panel

The Hearing's Panel is a sub-committee of the Council's Standards Committee. It will comprise of one of the independent persons and five elected members of the

Council drawn from the Standards Committee. Where the complaint is about a Parish Council Member, the hearing panel will include at least one of the Parish Council Members co-opted to the Standards Committee. The Standards Committee comprises such elected members as determined by the Council, four Independent persons and a Parish Councillor representative from each Parish Council. Oldham Council members have voting rights only.

Procedure at the hearing

1. The Chair shall explain the procedure and ask all present to introduce themselves. The member against whom the complaint has been made shall be known as the Subject Members for the purpose of this procedure.
2. The Investigating Officer outlines his/her report and presents the report, including any documentary evidence and calls such individuals as he/she considers appropriate to give evidence.
3. The Subject Member or their representative may question the Investigating Officer upon the content of their report and may question any witnesses called by the Investigating Officer.
4. Members of the sub-committee may ask questions of the Investigating Officer and any witnesses called.
5. The Subject Member or their representative may present his/her case and call witnesses as required.
6. The Investigating Officer may question the Subject Member and/or any witnesses.
7. Members of the sub-committee may also question the Subject Member and/or any witnesses.
8. The Investigating Officer may sum up the complaint.
9. The Subject Member or representative may sum up their case.
10. Members of the sub-committee consider in private the complaint and consider whether there has been a breach of the code.
11. In the presence of all the parties, the Chair of the sub-committee will announce the decision that either the Subject Member has failed to comply with the Code of Conduct or has not failed to follow the Code and will give reasons for their decision.
12. If the sub-committee decides that the Subject Member has failed to follow the code, the sub-committee will give the Subject Member the opportunity to make representations on whether action or sanctions should be taken.

13. The sub-committee will consider in private what action should be taken and then in the presence of all the parties, the chair shall announce the decision.
14. The Chair will confirm that the decision will be provided in writing to the Subject Member within 7 days following the meeting.
15. If the Subject Member does not attend the hearing without reasonable excuse, the hearing may proceed in his or her absence.

10 The Independent Person

The independent person must be a person who has applied for the post following advertisements of a vacancy for the post and appointed by a positive vote from a majority of all the Members of the Council at a meeting of the full Council. A person is not eligible for appointment if they:

- are, or have been within the past five years a Member, co-opted Member or officer of the Council
- are, or have been within the past five years a Member, co-opted Member or officer of a Parish Council within the Borough; or
- are a relative or close friend of a person within the 2 above bullet points. For this purpose, “relative” means that:
 - Spouse or civil partner
 - Living with the other person as husband and wife or as if they were civil partners
 - Grandparents of the other person
 - A lineal descendant of a Grandparent of the other person
 - A parent, sibling or child of the person within the above bullet points
 - A spouse or civil partner of a person within the above bullet points; or
 - Living with a person within the above bullet points as husband and wife or as if they were civil partners.

11. Action

In the event that the Sub-committee finds that the Code of Conduct has been breached, it will need to determine whether a sanction should be imposed and if so, what sanction, and a timescale by which to comply with the sanction. The available sanctions options that the sub-committee can enforce are:

- Publish its findings in respect of the Member’s conduct.
- Report its finding to Council (or to the Parish Council) for information.
- Recommend to Council (or to the Parish Council) that the member be issued with a formal censure by motion.

- Recommend to the Members' Group Leader (or in case of ungrouped members recommend to Council) that he/she be removed from any or all committees or sub-committees of the Council.
- Recommend to the Leader of the Council that the Member be removed from the Executive, or removed from their portfolio responsibilities
- Instruct the Monitoring Officer to (or recommend that the Parish Council) arrange training for the Member.
- Recommend to Council (or recommend to the Parish Council) that the Member be removed from all outside bodies appointments to which they have been appointed or nominated by the Council (or by the Parish Council).
- Withdraw (or recommend to the Parish Council that it withdraws) facilities provided to the Member by the Council such as a computer, website and/or email and internet access.
- Exclude (or recommend that that Parish Council exclude) the Member from the Council's offices or other premises, with the exception of meeting rooms as necessary for attending Council, Committee and sub-Committee meetings or place such restrictions on access to staff as may be reasonable in the circumstances.
- Recommend (or recommend to the Parish Council) that the subject member makes an apology at the next full Council meeting.

The Standards Committee or Sub-Committee has no power to suspend or disqualify the subject member or to withdraw members' basic or special responsibility allowances.

12 . Appeals

Subject to judicial review or a decision of a local ombudsman, there is no right of appeal against the decision of a Monitoring Officer or of the Hearing Panel.

13. Publication of investigations

When a matter progresses to a local hearing before a Standards Sub-Committee, the hearing will be in public, unless there is a particular reason for the information that will be disclosed during it, to be exempt. The Monitoring Officer will make this decision prior to the hearing in consultation with the Independent Persons and the Chair of the Committee. Each case will be determined on its own merits. In making this decision, particular consideration will be given to the necessity of transparency, the requirements of witnesses, any Data Protection issues that may become relevant and schedule 12A of the Local Government Act 1972 which outlines what exempt information is.

14. Failure to comply

If the member complies with the sanction imposed by the Standards Sub-Committee, within the timescale set, the Monitoring Officer will report the matter to the Standards Committee for information. If the member fails to comply with the sanction within the timescale set, or where any recommendations to the Members' Group Leader have not been accepted, the matter will be referred to the Standards Committee and Full Council for information.

15. Revision of these Arrangements

The Council may by resolution or the Monitoring Officer may, in consultation with the Chair of the Standards Committee amend these arrangements where they consider that it is expedient to do so in order to secure the effective and fair consideration of any matters.



Part 5A

Members Code of Conduct

Councillor Model Code of Conduct

Definitions	3
General principles of councillor conduct	3
Application of the Code of Conduct	3
Standards of councillor conduct	4
General Conduct	4
1. Respect	
2. Bullying, harassment and discrimination	
3. Impartiality of officers of the council	
4. Confidentiality and access to information	
5. Disrepute	
6. Use of position	
7. Use of local authority resources and facilities	
8. Complying with the Code of Conduct	
Protecting your reputation and the reputation of the local authority	
9. Interests	
10. Gifts and Hospitality	
Appendix A – The Seven Principles of Public Life	9
Appendix B - Registering Interests	10
• Non-participation in case of disclosable pecuniary interest	
• Disclosure of Other Registerable Interests	
• Disclosure of Non-Registerable Interests	
• Table 1 – Disclosable Pecuniary Interests	
• Table 2 – Other Registrable Interests	

Councillor Model Code of Conduct

Definitions

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the Seven Principles of Public Life, also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority’s requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

The general conduct guidance follows below:

1. Respect

As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 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.

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.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor - officer protocol.

2. Bullying, harassment and discrimination

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

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

The Advisory, Conciliation and Arbitration Service (ACAS) 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 Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the council

As a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a councillor:

4.1 I do not disclose information:

- **a. given to me in confidence by anyone**
- **b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - **i. I have received the consent of a person authorised to give it;**
 - **ii. I am required by law to do so;**
 - **iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
 - **iv. the disclosure is:**
 - **1. reasonable and in the public interest; and**
 - **2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
 - **3. I have consulted the Monitoring Officer prior to its release.**

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

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

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.

6. Use of position

As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local authority or authorising their use by others:

- **a. act in accordance with the local authority's requirements; and**
- **b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct

As a Councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

As a councillor:

10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.

10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.

10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

11 If any member has any safeguarding concerns , including child sexual abuse and exploitation, in connection with any person, it is the duty of the member to report these concerns to the Multi Agency Safeguarding Hub (MASH).

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B - Registering Interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non-participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest,

not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

5. [Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

8. Where a matter arises at a meeting which **affects** –

- a. your own financial interest or well-being;
- b. a financial interest or well-being of a relative or close associate; or
- c. a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well-being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the

matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. [Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the **Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.**

Table 1: Disclosable Pecuniary Interests

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>

Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land and property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer

Corporate tenancies	Any tenancy where (to the councillor's knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where— (a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and (b) either— (i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.

* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interest

You must register as an Other Registerable Interest :

a) any unpaid directorships

b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority

c) any body

(i) exercising functions of a public nature

(ii) directed to charitable purposes or

(iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management

Arrangements for dealing with complaints

https://www.oldham.gov.uk/homepage/1653/arrangements_for_dealing_with_complaints_about_the_code_of_conduct_for_members