

Hearing into alleged breach of the Code of Conduct for Members

Bundle of Evidence

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**SECTION A - STANDARDS COMMITTEE
PROCEDURE FOR DEALING WITH COMPLAINTS
REFERRED BY THE PUBLIC SERVICES
OMBUDSMAN FOR WALES**

FLINTSHIRE COUNTY COUNCIL
COMPLAINT REFERRED BY THE PUBLIC SERVICES OMBUDSMAN FOR WALES:
STANDARDS COMMITTEE PROCEDURE

This document sets out the procedure for the Standards Committee to follow in reaching decisions regarding complaints alleging breach of the Code of Conduct by members of Flintshire County Council and members of the town and community councils within Flintshire., which are referred to the Monitoring Officer or Legal Services Manager by the Public Services Ombudsman for Wales (“the Ombudsman”).

1. Background

- 1.1 The Ombudsman has power under section 69 of the Local Government Act 2000 to investigate cases of written allegations that a current or former councillor or co-opted member of Flintshire County Council or of a town or community council within Flintshire has failed to comply with the authority's code of conduct. The Ombudsman can likewise investigate where she considers that a current or former councillor or co-opted member may have failed, to comply with the authority's code of conduct due to information arising as a result of an investigation.
- 1.2 Having carried out an investigation, the Ombudsman may make one of the following findings:
 - (a) That there is no evidence of any failure to comply with the code of conduct of the relevant authority concerned,
 - (b) That no action needs to be taken in respect of the matters which are the subject of the investigation,
 - (c) That the matters which are the subject of the investigation should be referred to the Monitoring Officer, or
 - (d) That the matters which are the subject of the investigation should be referred to the president of the Adjudication Panel for Wales for adjudication by a tribunal falling within section 76(1) of the Local Government Act 2000.
- 1.3 When a report of the Ombudsman is referred to the Monitoring Officer, the Monitoring Officer is required by the Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001 to make the initial determination referred to in section 2 of this procedure.
- 1.4 Regulation 8 of the Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001 says that, subject to any express provision in those Regulations or in the Standards Committees (Wales) Regulations 2001, it is for a local authority's standards committee to decide on the practice and procedure to be followed in exercising functions under those Regulations.
- 1.5 This procedure sets out the procedure to be followed by the Standards Committee in making the initial determination and in taking actions following its initial determination. It covers:
 - (a) The initial determination
 - (b) The Subject Member's Response

- (c) Arrangements prior to the hearing
- (d) Requirement for training
- (e) Pre-Hearing Review
- (f) Notice of Hearing
- (g) Legal Support
- (h) Access to Information
- (i) Failure of a party to attend a hearing
- (j) The Hearing
- (k) Written Decision
- (l) Appeals
- (m) Report of the outcome of the investigation

2. Initial Determination

- 2.1 The Standards Committee must make an initial determination that either:
- (a) there is no evidence of any failure to comply with the Code of Conduct;
 - (b) or that the member who is the subject of the Ombudsman's investigation ("the subject member") should be given the opportunity to make representations to the Committee either orally or in writing in respect of the findings of the investigation.
- 2.2 If the Standards Committee determines that there is no evidence of any failure to comply with the Code of Conduct officers of Flintshire County Council shall notify:
- (a) The subject member.
 - (b) Where the subject member is a member or co-opted member of a corporate joint committee and a member of a constituent council of the corporate joint committee or a national park authority which is required to appoint a member of the corporate joint committee, the monitoring officer of the constituent council or national park authority.
 - (c) The person who made the allegation which led to the investigation.
 - (d) The Ombudsman.
- 2.3 If the Standards Committee determines that the subject member should be given the opportunity to make representations to the Committee either orally or in writing in respect of the findings of the investigation, officers of Flintshire County Council shall notify the subject member. They shall ask

the subject member to confirm if they wish to make representations in writing or if they wish to make oral representations at a hearing.

3. The Subject Member's Response

- 3.1 The response from the subject member who is the subject of the investigation as to whether they wish to make representations and, if so, whether they wish to make representations in writing or to make oral representations at a hearing, will be reported to the Standards Committee.
- 3.2 If the subject member does not wish to make representations or the member wishes to make representations in writing only, that will be reported to the Standards Committee. The Standards Committee will then consider the report from the Ombudsman and, if applicable, any written representations from the subject member and shall determine whether there has been a breach of the Code of Conduct. If the Standards Committee determines that there has been a breach of the Code of Conduct, the Standards Committee shall determine whether there should be a sanction and, if so, what that sanction should be.
- 3.3 If the subject member wishes to make oral representations, arrangements for a hearing will be made as follows.

4. Arrangements prior to the Hearing

- 4.1 The report of the Ombudsman's investigation will be sent to the Standards Committee and to the subject member.
- 4.2 Officers of Flintshire County Council will inform the subject member who is the subject of the report of the need to hold a hearing and the possible sanctions. The subject member will be asked to provide information as follows:
 - (a) Whether they will be represented and, if so, by whom.
 - (b) Which areas of the Ombudsman's report (if any) are disputed, with reasons.
 - (c) Details of any witnesses the subject member intends to call and a summary of the evidence that each witness shall give.
 - (d) The names of any witness to be relied upon by the Ombudsman who they would wish to put questions.
 - (e) Details of any written evidence on which the subject member intends to rely.
 - (f) Whether the subject member intends to ask the Standards Committee to exclude members of the press and public from any part of the hearing, and the reasons for doing so.
 - (g) Dates when the subject member, their witnesses and representatives would be unavailable to attend a hearing.
 - (h) Whether the subject member is willing for the hearing to be held entirely by remote attendance or whether the hearing should take place in person.

- (i) Whether the subject member or any witness they intend to call requires the hearing to be conducted in Welsh.
 - (j) Any accessibility requirements of the subject member, their witnesses and representatives
 - (k) Any other information that the Standards Committee considers it appropriate to request.
- 4.3 Officers of Flintshire County Council will write to the Ombudsman and ask the Ombudsman to confirm:
- (a) That the Ombudsman or the Ombudsman's investigating officer will attend the hearing to present the report of the Ombudsman's investigation.
 - (b) Whether the Ombudsman or the Ombudsman's investigating officer will be represented and, if so, by whom.
 - (c) Details of any witnesses the Ombudsman or the Ombudsman's investigating officer intends to call and a summary of the evidence they will give.
 - (d) Dates when the Ombudsman or the Ombudsman's investigating officer, their witnesses and representatives would be unavailable to attend a hearing.
 - (e) Any accessibility requirements of the Ombudsman or the Ombudsman's investigating officer, their witnesses and representatives.
 - (f) Any other information that the Standards Committee considers it appropriate to request.
 - (g) Whether the Ombudsman or any witness they intend to call requires the hearing to be conducted in Welsh.
- 4.4 Members of the Standards Committee will be asked to provide details of any dates when they would be unavailable to attend a hearing. They will also be asked to confirm any accessibility requirements.
- 4.5 Members of the Standards Committee will be asked to confirm if they are ineligible to participate in the hearing because:
- (a) They have not received training on dealing with allegations of breach of the Code of Conduct as required by section 5 of this procedure or
 - (b) They have a prejudicial interest in the matter to be considered at the hearing.
- 4.6 A date, time and location for the hearing will be decided by officers of Flintshire County Council. The subject member, the Ombudsman and the Standards Committee will be informed of these details.

5. Requirement for Training

- 5.1 Subject to paragraph 5.2, a member of the Standards Committee will not be eligible to participate in a hearing considering a report on an alleged breach of the Code of Conduct unless the member has received training provided or approved by Flintshire County Council on how to undertake such a hearing and that training was no longer ago than four years before the date of the relevant hearing.

- 5.2 The Standards Committee may decide to waive the requirement for training set out in paragraph 5.1 if the Standards Committee considers that it would otherwise be impracticable for the Standards Committee to conduct a hearing.

6. Pre-Hearing Review

- 6.1 The subject member and the Ombudsman will be asked if they require a pre-hearing review. The purpose of any such review will be to consider any practical details which need to be addressed in advance of the hearing.
- 6.2 If the subject member or the Ombudsman request a pre-hearing review, a meeting of the Standards Committee will be held for this purpose.
- 6.3 The Standards Committee may request that a meeting be arranged for the purpose of a pre-hearing review if the Committee considers that this would be appropriate, and a request has not been made by the subject member or the Ombudsman. In these circumstances the subject member and the Ombudsman will be given at least 14 days' notice and they and their representatives may attend the pre-hearing review.

7. Notice of Hearing

- 7.1 Notice of the hearing will be given in accordance with the statutory requirements relating to notice of the Council's committee meetings.

8. Legal Support

- 8.1 Flintshire County Council will provide legal and democratic services to the Standards Committee for the purpose of dealing with a report from the Ombudsman and conducting a hearing.
- 8.2 The Monitoring Officer will usually provide legal support to the Standards Committee but may arrange for another officer of the Council or an external legal adviser to do so.

9. Access to Information

- 9.1 The Committee will consider whether meetings of the Standards Committee which deal with reports on alleged breaches of the Code of Conduct should be held in public or private.
- 9.2 Whilst the Standards Committee will need to take a decision on the merits of each item considered at a meeting, having taken account of advice, the Standards Committee expects that:
- (a) Meetings where the Standards Committee is required to make an initial determination in respect of report on an alleged breach of the Code of Conduct and pre-hearing review will be held in private. This will be on the basis that paragraphs 12 and 18 of Part 4 of Schedule 12A to the Local Government Act 1972 applies and that reports and discussions at such meetings will contain information that is exempt from public access because it is information relating to a particular individual and because they contain information received in confidence.
 - (b) The hearing to consider an allegation that the subject member has breached the code of conduct will be held in public, subject to requests by the Ombudsman or subject member for some/all of the hearing to be held in

private. A request to hold a hearing or part of a hearing in private will be considered on its merits

- 9.3 The Standards Committee will apply the test of whether, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- 9.4 It is expected that, subject to consideration of any exceptional circumstances, the public interest in maintaining the exemption would outweigh the public interest in disclosing the information because disclosure of details of a report of an investigation into a member's conduct at the preliminary stages of a multi-stage procedure would be a disproportionate intrusion into the private life of the member who is the subject of the report and could affect the ability of the member to receive a fair hearing.
- 9.5 If the Standards Committee decides that an exemption from public access applies to a report or a meeting the exclusion of the public will include any member of Flintshire County Council who is not a member of the Standards Committee.
- 9.6 In accordance with the constitution of Flintshire County Council, the Standards Committee may exclude from a meeting, including a meeting held for the purpose of a hearing, any person who interrupts proceedings or who causes a disturbance.

10. Failure of a Party to attend a hearing

- 10.1 If the subject member or the Ombudsman or Ombudsman's investigating officer fails to attend a hearing of which they have been noted the Standards Committee may:
 - (a) Make a decision in the absence of the relevant party; or
 - (b) Adjourn the hearing if the Standards Committee decides that there is a good reason for the absence of the relevant party.

11. The Hearing

Preliminary Matters

- 11.1 A designated waiting area will be made available for witnesses until they are called.
- 11.2 The Standards Committee will consider any representations as to whether the hearing should be considered in private and will reach a determination on this in accordance with the Access to Information Procedure Rules set out in the constitution of Flintshire County Council.
- 11.3 The Chair will introduce those present and explain the procedure to be followed and ask everyone present to confirm that they understand.
- 11.4 Any procedural issues will be addressed.

Determining the facts

- 11.5 The Standards Committee will consider whether there are any disagreements between the Ombudsman and the subject member as to the facts in the Ombudsman's report.
- 11.6 If there are no disagreements as to the facts the Standards Committee will consider whether the facts demonstrate a breach of the Code of Conduct.

- 11.7 If there is a disagreement as to the facts the Ombudsman or the Ombudsman's investigating officer will be invited to make representations to support the relevant findings of facts in the Ombudsman's report. The Ombudsman or the Ombudsman's investigating officer may call witnesses and the subject member and the Standards Committee will be allowed to put questions to any such witnesses.
- 11.8 The subject member will then be invited to make representations to support their version of the facts. The subject member may call witnesses and the Ombudsman or the Ombudsman's investigating officer and the Standards Committee will be allowed to put questions to any such witnesses.
- 11.9 At the conclusion of the presentation of the subject member's case, the Ombudsman or the Ombudsman's investigating officer will be invited to sum up their case as to the facts. The subject member will then be invited to sum up their case as to the facts.
- 11.10 The Standards Committee will consider their decision on the facts in dispute. This part of the hearing will not be open to the public. No person other than members of the Standards Committee and any officers and advisers who need to be present to provide support to the Standards Committee may be present for this part of the hearing.
- 11.11 The Chair of the Standards Committee will announce the Standards Committee's decision on the facts in dispute.

Whether the facts demonstrate a breach of the Code of Conduct

- 11.12 The Ombudsman or the Ombudsman's investigating officer will be invited to make representations as to whether the facts, as found by the Standards Committee, demonstrate a breach of the Code of Conduct.
- 11.13 The subject member will be invited to make representations as to whether the facts, as found by the Standards Committee, demonstrate a breach of the Code of Conduct.
- 11.14 The Standards Committee will consider their decision as to whether the subject member is in breach of the Code of Conduct. This part of the hearing will not be open to the public. No person other than members of the Standards Committee and any officers and advisers who need to be present to provide support to the Standards Committee may be present for this part of the hearing.
- 11.15 The Chair of the Standards Committee will announce the Standards Committee's decision as to whether the subject member is in breach of the Code of Conduct.

If relevant, deciding a sanction

- 11.16 If the Standards Committee decides that the subject member breached the Code of Conduct, the Standards Committee will ask the Ombudsman or the Ombudsman's representative if they wish to make any representations as to whether a sanction should be imposed and, if so, what that sanction should be.
- 11.17 The Standards Committee will then invite the subject member to make representations and to put forward any evidence which the subject member believes that the Standards Committee should consider when making a decision as to whether a sanction should be imposed and, if so, what that sanction should be.

- 11.18 The Standards Committee may put questions to the Ombudsman or the Ombudsman's representative or the member before reaching a decision as to whether a sanction should be imposed and, if so, what that sanction should be.
- 11.19 The Standards Committee will consider their decision as to whether a sanction should be imposed and, if so, what that sanction should be. This part of the hearing will not be open to the public. No person other than members of the Standards Committee and any officers and advisers who need to be present to provide support to the Standards Committee may be present for this part of the hearing.
- 11.20 The Chair of the Standards Committee will announce the Standards Committee's decision as to sanction,

12. Written Decision

- 12.1 The Committee will use reasonable endeavours to announce its decisions on the same day that the hearing ends. A full written decision with reasons will be issued within 10 working days of the end of the hearing and notified to the Ombudsman and the subject member.

13. Appeals

- 13.1 If a member is found to have breached the Code of Conduct, that member will have a right of appeal to the Adjudication Panel for Wales against the decisions of the Standards Committee in accordance with the Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001.

14. Report of the outcome of the investigation

- 14.1 The Standards Committee will arrange for a report on the outcome of an investigation into alleged breach of the Code of Conduct to be produced in accordance with the requirements of the Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001.
- 14.2 The report will be sent to:
- (a) The subject member.
 - (b) The Ombudsman.
 - (c) The Monitoring Officer of Flintshire County Council.
 - (d) Where the subject member is a member or co-opted member of a corporate joint committee and a member of a constituent council of the corporate joint committee or a national park authority which is required to appoint a member of the corporate joint committee, to the monitoring officer of the constituent council or national park authority.
- 14.3 The Standards Committee will also take reasonable steps to send a copy of the report to the person who made the allegation which led to the investigation.
- 14.4 After receiving the report the Monitoring Officer of Flintshire County Council will carry out the following actions in accordance with the requirements of the Local Government

Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001:

- (a) Publish the report on the Council's website and make copies available for inspection by the public without charge.
- (b) Supply a copy to any person on request if the person making the request pays such charge as the Council may reasonably require.
- (c) Publish a notice in local newspapers and publicise in such other ways as appear to the Monitoring Officer to be appropriate that copies of the report are available.

**SECTION B - REPORT OF THE PUBLIC SERVICES
OMBUDSMAN FOR WALES**



**Ombwdsmon
Ombudsman**
Cymru • Wales

The investigation of a complaint
against Councillor Charles Cordery of
Buckley Town Council

A report by the
Public Services Ombudsman for Wales
Case: 202105656

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Introduction

Report by the Public Services Ombudsman for Wales on the investigation of a complaint made against Councillor Charles Cordery of Buckley Town Council, of a breach of the Council's statutory Code of Conduct for Members

This report is issued under section 69 of the Local Government Act 2000.

Summary

The Ombudsman received a complaint from the Former Clerk of Buckley Town Council (“the Council”) that a Member (“the Member”) of the Council had breached the Code of Conduct. It was alleged that the Member had called for the Former Clerk’s resignation at a Council meeting which was attended by Councillors, staff and members of the public.

The investigation considered whether the Member had failed to comply with the following provisions of the Code of Conduct:

- 4(b) - Members must show respect and consideration for others.
- 6(1)(a) - Members must not conduct themselves in a manner which could reasonably be regarded as bringing their office or authority into disrepute.
- 7(a) - Members must not in their official capacity or otherwise, use or attempt to use their position improperly to confer on or secure for themselves, or any other person, an advantage or create or avoid for themselves, or any other person, a disadvantage.
- 8(a)(iii) - When participating in meetings or reaching decisions regarding the business of their authority, to do so on the basis of the merits of the circumstances involved and in the public interest having regard to any relevant advice provided by their authority's officers, in particular by the authority's monitoring officer.

The investigation considered information from the Council, including copies of minutes and other documents. Witness accounts were obtained from elected Members of the Council and a senior officer of the parent County Council. During his interview, the Member said a reference to keyboard warriors in the meeting Agenda had caused consternation among local residents, the community had asked him to raise the matter, and whilst he had called for a member of staff’s resignation in the meeting, he had not identified anyone by name or gender.

Whilst the Member's freedom of expression under Article 10 of the ECHR and relevant caselaw were considered carefully throughout the investigation, the investigation found that the Member's call for a resignation at a public meeting, rather than raising any concerns through the Council's employment procedure, undermined the Former Clerk and was contrary to the advice provided by the Monitoring Officer and the Council not to discuss employment matters in open session; this was suggestive of a breach of paragraphs 4(b) and 8(a)(iii) of the Code of Conduct.

The investigation did not find that the Member had attempted to use his position improperly to create a disadvantage for the Former Clerk, or that there was sufficient evidence to support a finding of "disrepute" in breach of paragraphs 7(a) and 6(1)(a) of the Code of Conduct.

The report on the investigation was referred to the Deputy Monitoring Officer of Flintshire County Council for consideration by the Council's Standards Committee.

The Complaint

1. On 25 October **2021**, my office received correspondence from the Monitoring Officer of Flintshire County Council regarding a complaint by Mr Martin Wright (“the Former Clerk”) about Councillor Charles Cordery. I subsequently received a formal complaint from the Former Clerk that Councillor Cordery had failed to observe the Code of Conduct for members of Buckley Town Council (“the Council”). It was alleged that at an online public Council meeting on Wednesday 20 October 2021, Councillor Cordery called for the Former Clerk’s resignation. Copies of the correspondence from the Monitoring Officer, and the Former Clerk’s complaint and supporting information, are attached at Appendix 1. Not all matters referred to within the complaint and supporting information were investigated.

Legal background

2. As required by Part III of the Local Government Act 2000 (“the Act”), the Council has adopted a Code of Conduct for Members which incorporates the provisions of a Model Code contained in an order made by the Welsh Ministers. A copy of that Code is at Appendix 2. Council Members are required to sign an undertaking that, in performing their functions, they will observe the Council’s Code of Conduct. Councillor Cordery gave such an undertaking on 13 May 2021. A copy of that declaration is attached at Appendix 3.

3. Section 69 of the Act provides the authority for my investigation and the production of this report.

4. Article 10 of the European Convention on Human Rights (“ECHR”) was brought into effect in UK law by the Human Rights Act 1998. It provides that:

“1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and 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 and penalties as are prescribed by law and are necessary in a democratic society...for the protection of the reputation or rights of others”.

5. Enhanced protection of freedom of expression applies to political debate, including at local government level. Article 10 has the effect of permitting language and debate on questions of public interest that might, in non-political contexts, be regarded as inappropriate or unacceptable. This protection does not extend to gratuitous or personal comment.

6. If behaviour is considered to be in breach of the Code of Conduct, any restriction to a Member’s freedom of expression must be proportionate and justified in the circumstances of any case. Restriction of a Member’s freedom of expression is more likely to be justified the more egregious the conduct is.

7. Caselaw - Sanders v Kingston [2005] England and Wales High Court (“EWHC”) 1145 which set out a 3-stage test as follows:

(i) Did the Member’s conduct breach a Paragraph of the Code of Conduct?

(ii) Would the finding, in itself, comprise of a prima facie breach of Article 10?

(iii) If so, would the restriction involved be one which was justified by reason of the requirements of Article 10(2)?

8. Heesom v Public Services Ombudsman for Wales [2014] EWHC 1504 (Admin) (“Heesom”)

“Civil servants are, of course, open to criticism, including public criticism;... it is in the public interest that they are not subject to unwarranted comments that disenable them from performing their public duties and undermine public confidence in the administration.

Therefore, in the public interest, it is a legitimate aim of the State to protect public servants from unwarranted comments that have, or may have, that adverse effect on good administration.”

As local authorities are corporate bodies, individual councillors are “quasi-employers” of officers employed by their authorities. As such, there is a mutual bond of trust and confidence between councillors and their officers.

9. The statutory provisions of the Local Government Act 1972 are reinforced by the Council’s own Standing Orders (“STOs”). Point 33(a) of the Council’s STOs states:

“If at a Meeting [sic] there arises any question relating to the appointment, conduct, promotion, performance, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or Committee (as the case may be) has resolved to exclude the press and public”.

My investigation

10. Having considered the complaint as made, my predecessor concluded that it was appropriate to investigate whether Councillor Cordery had failed to comply with any of the following provisions of the Code of Conduct:

- 4(b) - To show respect and consideration for others.
- 6(1)(a) - Not to conduct himself in a manner which could reasonably be regarded as bringing his office or authority into disrepute.
- 7(a) - Not to, in his official capacity or otherwise, use or attempt to use his position improperly to confer on or secure for himself, or any other person, an advantage or create or avoid for himself, or any other person, a disadvantage.
- 8(a)(iii) - When participating in meetings or reaching decisions regarding the business of his authority, to do so on the basis of the merits of the circumstances involved and in the public interest having

regard to any relevant advice provided by his authority's officers, in particular by the authority's monitoring officer.

11. Councillor Cordery was notified of the complaint on 30 November 2021 (Appendix 4) and informed of the intended investigation on 7 February **2022** (Appendix 5). He provided written comments on 5 January, 8 February, 18 February, 3 March, 8 March and 18 May (Appendix 6).

12. During the investigation, my Investigation Officer obtained copies of relevant documents from the Council (Appendix 7).

13. On 1 June, the Monitoring Officer notified my office that the Former Clerk had died unexpectedly (Appendix 8).

14. Witness statements were obtained from the following:

- Mr Gareth Owens - Monitoring Officer
- Councillor Emma Preece
- Councillor Carolyn Preece
- Councillor Louis Fox
- Councillor Vivienne Blondek
- Former Councillor Peter Shone JP
- Councillor David Ellis
- Councillor Carol Ellis

15. Copies of all witness statements are attached at Appendices 9 - 16.

16. During the investigation Councillor Cordery advised that some members of the Council wished to give supporting statements on his behalf. My office provided Councillor Cordery with information on how they should do this, and Councillor Cordery said he would endeavour to ensure their evidence was provided (Appendix 17). Councillors David and Carol Ellis provided supporting letters and statements. Councillor Julia Jones provided a supporting letter (Appendix 18) but did not respond to requests for a formal statement. Whilst Councillor Cordery said 2 other members would provide evidence, no further supporting information was received.

17. The evidence found during the investigation was shared with Councillor Cordery, enabling him to review it before responding to questions which were put to him during an interview on 30 November. A transcript of the interview is included at Appendix 19.

18. I have given Councillor Cordery the opportunity to comment on a draft of this report which included the provisional views and finding arising from the investigation. Councillor Cordery provided a response to the draft report through his legal representative which is available at Appendix 20.

My guidance on the Code of Conduct

19. I have issued Guidance for members of local authorities in Wales on the Model Code of Conduct (“my Guidance”). I include at Appendix 21 extracts of the Guidance which are relevant to this complaint, and which were in place and available on the Ombudsman’s website at the time of the events.

Events

20. Councillor Cordery was elected to the Council in May 2021.

21. During the summer of 2021, Councillor Cordery and the Former Clerk exchanged a number of emails about the cancellation of summer events in Buckley (due to the COVID-19 pandemic) and Councillor Cordery’s concerns about Council procedures. This culminated in matters between Councillor Cordery and the Former Clerk being considered by the Council’s Establishment Sub-Committee (“the Committee”) at a meeting on 14 September. The Committee determined that some of Councillor Cordery’s correspondence had been adversarial, and a letter was sent to Councillor Cordery on 23 September asking that he moderate his communications.

22. Following the introduction of the Welsh Government’s COVID-19 Pass and revised regulations on 11 October 2021, Councillor Vivienne Blondek, (the then Mayor - “the Mayor”) and Chairs of the Council’s Standing Committees, in consultation with the Former Clerk, took the

decision to cancel the annual Fireworks Display. This gave rise to local concern on social media about the event being cancelled and interpretation of the COVID-19 regulations.

23. On 15 October the Former Clerk called for a Special Meeting (“the Meeting”) on 20 October to discuss the cancellation. The Agenda was published on the Council’s website. Point 2 of the Agenda noted that “following the cancellation of this year’s event, some ‘keyboard warriors’ have highlighted that the New Regulations allow for exemptions different from the reasons quoted on the Town Council Website and in the Press Release, thereby indicating that the Firework Display could go ahead”. (Appendix 7 Page 211). The use of the expression “keyboard warriors” in the Agenda generated further local concern on social media.

24. Councillor Cordery met the Monitoring Officer on 18 October to discuss his concerns about the Council. Councillor Cordery shared the email exchanges between himself and the Former Clerk and the decision by the Committee. A discussion took place about the pending Meeting, (which the Monitoring Officer had been unaware of) and its purpose. The Monitoring Officer provided Councillor Cordery with advice about how the Meeting should progress and the importance of following correct procedures. The Monitoring Officer arranged to speak to the Former Clerk on 21 October.

25. At 09:05 on 20 October the Former Clerk sent an email to all members asking them to consider (should the use of the expression “keyboard warriors” be brought up at the Meeting that evening) that he did not use social media, he had thought the expression was “common parlance” and he had meant no disrespect to anyone. He reminded Members that under STO 33(a) staffing matters and employment issues should not be discussed in public session (Appendix 7 Page 216).

26. The Meeting on 20 October was held online. It was attended by Members, the Former Clerk, 2 staff Assistants, a Contractor, an online Meeting Administrator and members of the public.

27. At the start of the Meeting, the Mayor opened the Agenda item by advising that before the item was debated, she would read out a statement in relation to areas of the Agenda that would not be discussed in open session, and that STO 33(a) would have to be applied to exclude the press and public if those areas were to be discussed.

28. As the Mayor started to read her statement Councillor Cordery called for a "Point of Order". The Mayor, drawing on the Council's STO's, said she would not take the Point of Order as she wished to complete her statement. Councillor Cordery called again for a Point of Order, which the Mayor declined. Councillor Cordery continued to speak, whilst the Mayor asked him to be quiet. Councillor Cordery then referred to "a cover up" and "a smoke screen" and called for a "resignation with immediate effect". He ceased speaking when the Mayor said he would be removed from the meeting if he continued. A debate followed which resolved to reinstate the Firework Display.

29. When the Monitoring Officer called the Former Clerk the following day, the Former Clerk told him about Councillor Cordery's intervention at the Meeting and said he felt it had been directed at him. The Monitoring Officer provided the Former Clerk with advice on options for mediation, local resolution and complaints. (Appendix 1 Pages 8/9 and 41). The Former Clerk sent a complaint to the Monitoring Officer on 21 October (Appendix 1 Page 5). He was signed off work by his GP on 22 October.

30. Between 21 and 25 October the Monitoring Officer received a number of emails from other Members complaining about Councillor Cordery's behaviour at the Meeting (Appendix 1 Pages 12-33). The Monitoring Officer forwarded the correspondence to my office on 25 October along with an email in which he explained the background to the complaint and outlined his meeting with Councillor Cordery.

31. The draft minutes for the Meeting were put on the Council's website on 25 October. The draft minutes noted that following his calls for a Point of Order, "Councillor Cordery then said words to the effect: 'There's a cover up going on in the Council in an attempt to protect members of the Council staff by brushing things under the carpet and creating a

smokescreen thereby bringing the Council into disrepute'. He then added: 'That individual, I will say now, should offer **his** [sic] resignation with immediate effect'". (Appendix 1 Page 156).

32. Councillor Cordery wrote to the Council on 28 and 29 November to say the minutes were incorrect and damaged his character, and he asked for their removal (Appendix 7 Page 246).

33. The Mayor advised Councillor Cordery that the draft minutes were posted on the website in line with legislation, and he would have an opportunity to raise inaccuracies when the minutes were presented for approval at the next Council meeting.

34. The draft minutes were considered under closed session at a Council Meeting on 2 March 2022. An amendment was proposed by Councillor Cordery and seconded by Councillor David Ellis. It was resolved that the minutes would be amended to read, "Councillor Cordery then said words to the effect: 'There's a cover up going on in the Council in an attempt to protect members of the Council staff by brushing things under the carpet and creating a smokescreen thereby bringing the Council into disrepute'. He then added: 'That individual, I will say now, should offer their resignation with immediate effect'". (Appendix 7 Page 274). The minutes were formally approved at a Council meeting on 7 June (Appendix 7 Pages 275/6 and 282).

35. The Former Clerk did not return to work and died unexpectedly in May 2022. The new Clerk advised my office that the Former Clerk had approached ACAS with a request for conciliation (as he believed he had a potential tribunal claim) and the period of conciliation had been due to end on 10 May 2022 (Appendix 7 page 284).

What the Former Clerk said

36. In his complaint to the Monitoring Officer, the Former Clerk noted Councillor Cordery had said, "That individual I will say now should offer his resignation with immediate effect". The Former Clerk said, "That remark could only have been directed at me as the Council only has three staff, two of whom are female". (Appendix 1 Page 6).

37. In his complaint to my office, the Former Clerk said the events at the Meeting were not an isolated incident and had been the culmination of a number of matters involving Councillor Cordery. He said Councillor Cordery did not say what he was referring to when alleging a “cover up” and “smoke screen”, nor did he explain why he should resign with immediate effect. The Former Clerk said a number of members of the public were present at the Meeting. He said the Meeting had had a “profound effect” on his mental health and he had been signed off by his GP due to “Stress at Work” (Appendix 1 Pages 41 and 168).

What The Monitoring Officer said

38. In his correspondence to my office dated 25 October (Appendix 1), and his subsequent statement, the Monitoring Officer said that when he suggested to Councillor Cordery at their meeting on 18 October that he should ring the Former Clerk there and then to resolve matters, Councillor Cordery was “adamant” and “emphatic” that he should wait until after the Meeting on 20 October. The Monitoring Officer made a note at the time of the discussion with Councillor Cordery (Appendix 9).

39. In his email to my office, the Monitoring Officer said that when Councillor Cordery made him aware of the nature of the forthcoming meeting they spoke about the role of councillors as “quasi-employers” and the need to ensure that any debate about potential disciplinary action should happen in closed session rather than public. In his statement, the Monitoring Officer said he provided Councillor Cordery with advice concerning “the law and employee rights, the need to deal with employee matters in confidence, the Town Council’s Standing Orders with regard to this, the importance of using proper processes and treating employees fairly, and the risk to the Council of not doing so”. The Monitoring Officer said Councillor Cordery appeared to understand, and he did not give any indication that he intended to act at the Meeting in the way described by the Former Clerk and other Members.

40. The Monitoring Officer said that when he spoke to the Former Clerk on 21 October, the Former Clerk was “very distressed” and “very upset” about the Meeting and what Councillor Cordery had said and had indicated he would be seeking legal advice. The Monitoring Officer made a note of the discussion with the Former Clerk (Appendix 9).

What The Witnesses said

41. In her email to the Monitoring Officer dated 21 October, Councillor Emma Preece said, “Councillor Cordery called for a ‘point of order’, when asked to be silent by the Mayor he repeated himself and continued and stated, words to the effect of: there is a cover up to protect some members of staff, they have brought the council into disrepute and I call for the immediate resignation of the member of staff involved.... It was completely out of order to call for the resignation of a member of staff in front of several members of the public”. (Appendix 10).

42. In her statement, Councillor Emma Preece said her “recollection is that Councillor Cordery stated ‘he’ with reference to the member of staff and...it was definitely aimed at the Former Clerk” (Appendix 10).

43. In her email to the Monitoring Officer dated 21 October, Councillor Carolyn Preece said Councillor Cordery was “very rude....He told everyone including the residents attending that a staff member was out of order and needed to apologies [sic] and needed to hand in their notice tonight, he went on to say that the matter was being swiped [sic] under the carpet and it was a cover up and that it had brought the council into disrepute. This was witnessed by the Mayor, full council of councillors, members of the public, staff (the clerk, the clerks 2 assistants) and our events subcontractor.” (Appendix 11)

44. In her addendum statement, Councillor Carolyn Preece said that “the whole item was aimed at the Former Clerk....It was all about the use of the wording ‘keyboard warriors’, that is what Councillor Cordery was referring to and nobody else other than the Former Clerk had written those words....my recollection is that he said ‘his’ notice rather than ‘their’ notice when referring to handing notice in” (Appendix 11).

45. In 2 emails to the Monitoring Officer dated 21 October, Councillor Louis Fox said, Councillor Cordery had, “tried to humiliate a member of our staff in demanding they tender their resignation”, and when “Mayor Cllr Vivienne Blondek attempted to open the meeting Cllr Cordery rudely interjected, Cllr Cordery made a comment during his speech in which he made reference to a male member of staff (of which there is only one, our Clerk Martin Wright), using the word ‘his’ to make this distinction, stating; ‘That individual should tender his resignation this evening with immediate effect’. Cllr Cordery went on to insinuate that there is a ‘cover up’ going on for this particular member of staff and that certain members of the Town Council are actively protecting him.” (Appendix 12).

46. In her email to the Monitoring Officer dated 21 October, the Mayor, Councillor Vivienne Blondek, said that when she made a statement at the start of the meeting and referred to STO 33(a) she was, “rudely interrupted by Councillor Charles Cordery calling for a point of order. He was stating a member of staff had brought the council into disrepute and must apologise. He made allegations of a cover up and creating a smokescreen to protect this member and demanded ‘he resigns with immediate effect’.” In her statement, the Mayor said that Councillor Cordery continued to talk over her in “a loud and aggressive tone” (Appendix 13).

47. In his email to the Monitoring Officer dated 25 October, Former Councillor Peter Shone JP said “As I recall, before the Mayor was able to completed [sic] her opening remarks, Councillor Cordery raised a point of order which he persisted in pressing forward, even though the Mayor and Chair of the meeting had on several occasions requested Councillor Cordery to stand down, culminating in his demand for the Clark [sic] to resign, suggesting the actions of the Clark [sic] had brought Buckley Town Council into disrepute. All this was being witnesses [sic] by the observing members of the public” (Appendix 14).

48. In an email to my office dated 5 January 2022, Councillor David Ellis said, “Councillor Cordery raised a point of order immediately, over what he believed would stifle debate, and stated that it was shameful that it was not going to be the subject of debate.... He believed that the person who made the comments regarding ‘Keyboard Warriors’ should consider their

position and offer their resignation with immediate effect....at no time did Councillor Cordery name anyone by name or by their gender.” (Appendix 15).

49. In an email to my office dated 7 January 2022, Councillor Carol Ellis said, “Councillor Cordery raised a point of order over a comment made by the Mayor that he believed would stifle debate and stated that it was shameful that the subject of Keyboard Warriors not [sic] going to be the subject of debate...and he believed that the comments made regarding Keyboard Warriors that the person who made that comment should consider their position and offer their resignation with immediate effect. At no time during his statement did Councillor Cordery mention anyone by name or gender.” (Appendix 16).

50. In her statement, Councillor Carol Ellis said, “In my opinion Councillor Cordery’s comments were criticism of the comments made by the Town council in the agenda about Keyboard Warriors.” (Appendix 16).

51. In her supporting letter, Councillor Julia Jones said “The wording in the agenda referred to the public as “Key Board Warriors” which has upset a lot of the public. While Councillor Cordery was speaking the mayor kept interrupting, but at no point did Councillor Cordery refer to anyone by name or gender, he was merely stating what had been said to him by the public [sic] of Buckley” (Appendix 18).

What Councillor Cordery said

52. In his written comments, Councillor Cordery said:

- The issue about the summer events was “driven out of all proportion” by the Former Clerk, and the meeting to discuss those matters “served no real purpose” other than to report him to my office.
- The Fireworks Display was cancelled by the Former Clerk without full Council consultation, and his reference to “keyboard warriors” caused “consternation” amongst residents.

- At the Meeting he, “raised a point of order over the stifling of debate” and “the Town Council in allowing this showed no respect to its residents I also suggested that the person who made these comments should consider their position to be untenable and offer their immediate resignation....at no point during this dialogue did I identify the person who I was referring to either by name or gender”.
- He considered the complaint to be “vexatious”, “without merit or foundation” and “designed by those that wish to indulge in party politics and deviousness”.
- The Former Clerk altered “the spoken narrative in the minutes for his own benefit” and an amendment to the minutes was subsequently passed which gave a more accurate version of what was said.

53. In his interview, Councillor Cordery said:

- He had no previous experience of being a Member before he joined the Council. When he became a Member, he was given a bundle of documents which included the Council’s STOs, but he did not receive any guidance on them. He did not have any Code of Conduct training until 2022. He was elected Deputy Mayor for 2022 - 2023.
- His email exchanges with the Former Clerk had been “assertive”, and he did not see the matter as “any kind of conflict”.
- He asked to meet the Monitoring Officer because he was concerned about the way things were going with the Council and he wanted to “gain an understanding of the way forward”.
- At the meeting with the Monitoring Officer, they “broadly touched” on the forthcoming Meeting and “its need for confidentiality”, and there was “reference to potential disciplinary action”. He left with the impression that he “could ask a question” and his view was to approach the Meeting to see how “it moves forward”.

- He did not recall saying the Monitoring Officer should wait to speak to the Former Clerk until after the Meeting. He said it was not his role to tell the Monitoring Officer what to do.
- He “may” or “may not” have opened the email sent by the Former Clerk to all members on 20 October at 09.05. He said the email was an effort by the Former Clerk “to try and excuse his behaviour”.
- He did not shout when the Mayor raised STO 33(a) at the start of the Meeting and declined his Point of Order. He said STO 33(a) “didn’t mean anything” to him at the time.
- He was asked by the community to raise the use of the term “keyboard warriors” at the Meeting, and that is what he attempted to do. He said he had a duty to the people that elected him, which he could not ignore, and he wanted to explore why the community “had been insulted” and “marginalised”. He was expressing “the community’s viewpoint”, and it did not enter his mind that he might stray into criticising staff in a public meeting.
- With regard to the reference to “keyboard warriors” he said, “if you insult the community; if you disregard the community in that way and make comments in that way, then you know, you should leave, you should leave your position. I mean you’re not acting in anyone’s best, best interests if you do that...the Town Clerk is, is a position which people look up to.”
- As a councillor he was the Former Clerk’s “employer”. His call for a resignation should be put “into context”. He said the community asked him to raise the matter and “that individual, when its raised should go away and examine their own conscience and decide what’s best for the Town Council. And unfortunately he didn’t. Now, any honest or reasonable person would have done that”.

- His comments were “all directed at” the Former Clerk, however he did not mention him by name, gender, or job title and the comment, “that individual, I will say now, should offer their resignation with immediate effect” could “have been directed at any one of those people that were in the meeting”.
- He did not think his conduct at the Meeting went against the Monitoring Officer’s advice. The meeting with the Monitoring Officer was a “general discussion,” and when he left “it was quite open” and he had “nothing planned to say”. He was “surprised” about what the Monitoring Officer had put in his statement. He said he had not formed any “rationale” of what he would say at the Meeting, and his actions were not motivated by the previous matters with the Former Clerk.
- The Former Clerk had used what happened at the Meeting to make an “engineered” dispute and claim against the Council in order to obtain a settlement and leave his employment. He did not think his conduct at the Meeting had opened the door for legal action by the Former Clerk.
- Whether, with hindsight, he would have done anything differently was “a really difficult question”. At the time he was a new Member and all he had tried to do was to raise a matter that was of interest to the community. He did not think he had breached the Code of Conduct.
- Some of the witnesses were political opponents who were against him and wanted to try and remove him, and their statements had contradicted the minutes they had ultimately agreed.

54. In response to the draft report, Councillor Cordery said:

- He was not disrespectful towards the Former Clerk and his comments had been made “in a calm and constructive manner”.
- He felt a Point of Order about the use of the term ‘keyboard warriors’ had not been recognised and the decision to remove the topic from the meeting was incorrectly handled by the Chair.

- The finalised minutes of the meeting were the correct evidence to conclude that there was no breach of the Code.
- He did not shout or use offensive language.
- Members of the public had supported his action at the meeting on social media.
- His meeting with the MO felt like “general conversation”, he did not recall asking the MO not to contact the Former Clerk before the meeting on 20 October, “even if such a request was made” it was not motivated by a desire to ambush the Former Clerk, and “it was the duty of the MO to explore lines of contact with [the Former Clerk]”.
- There was insufficient evidence to conclude that the Monitoring Officer had given him detailed advice at their meeting or that he had viewed the Former Clerk’s email on the morning of 20 October.
- There was no evidence to suggest that he had brought his office or authority into disrepute and no “level of dishonesty” which was necessary for such a finding.
- As a new Councillor it was “only the first or second meeting” he had attended.
- The delivery and receipt of information at online meetings is open to misinterpretation.
- The complaint was politically motivated and “escalated and engineered” with the aim of removing him undemocratically by opposing members.
- He believed the Monitoring Officer “could be hostile” to him following his previous engagement as a Union Representative.

- It was “reasonable to expect those who engage in Political [sic] debate to anticipate sometimes difficult challenges to their views and/or behaviour”, the matter “falls within the enhanced protection of freedom of expression afforded to political debate under Article 10” and it was not in the public interest to pursue it.
- He was a man of good character with a varied professional career. He had been Deputy Mayor of the Council, he was the current Mayor and there had been no complaint about him in either of these roles.
- He would have benefited from training when he was first elected.

55. A full copy of Councillor Cordery’s response is available at Appendix 20.

Undisputed facts

56. Councillor Cordery was elected to the Council in May 2021. He was elected Deputy Mayor in May 2022 and Mayor in May 2023. At the time of the events, he had not attended any training on the Code of Conduct.

57. Councillor Cordery and the Former Clerk exchanged emails during the summer of 2021 which culminated in a letter being sent by the Council to Councillor Cordery about his behaviour advising him to moderate his communications.

58. The Council cancelled the annual Fireworks Display following the introduction of revised COVID-19 guidelines on 11 October 2021.

59. The cancellation of the Fireworks Display caused local concern on social media.

60. On 15 October, the Former Clerk called for an emergency Meeting on 20 October to discuss the cancellation, and an Agenda was put on the Council’s website which referred to comments from “keyboard warriors”.

61. The reference to “keyboard warriors” in the Agenda caused local concern.

62. On 18 October Councillor Cordery had a discussion with the Monitoring Officer during which the Monitoring Officer provided advice to Councillor Cordery. The Monitoring Officer made a note of the discussion at the time in his notebook.

63. Following the discussion with Councillor Cordery, the Monitoring Officer arranged to speak to the Former Clerk on 21 October.

64. On the morning of 20 October, the Former Clerk sent an email to all members which asked them to consider his explanation for the term he had used and reminded them of STO 33(a).

65. An online Meeting was held in the evening on 20 October. It was attended by Members, the Former Clerk, 2 staff Assistants, a Contractor, an online Meeting Administrator and members of the public.

66. At the start of the Meeting the Mayor began to read out a statement regarding the words in the Agenda that had caused offence which would not be discussed in open session and said that STO 33(a) would have to be applied to exclude the press and public if those areas were to be discussed.

67. As the Mayor was speaking Councillor Cordery called for a Point of Order. He then directed all his comments at the Former Clerk and referred to “a cover up” and “a smoke screen” and demanded a “resignation with immediate effect”.

68. The Monitoring Officer contacted the Former Clerk on 21 October. The Monitoring Officer made a note of the discussion on 21 October in his notebook.

69. On 21 and 25 October the Former Clerk and members of the Council sent complaints to the Monitoring Officer about Councillor Cordery’s intervention at the Meeting.

70. On 22 October, the Former Clerk went on sick leave and did not return to work.

71. On 25 October, the Council published draft Meeting minutes on its website which included the comment, “That individual, I will say now, should offer **his** [sic] resignation with immediate effect”.

72. On 28 and 29 November Councillor Cordery challenged the draft minutes.

73. At a Council meeting on 2 March 2022, Councillor Cordery proposed that where the minutes stated, “should offer **his** [sic] resignation” they were amended to “should offer their resignation”. The amendments were agreed. The revised minutes were formally approved on 7 June.

74. The Former Clerk died unexpectedly in May.

Disputed facts

75. Did Councillor Cordery say the Monitoring Officer should wait until after the public Meeting to speak to the Former Clerk?

76. Did Councillor Cordery ignore the Monitoring Officer’s advice?

77. Did Councillor Cordery’s call for a resignation identify the Former Clerk?

Analysis of evidence

Did Councillor Cordery say the Monitoring Officer should wait until after the public Meeting to speak to the Former Clerk?

78. In his correspondence to my office, the Monitoring Officer said that when he agreed to ring the Former Clerk, Councillor Cordery suggested he should do so after the forthcoming Meeting. The Monitoring Officer said although he suggested to Councillor Cordery “a number of times” that it would be better to speak to the Former Clerk before the Meeting, Councillor Cordery was “emphatic” that he should not. The Monitoring Officer said he thought Councillor Cordery’s insistence was “slightly odd” at the time, however he did not question it.

79. In his statement, the Monitoring Officer said he made a note of his discussion with Councillor Cordery (Appendix 9 Exhibit GO-01). This was a handwritten note made in his notebook at the time. He said that when they discussed the Meeting, he saw the potential for criticism of the Former Clerk and, being aware of the Council's STOs, the potential for the meeting to "go wrong". He said he talked "at length" to Councillor Cordery about the Meeting and suggested he should call the Former Clerk "there and then" to clear matters up. He said Councillor Cordery "remained adamant" he should wait until after the Meeting.

80. In his interview, Councillor Cordery said he did not recall the Monitoring Officer suggesting he should call the Former Clerk "there and then", and he did not recall saying the Monitoring Officer should wait until after the Meeting. He said he could not tell the Monitoring Officer what to do.

81. Whilst the Monitoring Officer and Councillor Cordery's accounts differ, given that the Monitoring Officer made a note of the meeting at the time and his recollection is supported by this contemporaneous written account, on the balance of probabilities I am persuaded that the Monitoring Officer's note reflects the conversation which took place. The note of the discussion records an agreement to ring the Former Clerk, and that Councillor Cordery "commented a couple of times that he should wait until after Wednesday to do so". In the light of the nature of the discussion, the Monitoring Officer's concern to resolve matters quickly, the note of the meeting, and the Monitoring Officer's arrangement to speak to the Former Clerk the day after the meeting, I consider that on balance Councillor Cordery did say to the Monitoring Officer that he should wait until after the public Meeting to speak to the Former Clerk.

Did Councillor Cordery ignore the Monitoring Officer's advice?

82. In his correspondence to my office, the Monitoring Officer said, "As a union rep of over 30 years' experience Cllr Cordery would have known that he should not have publicly called for the clerk to resign."

83. In his statement, the Monitoring Officer said he had talked “at length” to Councillor Cordery about the forthcoming Meeting and “matters concerning the law and employee rights, the need to deal with employee matters in confidence, the Town Council’s Standing Orders with regard to this, the importance of using proper processes and treating employees fairly, and the risk to the Town Council of not doing so, which he appeared to acknowledge and understand”.

84. In his interview, Councillor Cordery said they “broadly touched” on the Meeting, “its need for confidentiality” and “potential disciplinary action.” He said he did not think that what he said at the Meeting went against the Monitoring Officer’s advice “in any great detail”. He also said that STO 33(a) “didn’t meant anything” to him at the time.

85. Councillor Cordery was provided with advice by the Monitoring Officer and the Former Clerk about not discussing employment matters in open session. In his interview, Councillor Cordery said he “may” or “may not” have opened the email from the Former Clerk (sent to all Members in advance of the Meeting) which reminded them about STO 33(a) and not discussing staffing and employment matters in open session. The Mayor also set this out at the start of the Meeting. While I acknowledge Councillor Cordery’s claim that he “may not” have read this, I am satisfied that it was sent in advance of the meeting and that the thrust of the content was shared again at the start of the meeting. Councillor Cordery has not denied calling for a resignation and the Council’s approved minutes show that he did. I consider that in making his intervention, which encompassed reference to “members of the Council staff” and a resignation, Councillor Cordery ignored the advice provided by the Monitoring Officer, the Former Clerk and the Mayor.

Did Councillor Cordery’s call for a resignation identify the Former Clerk?

86. In his interview, whilst Councillor Cordery acknowledged that his comments were “all directed at” the Former Clerk, he said he did not mention him by name, gender, or job title, and that what he had said could have been “directed at any one of those people that were in the meeting”.

87. The Former Clerk stated in his email to the Monitoring Officer on 21 October that Councillor Cordery's comment, "That individual I will say now should offer his resignation with immediate effect'.... could only have been directed at me as the Council only has three staff, two of whom are female."

88. The majority of the witnesses commented that Councillor Cordery either said, "he" or "his" with reference to a member of Council staff and the call for resignation, and that his intervention was aimed directly at the Former Clerk. Councillors David Ellis, Carol Ellis and Julia Jones said Councillor Cordery did not mention anyone by name or gender, whilst Councillor Julia Jones did not provide a formal witness statement, the content of her supporting letter, specifically whether gender was referred to, has been considered.

89. The various accounts of what Councillor Cordery said differ. The approved minutes reflect a gender-neutral statement. What is clear from the circumstances which gave rise to the Meeting and Councillor Cordery's interview, is that Councillor Cordery wanted to discuss the Former Clerk's use of the term "keyboard warriors" in the Agenda, and when this was impeded, he immediately called for "that individual" to resign. Regardless of whether Councillor Cordery used the word "their", rather than "he" or "his" with regard to the resignation, witnesses interpreted his comments as either related to the Former Clerk directly or the person who made the comments regarding "keyboard warriors" (which was the Former Clerk). It was clear therefore that his comments were directed at the Former Clerk. Therefore, I consider that on balance Councillor Cordery's call for a resignation was seen as identifying, and/or directed at, the Former Clerk, rather than anyone else.

Conclusions

90. My Guidance sets out that members are expected to afford the public, colleagues, opponents and officers the same courtesy and consideration they show to others in their everyday lives. This does not mean that Members cannot participate in robust debate with political opponents or make legitimate challenges in questioning policy or scrutinising performance, but it must be measured.

91. Appropriate challenges to the manner in which non-elected senior public servants do their job, even in very robust terms, are protected by Article 10. However, Article 10(2) provides that this right may be restricted as prescribed in law and when necessary in democratic society, for the protection of the reputation and rights of others. Caselaw (set out above) states that, in the public interest, it is a legitimate aim of the State to protect public servants from unwarranted comments that have, or may have, an adverse effect on good administration. Officers should not therefore be subject to unwarranted comments which may be reputationally damaging or that disenable them from carrying out their duties or undermine public confidence in the administration.

92. In his correspondence to my office dated 25 October, the Monitoring Officer said he spoke to Councillor Cordery about the role of councillors as “quasi-employers” on 18 October. In his interview Councillor Cordery referred to himself several times as the Former Clerk’s “employer”. In my view calling for the resignation of a member of staff in a public meeting is a humiliating thing for an employer to do. It also has the potential of impairing the obligation of mutual trust and confidence between the employee and employer. The Monitoring Officer said the Former Clerk was “very distressed” and “very upset” about what Councillor Cordery said in front of members of the public. The Former Clerk said in his complaint to my office that it had a “profound effect” on his mental health, and he had to take sick leave.

93. Councillor Cordery said that as a Member he had a duty to the people that elected him, which he could not ignore, and he wanted to explore why the community “had been insulted” and “marginalised”. He had been made aware of the correct procedures to follow in relation to personnel matters. Whilst he was entitled to raise his concerns at the meeting, his call for the Former Clerk’s resignation in a public forum, was inappropriate and capable of breaching the duty of trust between the Council and its employee.

94. Whilst Councillor Cordery said he was expressing “the community’s viewpoint” and he did not identify the Former Clerk, the intention behind his words was clear to others. In determining whether there was a failure to show respect and consideration, I will consider the specific circumstances

of the case and if there was an attempt to undermine the individuals involved. In my view, Councillor Cordery's behaviour was an attempt to undermine an officer of the Council, specifically the Former Clerk, and is therefore suggestive of a breach of paragraph 4(b).

95. Councillor Cordery said the Former Clerk held a position that "people look up to". As such he appears to have seen the Former Clerk as influential and respected in the community. Although Councillor Cordery said he did not identify the Former Clerk he did acknowledge at interview that his comments were "directed at" him. Given the circumstances, I consider the Former Clerk was entitled to feel the remarks were unjustified, and that they caused him distress and questioned his position. Whilst Councillor Cordery's comments could be seen as an effort to ambush the Former Clerk, he said he had attempted to address a concern on behalf of the community and that he was expressing their viewpoint. Although I consider Councillor Cordery's remarks were ill-judged and misplaced, I do not consider that the evidence obtained indicates he used, or attempted to use, his position improperly to create a disadvantage for the Former Clerk, and I do not find that he acted in a way which is suggestive of a breach of paragraph 7(a) of the Code of Conduct.

96. Councillor Cordery received advice and guidance from the Monitoring Officer about how the Meeting should progress, which included the need to consider employee rights and the Council's STOs. The Monitoring Officer said Councillor Cordery appeared to acknowledge and understand this, and he gave no indication that he intended to act in the way described. Whilst the Monitoring Officer sought to resolve matters between Councillor Cordery and the Former Clerk, Councillor Cordery asked him to wait until after the Meeting. There is a concern that in doing so Councillor Cordery had already formed an intention to speak against the Former Clerk at the Meeting. The motive for this is unclear, however there is evidence that Councillor Cordery and the Former Clerk had disagreed previously. Councillor Cordery said his discussion with the Monitoring Officer "broadly touched" on the Meeting, "its need for confidentiality" and "potential disciplinary action" and he did not think what he said at the Meeting went against the Monitoring Officer's advice "in any great detail". Whilst it was for Councillor Cordery to decide whether to accept the advice he was given; he has not provided any evidence to

suggest he gave it due regard or careful consideration. The Code states that members should, in particular have regard to any relevant advice provided by their authority's Monitoring Officer. In calling for a member of Council staff to resign in an open session, Councillor Cordery appears to have ignored advice from the Monitoring Officer, the Former Clerk and the Mayor. I consider his conduct is therefore suggestive of a breach of paragraph 8(a)(iii) which places him to have regard to any relevant advice from the Monitoring Officer.

97. In disregarding the Monitoring Officer's advice, the Former Clerk was not given an opportunity to resolve matters and prevent public criticism. Councillor Cordery has not demonstrated any recognition that his words were hurtful, ill-advised or inflammatory. Instead, at interview and in his comments on the draft report, he maintained he was acting for the community and sought to denigrate the Former Clerk. He said the Former Clerk had used what happened at the Meeting to make an "engineered" dispute and claim against the Council in order to obtain a settlement and leave his employment, and he did not think his conduct at the Meeting had opened the door for legal action by the Former Clerk.

98. I have considered Article 10 of the ECHR and relevant caselaw throughout the investigation. I accept that elected Members have a duty to question and scrutinise officers and that Councillor Cordery felt he had a duty to his electorate. However, I consider that his call for a resignation in public was a very specific attack on the competency of the Former Clerk, who, as an employee, had a right to expect concerns about his competency to be addressed through the proper personnel process which would have afforded him appropriate privacy. Therefore, a public attack was unwarranted. Such an action has the ability to undermine public confidence in the Council's administration and to disenable staff from carrying out their duties. It also interferes with the right of the Former Clerk to privacy, in respect of a personnel matter. A legitimate aim of any interference with Article 10 rights is to prevent the interference with the rights and reputation of others. Therefore, I am satisfied that, given the circumstances, if a breach were proven, any sanction would be a proportionate interference with Article 10, in order to protect the rights of another.

99. A member's actions are subject to greater scrutiny than those of ordinary members of the public and their actions may have an adverse impact on the public perception of their office as a member or their Council as a whole. Whilst I am satisfied that Councillor Cordery's behaviour is suggestive of a breach of paragraphs 4(b) and 8(a)(iii), and the calling in public for the Former Clerk's resignation went against employee rights to due process, and the Council's STO 33(a), requiring employment matters to be heard in private session, his personal comments at the meeting would not in my view impact on the reputation of the Council as whole. I am not therefore persuaded that the evidence is sufficient to support a finding of "disrepute" in breach of paragraph 6(1)(a) of the Code of Conduct.

100. I have also had regard to the test in *Sanders v Kingston* (set out above) when considering whether a referral to the Council's Standards Committee is proportionate. As I have noted, I consider that (i) the actions of Councillor Cordery, in respect of his comments about officers, are suggestive of a breach of the Code of Conduct. I recognise that this finding, given the nature of his comments, may (ii) comprise a breach of Article 10, as it would be considered an interference with his right to freedom of expression. However, I am of the view that (iii) it is a legitimate aim of the ethical standards regime in Wales to protect officers from conduct of this kind and that, if the breaches are proven, a restriction would be justified for the reasons set out in Article 10 (2) above.

Finding

101. My finding under section 69 of the Local Government Act 2000 is that my report on this investigation should be referred to the Deputy Monitoring Officer of Flintshire County Council, for consideration by the Council's Standards Committee.

M.M. Morris.

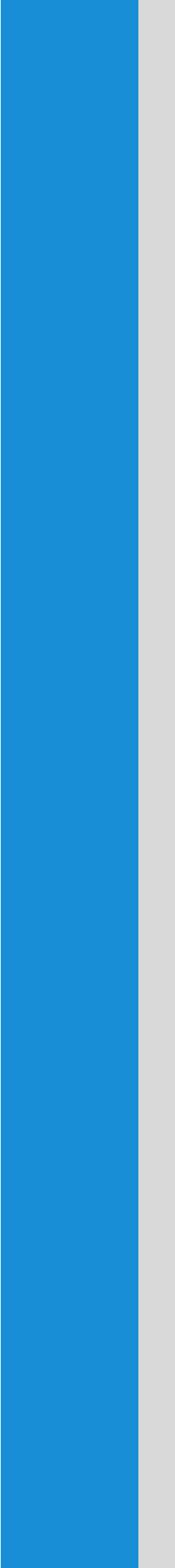
Michelle Morris

Ombwdsmon Gwasanaethau Cyhoeddus/Public Services Ombudsman

29 September 2023

Appendix

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Appendix 2	The Council's Code of Conduct
Appendix 3	Declarations of Acceptance of Office
Appendix 4	Notification of Complaint
Appendix 5	Investigation Start Letter
Appendix 6	Councillor Cordery's Comments
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Appendix 8	Information provided by the Monitoring Officer
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Appendix 10	Councillor E Preece's Statement and Exhibits
Appendix 11	Councillor C Preece's Statement and Exhibits
Appendix 12	Councillor L Fox's Statement and Exhibits
Appendix 13	Councillor V Blondek's Statement and Exhibits
Appendix 14	Former Councillor Shone JP's Statement and Exhibits
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Appendix 17	Correspondence with Councillor Cordery
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Appendix 19	Interview Transcript
Appendix 20	Councillor Cordery's response to the draft report
Appendix 21	Extracts from the Guidance on the Code of Conduct



Public Services Ombudsman for Wales
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CF35 5LJ

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Follow us on Twitter: [@OmbudsmanWales](https://twitter.com/OmbudsmanWales)

SECTION C - APPENDICES TO THE OMBUDSMAN'S REPORT

From: Leigh McAndrew
Sent: Tue, 16 Nov 2021 12:03:02 +0000
To: Work Pro
Subject: FW: CONFIDENTIAL. Complaint in respect of Cllr Charles Cordery, Buckley Town Council

From: Gareth Legal <[REDACTED]>
Sent: 25 October 2021 09:17
To: Sinead Cook <[REDACTED]>
Subject: CONFIDENTIAL. Complaint in respect of Cllr Charles Cordery, Buckley Town Council

Dear Sinead

I have received a number of emails (attached) from Martin Wright (town clerk), Mayor (Cllr Blondek) plus councillors Emma & Carolyn Preece and Louis Fox of Buckley Town Council complaining about events that took place at an extraordinary meeting of Buckley Town Council on 20 October 2021. They have each confirmed to me that they would like their email to be forwarded to you as a complaint in respect of Cllr Charles Cordery. Due to the fact that the clerk has now been signed off sick for 1 month and the multiple complaints I have agreed to collate and forward them to you collectively. I have no fixed view on whether they should be regarded as a complaint from the clerk with 4 witnesses or 5 separate complaints.

I also want to add some context based on my own conversation with Cllr Cordery 2 days before the council meeting took place, and my conversations with the clerk since the meeting.

Background

There has been some local consternation in Buckley about the cancellation of a planned fireworks display on advice from Martin Wright as the town clerk. He had mistakenly believed that the event could not proceed under current covid rules. When challenged about this, he referred to people who had been commenting on social media as “keyboard warriors”, which caused further upset. As you will see from the emails an emergency town council meeting was called for Wednesday night to debate the issue. The meeting was held over Zoom and a number of members of the public were present. Sadly no recording was made.

On the morning of the meeting the clerk sent an email advising members not to discuss staffing issues in open session (Standing order 33) which has been sent to me by Carol Ellis (attached). It is not possible to see who opened it from the copy that I have, but it might be possible to see this from the council’s email system. At the start of the meeting the Mayor also tried to advise the council not to speak about specific employees in open session. Cllr Cordery is alleged to have interrupted her on a “point of order” in which he stated that an employee had brought the council into disrepute and should give his resignation with immediate effect. Martin is the only male employee and so he and others regard the comment as directed at him.

As it happens, I had spoken to Cllr Cordery on Monday 18 October about correspondence between him and Martin over the summer. I had agreed with Cllr Cordery that I would speak to Martin about the correspondence in order to try and de-escalate tension that was arising as a result. Cllr Cordery suggested that I should do so after the forthcoming extraordinary meeting on Wednesday, of which, I

was, at that time, unaware. We then went on to discuss the reasons for the forthcoming council meeting. I was concerned about how such a meeting might turn out given its focus on the actions of one employee. We spoke for 30 minutes or so about the role of councillors as quasi-employers and the need to ensure that any debate about potential disciplinary action should happen in closed session rather than in public, so as not to give the clerk cause to complain under the code or to bring legal action against the council. I appealed to Cllr Cordery's experience as a union representative to consider how he would act if the clerk were a union member who he was representing.

I suggested to Cllr Cordery a number of times that it might be better if I were to speak to the clerk before the meeting. He was emphatic that I should not and on each occasion repeated that I should do so after the meeting. I therefore arranged to speak to the clerk on Thursday. I thought Cllr Cordery's insistence slightly odd at the time but did not ask why he was so determined on this point. I now suspect that it was perhaps because Cllr Cordery had already formed an intention to speak as alleged.

Cllr Cordery is a newly elected councillor having been returned at a by election in May 2021. I am not aware of whether he has undertaken training on the code of conduct with anyone else. I have not provided a training course since that date so he has not been trained by me or my deputy.

Current Position

When I spoke to the clerk on Thursday morning I was initially unaware of what had transpired the previous evening. It soon became apparent that he was very upset by the events. Martin is not normally one to share his feelings but he did so on this occasion. He was and remains distressed by the events and is particularly concerned that these statements were made in an open meeting at which a number of members of the public were present. He has been signed off sick by his doctor for 1 month.

I have nevertheless spoken to him briefly by telephone to understand how he wished to proceed. He did not believe that local resolution was appropriate in the circumstances, and had no confidence that it would produce any change in Cllr Cordery's behaviour. He has also referred to taking legal independent legal advice about his position and has made reference to not being able to carry on working for the council and constructive dismissal.

Code

The complainants have not specified which paragraphs of the code they believe to have been breached. If they took place as described, Cllr Cordery's actions appear to be a potential breach of paragraphs 4(b) and (c) of the code in respect of his behaviour towards the clerk, and paragraph 4(b) in respect of the Mayor. Given the public reaction to events in Handforth Parish Council it might also be possible to argue that such conduct also brings his council and/or office into disrepute (para 6).

There is undoubtedly public interest in councillors being able to challenge the actions of the council's employees, and there is no doubt that Martin's use of the phrase "keyboard warriors" caused public offence (see the email from Carol Ellis). It is quite possible that his comment and/or incorrect advice merit some form of investigation and/or disciplinary action. However, there is of course a time and place for this plus a proper process. As a union rep of over 30 years' experience Cllr Cordery would have known that he should not have publicly called for the clerk to resign. His criticism seems to be in the same mould as a number of other councillors who, whilst possibly having a valid point in relation to the performance of employees, have failed to follow the proper process or have communicated their views in the wrong forum/publicly. That Cllr Cordery had advice from me, the clerk and the Mayor to this

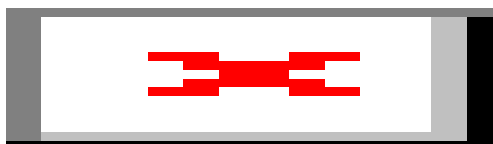
effect would appear to be an aggravating feature. Lastly of course is the possibility that, as early as Monday during his conversation with me, he had formed an intention to make these comments.

Conclusion

The councillors are available to answer questions should you require. I have the clerk's home telephone number and would be happy to contact him if you would like to speak with him.

Regards

Gareth
Gareth Owens
Prif Swyddog Llywodraethu/Chief Officer Governance
Tel: [REDACTED]



We welcome correspondence in Welsh and English and will respond to correspondence in the same language. Use of either language will not lead to a delay

Opinions advice, conclusions and other information in this message that do not relate to the official business of Flintshire County Council shall be understood as neither given nor endorsed by it or on its behalf, and consequently Flintshire County Council shall bear no responsibility whatsoever in respect thereof.

Croesawn ohebiaeth yn y Gymraeg a'r Saesneg a byddwn yn ymateb i ohebiaeth yn yr un iaith. Ni fydd defnyddio'r naill iaith na'r llall yn arwain at oedi.

Deellir na fydd unrhyw safbwyntiau, na chynghorion, na chasgliadau nac unrhyw wybodaeth arall yn y neges hon, nad ydynt yn berthnasol i waith swyddogol

From: Martin Wright
Sent: Thu, 21 Oct 2021 19:27:07 +0000
To: Gareth Legal
Cc: Tracey Reece; Lynne George
Subject: Actions by Cllr. C Cordery at Buckley Town Council Special Meeting held on 20th October 2021

Gareth

Could I please seek your advice regarding potential action I wish to take in relation to an incident that occurred at the above Meeting:-

The meeting was called as a result of Welsh Government Guidelines introduced on 11th October 2021. Prior to 11th October, I had on the 6th October 2021 asked the Welsh Government's advice re: the advisability of holding the Annual Firework Display in Buckley. The reply from the Welsh Government was merely to advise that it could take 15 days to reply to my query. In conjunction with the Mayor and Standing Committee Chairs, I discussed the potential cancellation of the Fireworks and eventually it was decided by the Mayor and chairs to cancel the event. The Mayor and Chairs were given powers to decided issues that were considered urgent. However, shortly after, the cancellation was posted on our Website; Facebook posts directed the Council to possible exemptions to the Regs. one of which referred to un-ticketed, multiple access points, free Firework Displays on Parkland. I therefore took the decision to call a Special Meeting of allow the full Council to decide whether or not to re-introduce the Firework Display. I will not go into all the factors to be considered as they are irrelevant to this matter. When I issued the Agenda and put it on our Website, social media went in to a frenzy, this was relating to my use of social media users as "Keyboard Warriors". This is a phrase that inflamed a number of the social media users, encouraged by a number of our Councillors, some of whom have used that expression themselves in the Council Chamber and within discussions that included me. When using the expression, they were referring to users of certain Buckley web-based Forums. The messages posted were of an offensive nature and the Administrator of one of the Forums notified her group that she was closing the comment section of the post to any more comments as they were becoming a "Witch Hunt". I was aware that certain Members were "outraged" at my use of the phrase "Keyboard Warriors" and believed that I may have brought the Town Council into disrepute. I robustly contend this is not the case.

Nevertheless, the Special Meeting went ahead at 7.00pm on 20th October 2021 via Zoom Video Conferencing. Prior to the meeting, the Mayor had, in consultation with me, decided to make a statement. The statement would clearly set out that the meeting was open to the public; therefore, the meeting should concentrate on a decision about the Fireworks as a single item agenda. There would be no discussion on the words in the Agenda that had caused offence, if necessary, this could potentially be discussed at the end of the meeting when it would be appropriate to invoke Standing Order 33 (a), or the matter could be referred to a further

meeting. The Mayor opened the meeting at 7.00pm and advised the Council that she would be reading out a statement prior to the debate taking place. As she commenced the Statement, Cllr C Cordery shouted out "Point of Order" (it should be noted here that Cllr Cordery had his camera switched off so only a black screen appeared, this remained the same throughout the meeting), the Mayor, using Standing Order 10 (e)(i) stated that she would not hear the point of order as she wished to complete the statement. Cllr. Cordey again shouted out "Point of Order", again the Mayor refused it. Cllr Cordery refused to refrain from speaking, with the Mayor repeatedly asking him to be quiet. Cllr Cordery then said words to the following effect - That there was a cover up going on in the Council in an attempt to protect members of the Council staff by brushing things under the carpet and creating a smoke screen thereby bringing the Council into disrepute. He also said (these are his words to the best of my memory) "That individual I will say now should offer his resignation with immediate effect". That remark could only have been directed at me as the Council only has three staff, two of whom are female. Cllr Cordery only ceased speaking when the Mayor stated that if he continued, she would seek authority to have him removed from the meeting. No other Member spoke and the debate moved to the Firework display.

Cllr. Cordery did not make another contribution to the meeting throughout the next 1 hour and 45 mins (approx.)

There were four or five members of the public in attendance at the meeting when Cllr. Cordery made his comments; the outburst was so sudden the Mayor was unable to seek a mover and a seconder to propose implementing Standing Order 33(a).

I believe that Members of the Council may be making Official Complaints themselves to you.

Regards

Martin Wright
Town Clerk and Financial Officer
Buckley Town Council

From: Martin Wright
Sent: Fri, 22 Oct 2021 11:35:37 +0000
To: Gareth Legal
Subject: Re: Actions by Cllr. C Cordery at Buckley Town Council Special Meeting held on 20th October 2021

Gareth

I am happy that my complaint is forwarded to the Ombudsman.

Regards

Martin

From: Gareth Legal <[REDACTED]>
Sent: 22 October 2021 11:31
To: 'Martin Wright' <[REDACTED]>
Subject: RE: Actions by Cllr. C Cordery at Buckley Town Council Special Meeting held on 20th October 2021

Martin

As discussed I will forward your complaint to the Ombudsman along with those of the councillors . I need your written consent to do so. A reply to this email confirming you are happy with that will be sufficient

Regards

Gareth

From: Martin Wright [mailto:[REDACTED]]
Sent: 22 October 2021 10:09
To: Gareth Legal <[REDACTED]>
Subject: Re: Actions by Cllr. C Cordery at Buckley Town Council Special Meeting held on 20th October 2021

Gareth

Thank you for your reply.

I will seek legal advice on the matter and come back to you.

Regards

Martin

From: Gareth Legal <[REDACTED]>
Sent: 22 October 2021 09:00
To: 'Martin Wright' <[REDACTED]>
Subject: RE: Actions by Cllr. C Cordery at Buckley Town Council Special Meeting held on 20th October 2021

Martin

Thanks, I got the email. I'm sorry to hear that the matter has had this impact on you.

I am concerned that no decision might be taken on this issue for at least a month.

I do not want to make your situation worse. Equally I am reluctant to take decisions about the incident without your input because of the potential impact on you. If it isn't possible to speak to you briefly on the telephone about how we handle this in your absence then I will discuss the matter with the Mayor.

Are you happy for me to speak to Cllr Blondek about how we should proceed?

Gareth

From: Martin Wright [REDACTED]
Sent: 22 October 2021 09:53
To: Gareth Legal <[REDACTED]>
Subject: Re: Actions by Cllr. C Cordery at Buckley Town Council Special Meeting held on 20th October 2021

Gareth, I tried to send you a response a few minutes ago. Just in case it did not go through, I replied by saying I cannot discuss the matter as the doctor has signed me off work for a month.

Regards

Martin

From: Gareth Legal <[REDACTED]>
Sent: 22 October 2021 07:25
To: 'Martin Wright' <[REDACTED]>
Cc: Tracey Reece <[REDACTED]> Lynne George <[REDACTED]>
Subject: RE: Actions by Cllr. C Cordery at Buckley Town Council Special Meeting held on 20th October 2021

Dear Martin

Thank you for the written account of the events we discussed yesterday. I have received a number of accounts of the incident from other councillors. As the principal "injured party" I think it is appropriate that I discuss with you how to handle the matter.

In such circumstances you have a number of options under the ethical regime (in addition to any separate legal options which you might wish to pursue):

- 1) To ask me to mediate informally with your councillor – given your feelings when we spoke, and the impact of the events upon you, I appreciate this might not be adequate to resolve the issue
- 2) To use Buckley TC's local resolution procedure – to undertake this you would need to have confidence that any resolution would have a lasting impact in preventing a recurrence of the behaviour, but this would be the quickest route and would be focussed on trying to repair the relationship between yourself and Cllr Cordery; or
- 3) To complain to the PSOW - Cllr Cordery's actions appear to be in breach of his obligation under the code to treat you with respect and they failed to respect your right as an employee to have matters pertaining to your service discussed in private. Any such complaint would be subject to the 2 stage test of evidence (which is certainly available) and public interest. On the latter point Cllr Cordery will be afforded a measure of leeway to exercise his role (to hold officers to account). The PSOW's guidance for town councillors below does however suggest that his office would investigate the complaint. This may take some months to reach a resolution during which time you will need to continue to work with Cllr Cordery
"I will consider carefully any complaints of alleged inappropriate behaviour by members towards Clerks, and will investigate those complaints which are supported by appropriate evidence that a member has gone beyond what might be regarded as reasonable challenge."

Please consider which option you would wish to take and come back to next week. If you would like to discuss them over the telephone then please feel free to call me.

Regards

Gareth

From: Martin Wright [REDACTED]
Sent: 21 October 2021 20:27
To: Gareth Legal <[REDACTED]>
Cc: Tracey Reece [REDACTED]; Lynne George [REDACTED]
Subject: Actions by Cllr. C Cordery at Buckley Town Council Special Meeting held on 20th October 2021

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Regards

Martin Wright
Town Clerk and Financial Officer
Buckley Town Council

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Deellir na fydd unrhyw safbwyntiau, na chynghorion, na chasgliadau nac unrhyw wybodaeth arall yn y neges hon, nad ydynt yn berthnasol i waith swyddogol

Cyngor Sir y Fflint, yn cael eu cynnig na'u cadarnhau ganddo nac ar ei ran, ac felly ni fydd Cyngor Sir y Fflint yn derbyn unrhyw gyfrifoldeb am y rhannau hynny o'r neges.

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Deellir na fydd unrhyw safbwyntiau, na chynghorion, na chasgliadau nac unrhyw wybodaeth arall yn y neges hon, nad ydynt yn berthnasol i waith swyddogol

From: Vivienne Blondek
Sent: Fri, 22 Oct 2021 11:42:07 +0000
To: Gareth Legal
Subject: Re: Buckley Town Council Staff

Dear Gareth

I have just forwarded to you my confirmation to forward my complaint to PSOW but this confirms that I am happy for you to also forward my email to any other body who needs to see it whilst dealing with the complaint.

Kind regards

Cllr Vivienne Blondek

On 22 Oct 2021, at 12:33, Gareth Legal <[REDACTED]> wrote:

Dear Cllr Blondek

Thanks that is helpful. It is also a good email.

Please confirm whether you are happy for me to forward your complaint to the PSOW

Regards

Gareth

From: Vivienne Blondek [REDACTED]
Sent: 22 October 2021 12:28
To: Gareth Legal [REDACTED]
Subject: Fwd: Buckley Town Council Staff

Dear Gareth

FYI

Please see the email I sent to all Buckley Town Councillors last night.

Kind regards
Cllr Vivienne Blondek

----- Forwarded message -----

From: Vivienne Blondek <[REDACTED]>
Date: Thu, 21 Oct 2021 at 20:12

Subject: Buckley Town Council Staff



Dear All

I have spent the last two mornings in the Council offices and what I have experienced is totally unacceptable. I have serious concerns regarding the mental health of Martin, Tracey and Lynne. For some time they have been feeling undervalued so much so that they dread coming into work. No one should ever be made to feel too stressed to go into work. This stress has escalated over recent weeks. Collectively we are responsible for the health and safety of all staff and we have a “duty of care” for all staff employed by Buckley Town Council. We are all bound by both National and our own BTC Code of Conduct. Please can we all consider how our comments and behaviours can sometimes be perceived and adhere to the Code of Conduct we all signed up to.

Kind regards
Cllr Vivienne Blondek
Buckley Town Mayor

Sent from my iPad

--

Vivienne Blondek

We welcome correspondence in Welsh and English and will respond to correspondence in the same language. Use of either language will not lead to a delay

Opinions advice, conclusions and other information in this message that do not relate to the official business of

Flintshire County Council shall be understood as neither given nor endorsed by it or on its behalf, and consequently

Flintshire County Council shall bear no responsibility whatsoever in respect thereof.

From: Vivienne Blondek
Sent: Thu, 21 Oct 2021 22:01:41 +0000
To: [REDACTED]
Subject: Buckley Town Council meeting

Dear Gareth

It is with regret that I find myself having to raise this issue but I am supporting our BTC Clerk with what can only be described as unreasonable behaviour by a Councillor against a particular member of Buckley Town Council staff, in a public domain. I had just opened an emergency meeting of Buckley Town Council and was making my statement when I was rudely interrupted by Councillor Charles Cordery calling for a point of order. He was stating a member of staff had brought the council into disrepute and must apologise. He made allegations of a cover up and creating a smokescreen to protect this member and demanded "he resigns with immediate effect". I had immediately told him he was out of order and he had interrupted my statement which referred to Standing Orders 33(a) and does not allow any discussions regarding any member of staff when public and press are present. He continued to talk over me in a loud and aggressive tone. I told him I had ruled, he was in breach of section 33(a) and must please be quiet. He continued. I informed he that if he continued, I would have to seek to have him removed from the meeting. Cllr Cordery then became quiet and the meeting proceeded.

This is not the first unacceptable outburst from Cllr Cordery. I had recently written to him, as instructed by the members of the Establishment Sub-group Committee, regarding his behaviour. To date, he still has not acknowledged receipt of my letter.

Kind regards
Cllr Vivienne Blondek
Buckley Town Mayor

Sent from my iPad

From: carolyn preece
Sent: Thu, 21 Oct 2021 11:44:13 +0000
To: Gareth Legal
Cc: Martin Wright; Vivienne Blondek
Subject: Complaint regarding a Councillor's Behaviour at Buckley Town Council meetings

21/10/2021

Dear All,

I wish to make a formal complaint regarding Cllr Charles Cordery conduct at last night's special emergency meeting regarding the Firework display.

At the beginning of the meeting,

It was clearly stated by the Mayor that the council members were only to discuss the agenda item and that if they wanted to discuss other matters that the mayor would speak to them after the meeting, also if it related to staff members that standing orders 33a would need to be adhered to.

Cllr Cordery was very rude; he

interrupted the Mayor and would not stop speaking, even when the mayor told him to stop speaking. He told everyone including the residents attending that a staff member was out of order and needed to apologise and needed to hand in their notice tonight, he went on to say that the matter was being swiped under the carpet and it was a cover up and that it had brought the council into disrepute. This was witnessed by the Mayor, full council of councillors, members of the public, staff (the clerk, the clerks two assistants) and our events subcontractor.

I believe that Cllr Cordery has

breached our members Code of Conduct and has breached standing orders 10c (iii) (rules of debate), 12a Disorderly conduct, 25a Conduct and interest, 28a Admission of the public and press to a meeting, 33a. Discussion resolutions and handling matters affecting employees of the council

This is not the first time Cllr

Cordery has behaved confrontational and disrespectful manner, I refer to the confidential Establishment Sub-committee meetings held on 14th September 2021 and at the face to face meeting on 18th

October, where Cllr Cordery was again confrontational, with an aggressive tone and manner and had to be even challenged to wear his face mask to comply with Welsh Government guidelines. He continued to remove his mask from his nose and mouth and had to be asked to put it back, this happened through the meeting.

We have a duty of care to our staff to protect and safeguard them.

I would appreciate it if this matter
can be dealt the monitoring officer and possibly on to the Local government ombudsman.

I am happy to be a witness as part of any investigation that may take place.

Can you please give me some guidance
on what will happen next with this complaint

If you need further information
from me, please let me know.

Regards

Cllr Carolyn Preece

From: carolyn preece
Sent: Fri, 22 Oct 2021 10:25:42 +0000
To: Gareth Legal;Gareth Legal
Cc: 'Emma Preece';'Louis Fox';'Vivienne Blondak'
Subject: Re: Buckley Town Council Meeting 20 October 2021

Hi Gareth

I can confirm that I give my permission for my email to be forwarded to the Ombudsman.

Kind Regards

Carolyn Preece

On Friday, 22 October 2021, 10:55:40 BST, Gareth Legal <[REDACTED]> wrote:

Dear Councillor

I have spoken to Martin privately so that the decision on how to handle this situation is not delayed until his return to work.

He has indicated that he would like to make formal complaint to the Ombudsman. Given his absence from work, and the multiple complaints, I will actually make that referral on his behalf. I will collate the complaints and provide some context for the ombudsman's officers to consider when deciding whether or not to investigate.

I intend to include your email to me as part of that referral. In order to do so I need written confirmation that you are happy for me to send that email to the Ombudsman's office (they will ask me for this). A simple reply to this email expressing your agreement will be sufficient.

If you would like to discuss what the referral process might involve then please see the guidance on the ombudsman's website ([here](#)) or feel free to call me on the number below

I look forward to hearing from you

Regards

Gareth

From: Gareth Legal
Sent: 22 October 2021 09:17
To: Gareth Legal <[REDACTED]>
Subject: Buckley Town Council Meeting 20 October 2021

Dear Councillor

Thank you for your email regarding events at the town council meeting on 20 October. I have received a number of similar complaints including one from the clerk. On their face (and without further investigation at this stage) they do appear to describe actions that amount to a breach of the code, which the ombudsman's office would be likely to investigate if reported.

As the principal injured party I have outlined to Martin a number of options for how this matter might proceed. I will be led by his choice as to whether he would prefer to pursue the town council's local resolution procedure or whether it should be reported to the Ombudsman's office. I would urge you to do the same though it is, of course, your choice whether to do so.

I will let you know when I have heard from him

Regards

Gareth

Gareth Owens

Prif Swyddog Llywodraethu/Chief Officer Governance

[REDACTED]

From: Emma Preece
Sent: Fri, 22 Oct 2021 10:21:45 +0000
To: Gareth Legal
Cc: carolyn preece;Louis Fox;Vivienne Blondak
Subject: Re: Buckley Town Council Meeting 20 October 2021

Hi Gareth,

I give permission for my correspondence to be used in a referral forwarded to the Ombudsman.

Kind Regards,

Emma Preece

On Fri, 22 Oct 2021, 10:55 Gareth Legal, <[REDACTED]> wrote:

Dear Councillor

I have spoken to Martin privately so that the decision on how to handle this situation is not delayed until his return to work.

He has indicated that he would like to make formal complaint to the Ombudsman. Given his absence from work, and the multiple complaints, I will actually make that referral on his behalf. I will collate the complaints and provide some context for the ombudsman's officers to consider when deciding whether or not to investigate.

I intend to include your email to me as part of that referral. In order to do so I need written confirmation that you are happy for me to send that email to the Ombudsman's office (they will ask me for this). A simple reply to this email expressing your agreement will be sufficient.

If you would like to discuss what the referral process might involve then please see the guidance on the ombudsman's website ([here](#)) or feel free to call me on the number below

I look forward to hearing from you

Regards

Gareth

From: Gareth Legal
Sent: 22 October 2021 09:17
To: Gareth Legal <[REDACTED]>
Subject: Buckley Town Council Meeting 20 October 2021

Dear Councillor

Thank you for your email regarding events at the town council meeting on 20 October. I have received a number of similar complaints including one from the clerk. On their face (and without further investigation at this stage) they do appear to describe actions that amount to a breach of the code, which the ombudsman's office would be likely to investigate if reported.

As the principal injured party I have outlined to Martin a number of options for how this matter might proceed. I will be led by his choice as to whether he would prefer to pursue the town council's local resolution procedure or whether it should be reported to the Ombudsman's office. I would urge you to do the same though it is, of course, your choice whether to do so.

I will let you know when I have heard from him

Regards

Gareth

From: Emma Preece
Sent: Thu, 21 Oct 2021 11:17:58 +0000
To: [REDACTED]
Cc: Vivienne Blondek; Martin Wright
Subject: Councillor Behaviour at Buckley Town Council

Hi All,

I write this email to lodge a complaint about the behaviour and statement made by Councillor Charles Cordery at our emergency meeting yesterday evening.

At the beginning of the meeting, the Mayor started the second agenda item with a statement; the purpose of which, in my opinion, was to advise the council not to deviate from the agenda item being discussed and remind councillors of the Standing Orders they may be breaching by bringing other issues up during the course of the meeting. Just for some background information, the meeting was called to discuss our firework display and whether we should make the decision to go ahead. Previously, the Mayor and Chairs of committees had taken the decision to cancel the event due to other events being cancelled locally and the new regulations from the Welsh Government. The public had expressed their feelings about this on Facebook and other social media outlets so we were going to review the decision. In the agenda item, people who made the comments were referred to as "keyboard warriors". The use of this term has been completely blown up out of all proportions by some councillors and members of the public. I have heard the term be used in the chamber numerous times to discuss the same Facebook groups etc and in the same manner it was used in the agenda item. It was clear from the beginning of the statement that the Mayor wanted us to just get on and discuss the matter in hand.

The Mayor hardly spoke a sentence when Councillor Cordery called for a "point of order", when asked to be silent by the Mayor he repeated himself and continued and stated, words to the effect of: there is a cover up to protect some members of staff, they have brought the council into disrepute and I call for the immediate resignation of the member of staff involved. Again, the Mayor tried to silence the member and advised him of the Standing Orders.

His behaviour was completely out of order, we cannot discuss members of staff, their roles or anything else relating to the staff without first excluding the press and public as is stated in our Standing Orders. It was completely out of order to call for the resignation of a member of staff in front of several members of the public. This is not the first time this member has breached the Code of Conduct/Standing Orders and has been advised of his breach by our Establishment Committee.

I would like some guidance as to what will happen next with this complaint.

Kind Regards,

Emma Preece

From: Louis Fox
Sent: Thu, 21 Oct 2021 17:14:23 +0000
To: [REDACTED]
Cc: Vivienne Blondak
Subject: Formal complaint

Hi Gareth,

Following a Special Meeting of Buckley Town Council yesterday evening I wish to make a formal complaint against Councillor Charles Cordery for his abhorrent actions in which he tried to humiliate a member of our staff in demanding they tender their resignation.

Kind Regards,

Cllr Louis Fox

From: Louis Fox
Sent: Thu, 21 Oct 2021 17:20:01 +0000
To: [REDACTED]
Cc: Martin Wright
Subject: Incident statement - Buckley Town Council Special Meeting Wednesday 20th October 2021

Hi Gareth,

I am emailing with regards to an incident that occurred at the Special meeting of the Town Council yesterday evening. The following statement is my recollection of the comments made by Councillor Charles Cordery during this meeting;

As Mayor Cllr Vivienne Blondek attempted to open the meeting Cllr Cordery rudely interjected, Cllr Cordery made a comment during his speech in which he made reference to a male member of staff (of which there is only one, our Clerk Martin Wright), using the word "his" to make this distinction, stating;

"That individual should tender his resignation this evening with immediate effect".

Cllr Cordery went on to insinuate that there is a "cover up" going on for this particular member of staff and that "certain members of the Town Council are actively protecting him".

Please feel free to get in touch with me if necessary - my mobile number is

[REDACTED]

Kind Regards,

Cllr Louis Fox

From: Louis Fox
Sent: Fri, 22 Oct 2021 10:07:41 +0000
To: Gareth Legal
Cc: 'Emma Preece'; 'carolyn preece'; 'Vivienne Blondek'
Subject: Re: Buckley Town Council Meeting 20 October 2021

Hi Gareth,

I give written permission for my email to you to be sent to the Ombudsman's office.

Kind Regards,
Cllr Louis Fox

[Sent from Yahoo Mail for iPhone](#)

On Friday, October 22, 2021, 10:55 am, Gareth Legal <[REDACTED]> wrote:

Dear Councillor

I have spoken to Martin privately so that the decision on how to handle this situation is not delayed until his return to work.

He has indicated that he would like to make formal complaint to the Ombudsman. Given his absence from work, and the multiple complaints, I will actually make that referral on his behalf. I will collate the complaints and provide some context for the ombudsman's officers to consider when deciding whether or not to investigate.

I intend to include your email to me as part of that referral. In order to do so I need written confirmation that you are happy for me to send that email to the Ombudsman's office (they will ask me for this). A simple reply to this email expressing your agreement will be sufficient.

If you would like to discuss what the referral process might involve then please see the guidance on the ombudsman's website (here) or feel free to call me on the number below

I look forward to hearing from you

Regards

Gareth

From: Gareth Legal
Sent: 22 October 2021 09:17
To: Gareth Legal <[REDACTED]>
Subject: Buckley Town Council Meeting 20 October 2021

Dear Councillor

Thank you for your email regarding events at the town council meeting on 20 October. I have received a number of similar complaints including one from the clerk. On their face (and without further investigation at this stage) they do appear to describe actions that amount to a breach of the code, which the ombudsman's office would be likely to investigate if reported.

As the principal injured party I have outlined to Martin a number of options for how this matter might proceed. I will be led by his choice as to whether he would prefer to pursue the town council's local resolution procedure or whether it should be reported to the Ombudsman's office. I would urge you to do the same though it is, of course, your choice whether to do so.

I will let you know when I have heard from him

Regards

Gareth

From: Carol Ellis
Sent: Fri, 22 Oct 2021 08:42:49 +0000
To: Gareth Legal
Cc: Matthew Georgiou
Subject: FW: Buckley ToWn Council

Hello Gareth

I am sending you this email for information. I am sure it has been brought to your attention that the Firework display at Buckley was cancelled and all the back lash that came with the announcement . This was on Facebook and residents were posting how they couldn't understand the cancellation as reading Welsh Government guidance it appeared the event met the guidelines. There then was a notice on Buckley Town Council Website that a special meeting would take place about this and on the Agenda residents who had made comment were referred to as Key Board Warriors, this then fuelled the situation and I received many complaints about the phase as most comments made appeared to be asking questions.

One the day of the meeting Councillors received the enclosed email to which I responded.

There has been a under lying current in the Council for sometime starting some years ago when staff were present when a Establishment Committee was held discuss a second pay increase in the same financial year. The atmosphere has been unpleasant to say the least. I have in the past had advice from yourself and Matt so I thought I should take the time to make you aware of the current unpleasant situation.

Regards

Carol Ellis

Sent with BlackBerry Work
(www.blackberry.com)

From: Carolann.elli [REDACTED]
Date: Friday, 22 Oct 2021, 7:52 am
To: Carol Ellis [REDACTED]
Subject: Fw:

Sent from my Huawei phone

----- Original message -----

From: Carolann.elli [REDACTED]
Date: Wed, 20 Oct 2021, 14:08
To: Tracey Reece [REDACTED]
[REDACTED]
<[REDACTED]>

<[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Subject: Re:

Thank you for your email I note that you mention Members have in the past used the Phase" Keyboard Warriors." It is my understanding that when this word was used Members were in fact referring to Facebook users who were concealing their true identity not Facebook users who are asking questions or expressing a opinion in their own name. Also that Members have directley challenged the person (using a made up identity not a real name) making a comment at the time. I do not believe that the comparison made in this email regarding Members comments in the past is relevant in my opinion o this Agenda.

Regards
Carol Ellis

Sent from my Huawei phone

----- Original message -----

From: Tracey Reece <[REDACTED]>

Date: Wed, 20 Oct 2021, 09:05

To: [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
Subject:

Dear Member

In case the matter of the expression "keyboard warriors" is brought up at the Special Meeting of the Council this evening, I would ask you to take cognisance of the following:-

As to my email to [REDACTED] and his response (copies attached):

1. I genuinely believed that the expression was in common parlance;
2. I have heard Members on numerous occasions using the expression when referring to Facebook and other Social Media platform posts; and
3. I meant no disrespect to anyone.

As Members know I am not a Facebook or other Social Media platform user.

I would remind Members that under Standing Order 33 (a) staffing matters and employment issues may not be discussed in public session and as such matters may only be considered after the Council has resolved to remove the press and public. Moreover, it maybe that a particular matter cannot be discussed in Council and has to be referred to the Establishment Sub-Committee which is responsible for employment issues.

Regards

M B Wright

Town Clerk & Financial Officer

The information you provide (personal information such as name, address, email address, phone number, organisation) will be processed and stored to enable us to contact you and respond to your correspondence, provide information and/or access our facilities and services. Your personal information will be not shared or provided to any other third party without your consent. We will only keep your data for the purpose it was collected for and only for as long as is necessary, after which it will be deleted. (You may request the deletion of your data held by the council at any time). The council privacy notice can be found on our website www.buckleytc.org.uk.

From: Gareth Legal
Sent: Mon, 22 Nov 2021 13:56:21 +0000
To: Leigh McAndrew
Cc: Sinead Cook
Subject: RE: Complaint in respect of Buckley Town Council

Leigh

I had an email from a Cllr Shone complaining about the same issues. He is a JP and was seeking advice on whether he could become involved. He has only just consented to my forwarding it on to you.

The email chain attached contains both his complaint and consent

Regards

Gareth

From: Leigh McAndrew [mailto:[REDACTED]]
Sent: 16 November 2021 11:43
To: Gareth Legal <[REDACTED]>
Cc: Sinead Cook <[REDACTED]>
Subject: RE: Complaint in respect of Buckley Town Council

This email, created by [REDACTED] has been securely delivered using Egress Switch and was decrypted on 16 November 2021 11:43:12+00:00

Dear Mr Owens

Further to Ms Cook's email below, I have spoken to the Clerk and he is happy to act as the complainant. [REDACTED]

I will update you once I have received the necessary declarations.

Yours sincerely



Mr Leigh McAndrew
Swyddog Ymchwilio / Investigation Officer
Ffôn / Tel: [REDACTED]

[REDACTED]

From: Peter Shone
Sent: Mon, 22 Nov 2021 12:22:06 +0000
To: Gareth Legal
Subject: Re: Concern

Hi Gareth,

I have not heard any potential issues that may arise and as such, I am happy for you to forward my letter along with the others you have recieved.

Many thanks for your patience.

Regards

Peter

> On 15 Nov 2021, at 11:00, Peter Shone [REDACTED] > wrote:

>

> Hi Gareth,

>

> I must apologise for not getting back to you regarding the below.

>

> I am a Magistrate, and mindful of potential press coverage and the potential of bring the bench into the spotlight, through a process I am not fully aware of. To his end I requested guidance from My bench. What I thought would be a simple Yes / No has not turned out to be so simple and the guidance I am seeking is taking far longer than I ever envisaged

>

> As soon as I hear anything I will let you know.

>

> Regards

>

> Peter

>

>> On 26 Oct 2021, at 08:56, .

>

>> Legal <[REDACTED]> wrote:

>>

>> Dear Cllr Shone

>>

>> Thank you for your email.

>>

>> A number of people have already contacted me about the incident. There are a number of options for how this might be resolved and I have indicated to the other complainants that I would be led by the clerk as to which option to take forward

>>

>> If the matter is referred to the Ombudsman I would need your consent to pass your complaint on to them. Are you happy for me to send your email to them?

>>

>> Regards

>>

>> Gareth

>> -----Original Message-----

>> From: Peter Shone [REDACTED]

>> Sent: 25 October 2021 21:58

>> To: Gareth Legal <[REDACTED]>
>> Subject: Concern
>>
>> Dear Sir,
>>
>> It is with regret that I write to advise you of what I consider to be unacceptable behaviour exhibited at the recent meeting of the Buckley Town Council.
>>
>> The meet was called as a Special Meeting to discuss the reassessment of a decision regarding the firework display, traditionally held in Buckley, in the light of new information made available to the council.
>>
>> The meeting was Chaired and opened by the current Mayoress of Buckley, who, in her opening statement clearly identified the need to maintain focus in the agenda item and would not allow the meeting to digress into areas concerned with recent social media posts. As I understand, the meeting was observed by members of the community.
>> As I recall, before the Mayor was able to complete her opening remarks, Councillor Cordery raised a point of order which he persisted in pressing forward, even though the Mayor and Chair of the meeting had on several occasions requested Councillor Cordery to stand down, culminating in his demand for the Clerk to resign, suggesting the actions of the Clerk had brought Buckley Town Council into disrepute. All this was being witnessed by the observing members of the public.
>>
>> Through the behaviour I witnessed, I believe the reputation and integrity of Buckley Town Council has been brought into disrepute and further exhibitions of such behaviour should not be tolerated.
>>
>> Yours Faithfully
>>
>> Councillor Peter Shone
>>
>>
>>
>>
>> *****
>> We welcome correspondence in Welsh and English and will respond to correspondence in the same language. Use of either language will not lead to a delay
>> Opinions, advice, conclusions and other information in this
>> message that do not relate to the official business of
>> Flintshire County Council shall be understood as neither
>> given nor endorsed by it or on its behalf, and consequently
>> Flintshire County Council shall bear no responsibility
>> whatsoever in respect thereof.
>> Croesawn ohebiaeth yn y Gymraeg a'r Saesneg a byddwn yn ymateb i ohebiaeth yn yr un iaith. Ni fydd defnyddio'r naill iaith na'r llall yn arwain at oedi.
>> Deallir na fydd unrhyw safbwyntiau, na chynghorion, na
>> chasgliadau nac unrhyw wybodaeth arall yn y neges hon,
>> nad ydynt yn berthnasol i waith swyddogol
>> Cyngor Sir y Fflint, yn cael eu cynnig na'u cadarnhau ganddo
>> nac ar ei ran, ac felly ni fydd Cyngor Sir y Fflint yn derbyn
>> unrhyw gyfrifoldeb am y rhannau hynny o'r neges.
>> *****
>>
>

To whom it may concern,

I would like it known that the incident I reported about Cllr Cordery was not an isolated occurrence. He has been antagonistic since he joined the council; his choice of words in emails and in meetings have certainly rubbed people up the wrong way and the volume of emails sent.

One such string of emails had him referred to the Establishment committee to investigate his actions. He would not explain his actions when asked several times to explain what he meant by his choice of words. I can forward these emails if necessary. From the start, it seemed he did not try to have a good relationship with our Clerk or other staff.

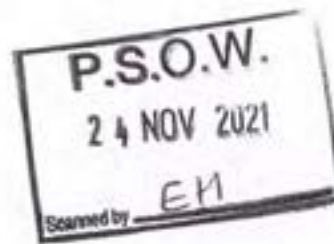
He continued to be antagonistic in face to face small committee meetings that were started again a couple of months ago after the council had taken all precautions for it to be safe to meet. He had to be continually reminded to put his mask back on when he kept taking it off and using the excuse that he had a drink in front of him. One member warned that they would have to leave if this behaviour continued due to having someone at home with a weakened immune system that they were trying to protect.

As previously stated, if needed I can provide the emails I refer to. I was only in attendance at the Establishment Committee as an observer so I am not privy to what they sent to Cllr Cordery about his behaviour.

Kind Regards,

Emma Preece





22nd November 2021

Dear Sirs

Your ref: 202105656

I refer to the attached Declaration Form in respect of the above.

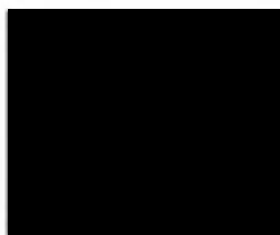
As per my telephone conversation with Mr McAndrew of 19th November 2021, I would advise you that my complaint you have received via Flintshire County Council's Monitoring Officer, as requested by the Monitoring Officer, only refers to what happened at the Special Meeting of Buckley Town Council held on 20th October 2021. The meeting itself was the culmination of actions and documents prepared prior to the meeting and therefore if it is intended to look at the meeting in isolation the full picture of those preceding matters will potentially not be considered.

Some of the preceding matters relate to 2018 and others relate to my initial meeting with Cllr. Cordery upon his election, the requirement to hold a meeting of the Establishment Sub-Committee in respect of email correspondence between Cllr. Cordery and myself, the subsequent letter sent by The Mayor to Cllr. Cordery as a result of that meeting and correspondence between myself and Cllr. Carol Ellis.

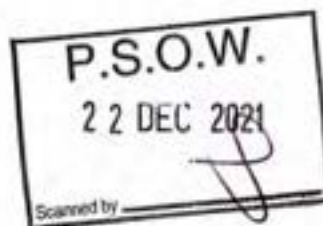
With currently being signed off sick due to "Stress at Work" by my GP, it will be difficult for me to access all the documentation I wish to present to you. I would also advise you that that correspondence, minutes of meetings and draft minutes of meetings are all relevant to my complaint and provide a background to how the situation developed. I will endeavour to provide you with the relevant correspondence etc. as soon as possible.

Yours faithfully

MB Wright, FCPFA, AFA, MAAT.



WD 4762 1715 3GB



19th December 2021

For the Attention of Ms Louise Morland

Dear Ms Morland

Complaint Reference: 202105656

I refer to the above Complaint and to your email to me of 16th December 2021.

I enclose with this letter, the additional information I request you include as part of my Complaint. The additional information is provided to ensure that it is clear, that the events at the Special Meeting of Buckley Town Council held on 20th October 2021 were not an isolated incident.

It is my contention that the problems with Cllr. C Cordery started on 8th July 2021 and continued on until 20th October 2021. I cannot speak with regard to any events after 20th October 2021 as I have been signed off unfit for work, due to work related stress, by my GP since then.

I absolutely believe that the additional information provides a clear and unequivocal case that Cllr. C Cordery has not followed rules, regulations and/or policies of the Town Council during his tenure as an elected Member of Buckley Town Council from 13th May 2021. This is despite Cllr. C Cordery being advised, on numerous occasions, regarding his conduct.

I therefore request that the information enclosed with this letter is accepted as an integral part of my Complaint.

Yours sincerely

M B Wright, FCPFA, AFA, MAAT

**ADDITIONAL INFORMATION IN RESPECT OF MY COMPLAINT TO THE
PUBLIC SERVICES OMBUDSMAN AGAINST
COUNCILLOR CHARLES CORDERY**

PREAMBLE

1. This additional information is provided as, I believe, the genesis of Cllr. Cordery's 'demand' at the Special Meeting of the Council held on 20th October 2021 occurred within weeks of his signing of his Declaration of Acceptance of Office on 13th May 2021.
2. There was a quantity of correspondence between Cllr. Cordery and me during July 2021 which culminated in an Establishment Sub-Committee Meeting on 14th September 2021. Please note the Council's Establishment Sub-Committee deals with staffing matters and its meetings are confidential. It also has delegated powers to act.
3. Consideration of timescales in relation to this matter should include the fact that the Covid Pandemic is still on-going and the Council is in recess during August and part of September each year.
4. This additional information is broken down into two distinct modules –
 - a) Cllr. Cordery's actions from 13th May 2021 until his 'demand' at the Special Meeting of the Council on 20th October 2021 together with ancillary information.
 - b) Additional information in respect of the build up to and holding of the Special Meeting held on 20th October 2021.
5. Buckley Town Council has a Membership of 20 Councillors, it has a Staff of 3 Part Time Employees, The Town Clerk & Financial Officer (30 hrs. per week) and 2 Personal Assistants (27.5 hrs. per week). Each Member of Staff has worked for the Council for in excess of 17 years. Two of the staff are over 70 years old. It has an Annual Budget in excess of £400,000 in 2021/22 and in its most recent 'Summarised Report into the Council's contribution to the Well-Being of Future Generations Act (Wales) 2015 it lists 27 direct and indirect services it provides for the benefit of the residents of Buckley. Please note that the 2021/22 Approved Budget and the above Approved Summarised Report can be found on the Councils Website. The Council also employs, as a contractor, a Town Events Organiser and Town Centre Support Provider.

**COUNCILLOR CHARLES CORDERY'S ACTIONS FROM 13th MAY 2021 TO THE
SPECIAL MEETING OF THE COUNCIL HELD ON 20th OCTOBER 2021.**

1. Councillor Charles Cordery was elected to the Council at a by-election in May 2021, he attended the Clerk's Office on 13th May 2021 to sign his Declaration of Acceptance of Office (please see Appendix A for a copy of the signed Declaration). At the same time Cllr. Cordery was provided with a copy of the following documents:-
 - a) The Council's Standing Orders with Addendums 1 to 4 included
 - b) The Council's Financial Regulations
 - c) The Council's Members Code of Conduct
 - d) The Welsh Government's Good Councillors Guide
 - e) The PSOW's notes on the Code of Conduct.

Please note that items a) to c) are available on the Council's Website. However copies of the Standing Orders and Members Code of Conduct are attached to this report to assist in the matter. In addition, reference is made to Addendum 3 to the Standing Orders, the Council's Risk Assessment Document. On pages 10 and 11 of the Risk Assessment Document the Covid Pandemic is dealt with. On page 11 the final element deals with the Controls to Manage Risk – Mental Health. This element states "Members to ensure that there is a positive attitude to the maintenance of the mental health of the staff and to ensure that no action taken by them, either individually or as a group could be construed as adversely affecting the mental health and well-being of any Member of Staff or the Staff as a whole, particularly where the staff are working in unfamiliar or stressful situations." I contend that both Cllr. Cordery and the Council ignored this element of the Risk Assessment Document at the Special Meeting of the Town Council held on 20th October 2021.

The advice given to Cllr. Cordery when he signed his Declaration of Acceptance of Office was, in general terms, in relation to the functioning of the Council and the rules it has to abide by, he was advised the best way to understand the processes was to read the documents and take time to understand the Meetings and protocols by attending the Meetings. Cllr. Cordery was also advised that I (The Clerk) was always available to provide guidance and advice if he required any. I have provided this service to all Members throughout my tenure as Town Clerk & Financial Officer of the Town Council. At no time has Cllr. Cordery contacted me for advice or guidance, save for the email correspondence listed under element 2 below.

2. On 8th July 2021, I (for the remainder of this report I will refer to me and not as The Town Clerk) forwarded an email to all the Members of the Council in relation to two events which were due to take place on the second Tuesday of July. The Jubilee Procession of Witness and the 'Jubilee' Fair. By way of explanation, the Jubilee in Buckley has been in existence for over 150 years and is a week-long religious festival which, as its highlight, features a mass gathering of all the churches in Buckley, on the second Tuesday of July, for prayers and hymns on Higher Common in Buckley, which is followed by a Procession of Witness through the Town by all the churches attending. The Procession includes banners and floats. Traditionally the Fairground comes to Higher Common for the Procession day, but is not connected to the Jubilee itself. The Jubilee is organised by The Jubilee Committee (which is made up of the various churches in the town, no representative of Buckley Town Council sits on the Committee) and the Fairground is allowed on Higher Common under licence by Flintshire County Council. The Town Council has no responsibility for either event but assists if requested by, for example, arranging for bunting to be put up and taken down in the Town Centre and to assist in any Risk Assessment queries.

The email I forwarded to all Members advised them that the Jubilee Procession of Witness would not be taking place in 2021 due to the Covid Pandemic and the Fairground would not be attending. The email included information from both the Jubilee Committee

and Flintshire County Council. The Jubilee Committee had made the decision in respect of the Procession of Witness and Flintshire County Council had not received the necessary paperwork from the Fairground Operator in order for the Fairground to be permitted to attend. Upon receiving the email, Cllr. Cordery replied to me via email on 8th July 2021. He stated in his email certain remarks that I list – a) His first paragraph states “Thank you for your message concerning the unfortunate demise of the Buckley Jubilee Festivities notably the fun fair.” b) In his third paragraph he states “It has become apparent that some [of] the residents of the town feel disenfranchised by the inability of those who have responsibility for the organisation of these events to palpably do so”. In his final paragraph he states “As an elected representative I ask why the people of this town are being left behind to the detriment of others through what appears to be inertia and lack of organisation towards these events”. Cllr. Cordery copied all Town Council Members into his email. I replied on 9th July 2021 and asked Cllr. Cordery to identify the organisations or individuals he was accusing in respect of the content of his third and final paragraphs. I concluded my email by stating “I would request your urgent response to this email in order that I can then fully address the contents of your email of 8th July 2021.” I copied all Members into my response and throughout the remaining email correspondence; all Members were copied in to ensure that they were kept fully informed.

As Cllr. Cordery had not replied by 14th July 2021, I forwarded an email to him providing a comprehensive response to his email of 8th July 2021. I copied my email of 14th July 2021 to the Access and Natural Environment Manager, Flintshire County Council, who is responsible for Higher Common and received an email back on the same day stating “Thanks for copying me in Martin. I fully support your response.”

There then followed a series of emails between Cllr. Cordery and myself which moved off the subject matter and covered areas of, the authority of the Clerk to set Agendas and other procedural matters which culminated in Cllr. Cordery accepting my invitation to place the matter before a meeting of the Council’s Establishment Sub-Committee. Cllr. Cordery replied that “I look forward to an invitation being extended to myself from the Committee so that [I] may take part in any debate.” Cllr. Cordery had, during the correspondence accused me of using words and tones which had been unnecessarily confrontational and disrespectful. Also please note that at no time during this period, despite reminders, had Cllr. Cordery furnished me with the names of the organisations or individuals he had made the accusations against in his email of 8th July 2021.

The Establishment Sub-Committee Meeting was held via Zoom Conferencing on 14th September 2021; the Agenda is enclosed as Appendix B and includes all the correspondence between Cllr. Cordery, me and others. Please note that the Establishment Sub-Committee is made up of 8 appointed Members.

When the Meeting commenced, I asked Cllr. Cordery would he furnish the Meeting with the names of the organisations and/or individuals which he had been accusing in his email of 8th July 2021. Cllr. Cordery’s reply was that once again he was receiving

‘confrontational and disrespectful behaviour’. The Mayor then asked Cllr. Cordery to identify the organisations and/or individuals he had accused in his email of 8th July 2021, Cllr. Cordery’s response was “I may or I may not, time will tell” The Mayor stated that the questions were being asked because outside organisations/individuals may wish to respond to Cllr. Cordery’s assertions. The discussion then centred on the Agenda’s wording for this item which was “...to invite [Cllr. Cordery] to explain his correspondence and to decide whether or not the Clerk acted in a confrontational and disrespectful manner during the correspondence.” Cllr. Cordery reiterated his stance that he had only asked reasonable questions. Cllr. Cordery was then asked to leave the Meeting (it should be noted at this point that Cllr. Cordery is not a Member of the Establishment Sub-Committee and had attended at his own request, under invitation, for that particular Agenda item only) the matter was then discussed by the Members of the Sub-Committee. It was decided that I, in the Sub-Committee’s view, had not acted in a confrontational or disrespectful manner; however the Meeting felt that Cllr. Cordery had (during the correspondence and at the Meeting) acted in a manner which could be construed as breaching the Members Code of Conduct and the matter should be referred to the Monitoring Officer or potentially the Public Services Ombudsman. A number of the Members felt that Cllr. Cordery was referring to both the Council and its staff in his comments made in his email of 8th July 2021. I, as the Clerk, requested to speak and upon being granted permission, suggested to the Meeting that as Cllr. Cordery was a new Member and somewhat inexperienced, it may be more advisable for the Mayor to forward a letter to Cllr. Cordery explaining the Meeting’s view and advising him of his expected future behaviour. The suggestion was accepted and upon being proposed and voted upon, it was approved. Following the Meeting the Mayor forwarded a letter to Cllr. Cordery on 23rd September 2021. The final paragraph of the Mayor’s letter stated “I look forward to your acknowledgement of receipt of this letter.” To my knowledge no receipt has been received from Cllr. Cordery. Appendix C provides the Minutes of the Meeting and Appendix D provides a copy of the Mayor’s letter to Cllr. Cordery. Please note that a Draft of the Mayor’s letter was provided to all the Members of the Establishment Sub-Committee prior to it being forwarded to Cllr. Cordery and after a minor amendment the final version was forwarded to all Members of the Sub-Committee on the day it was forwarded to Cllr. Cordery. Appendix E provides the email correspondence. Of the 9 Members attending the entire Meeting (2 of the Members were observers and therefore took no part in the Meeting itself nor were they allowed to vote), only Cllr. D Ellis declined to agree with the Establishment Sub-Committee’s findings and the decision to send Cllr. Cordery a letter from the Mayor. Cllr. D Ellis supported Cllr. Cordery’s stance.

On 18th October 2021, another Meeting was held of the Establishment Sub-Committee, this time in the Council Chamber, to discuss the potential for formally introducing an appraisal review of the Staff, in the past any appraisals had been informal and ad-hoc. Discussions on the matter had been on-going for over a year. The matter had originally been on the Agenda for the Meeting of the Establishment Sub-Committee for its Meeting held on 14th September 2021, however, time pressures had meant that it was deferred to

this Meeting. Cllr. D. Ellis stated he would not be attending and nominated Cllr. Cordery to deputise for him. At the Meeting an additional Member attended as an observer.

At the Meeting Cllr. Cordery initially refused to wear a mask (the Meeting was held in the Council Chamber as only 7 Members plus two members of staff were present (including Cllr. Cordery), with social distancing being observed and a notice clearly displayed that masks were mandatory). At the commencement of the Meeting, Cllr. Cordery was not wearing a mask, when challenged about his not wearing his mask he advised that legislation allowed for people who were drinking in an indoor establishment to not have to wear masks. Cllr. Cordery held up a bottle of water and said he was drinking and therefore did not have to wear a mask. The Mayor advised Cllr. Cordery that the legislation he was referring to covered drinking establishments or restaurants/cafes and did not cover Council Meetings. Cllr. C Preece formally objected to Cllr. Cordery's behaviour advising that her husband was sick and in order not to potentially take any viruses back home from the Meeting the instructions with regard to masks should be strictly adhered to. Cllr. Preece further stated that unless Cllr. Cordery wore a mask she would withdraw from the Meeting. The Mayor instructed Cllr. Cordery to wear a mask, however throughout the time he was at the Meeting Cllr. Cordery repeatedly pushed his mask down below his chin and was advised, on numerous occasions, by both the Mayor and Cllr. Preece to put his mask over his mouth and nose.

As a footnote to this matter, an incident occurred after the Establishment Sub-Committee Meeting of 14th September 2021 and refers to the following - The Council in the summer of 2021, using a grant from the Welsh Government, Digital Democracy Fund, purchased 10 laptops for those Members who had indicated they wanted one. When the laptops were properly configured, those Members, who had requested one, were contacted to come to the office to receive their laptop, setup instructions and a copy of the Council's Policy in relation to the custody and usage of the laptops. All the other Members apart from Cllr. Cordery arrived at the office to collect their laptops at the individual times agreed (please note that the offices were still in partial lockdown), Cllr. Cordery had agreed a time of 11.30 am (I believe) on a particular day. When he eventually arrived at some time past 1.00pm, I was locking the office up. When I advised Cllr. Cordery he was considerably late, his reply was to the effect that it didn't matter, and he would arrive when he felt like it.

3. Ancillary Information with regard to the above.

Prior to the Special Council Meeting held on 20th October 2021 to discuss the potential for holding the Annual Firework Display, on the Monday before (18th October) I was contacted by Flintshire County Council's Monitoring Officer via email. The email stated "Hi Martin I hope you are well. I met with Cllr. Cordery today and he shared with me the correspondence between you over the summer, and the letter sent by the Mayor to him as a result. The [C]ouncillor and [I] agreed that it would be helpful if I could speak to you about how to de-escalate the conflict that appears to have arisen. Perhaps we could arrange a telephone call for later in the week" Please see Appendix F for a copy of the Monitoring Officer's email.

The Monitoring Officer rang me on Thursday 21st October and started to talk about his meeting with Cllr. Cordery. I interrupted him and asked if he was aware of the previous night's Meeting. He wasn't so I gave him the details. He replied that that put a different complexion on things as he had received an assurance from Cllr. Cordery that he would temper his behaviour in future Meetings. I can confirm that I felt no animosity to Cllr. Cordery and did not believe a conflict existed between us. The letter to Cllr Cordery from the Mayor of 23rd September 2021 was the result of the decision of the Establishment Sub-Committee and I had suggested to the Sub-Committee to take a more lenient approach than most of its Members were calling for in respect of Cllr. Cordery. Once I had explained what had occurred the previous evening, the Monitoring Officer suggested I write to him seeking his advice on the most appropriate course of action. I duly wrote to the Monitoring Officer seeking his advice on 21st October 2021, please see Appendix G. The Monitoring Officer replied on 22nd October 2021 and offered three potential solutions:-

- a) To ask him to mediate informally with the Councillor. The Monitoring Officer's view on this was that "...given your feelings when we spoke and the impact of the events upon you, I appreciate this might not be adequate to resolve the issue".
- b) To use Buckley TC's Local Resolution Procedure. The Monitoring Officer's view on this option was "...to undertake this you would need to have confidence that any resolution would have a lasting impact in preventing a recurrence of the behaviour, but this would be the quickest route and would be focussed on trying to repair the relationship between yourself and Cllr. Cordery; or..." Please note that in my eyes the seriousness of the actions of Cllr. Cordery gave me little faith any resolution under the Local Resolution Procedure would survive for any length of time. My belief took into account Cllr. Cordery's behaviour at previous Meetings.
- c) To complain to the PSOW. The Monitoring Officer's advice on this option was "Cllr Cordery's actions appear to be in breach of his obligation under the code to treat you with respect and they (I presume the Monitoring Officer is referring to the Council) failed to respect your right as an employee to have matters pertaining to your service discussed in private. Any such complaint would be subject to the 2 stage test of evidence (which is certainly available) and public interest. On the latter point Cllr. Cordery will be afforded a measure of leeway to exercise his role (to hold officers to account). The PSOW's guidance for town councillors below does however suggest that his office would investigate the complaint. This may take some months to reach a resolution during which time you will need to continue to work with Cllr. Cordery." My response to that is that, as the Town Clerk & Financial Officer, I have always worked with all Members, as my 17+ years in the post has demonstrated. Please see Appendix H for the Monitoring Officer's response

Following the above, I chose to make a formal complaint to the PSOW and this document provides ancillary information in respect of that decision. My complaint to the PSOW, I believe, was forwarded to you by the Monitoring Officer and was on the basis of my email to him of 21st October 2021 (see Appendix G). The events of 20th October 2021 have had a profound effect on my mental health and I have been signed off by my GP from 22nd October 2021 for what is described as "Stress at Work", with my current Doctor's note running until

3rd January 2022 when my GP will review the situation. Please note that copies of my Doctor's Notes are available if required. I would also add that as no Member of the Council spoke up to challenge Cllr. Cordery's demand for me to resign with immediate effect, while giving no specific reason to clarify his claim of a cover up and a smoke screen, nor to amplify why he was calling for my resignation with immediate effect; I believe that I am justified in assuming that Cllr. Cordery was speaking on behalf of the Council. I would contend that the Monitoring Officer supports that view in his response to me as demonstrated in Appendix H. I also confirm that my solicitor agrees with the Monitoring Officer.

ADDITIONAL INFORMATION IN RESPECT OF THE BUILD UP TO AND HOLDING OF THE SPECIAL MEETING HELD ON 20th OCTOBER 2021.

1. As no reasons were given by Cllr Cordery for his claims that a cover up and smoke screen were in operation to protect the Council's Staff and that the Council was being brought into disrepute because of it and that he had called for my resignation with immediate effect, I can only presume that Cllr. Cordery made those comments because I used the words "keyboard warriors" in the Agenda for the Special Council Meeting (which was held via Zoom Conferencing) on 20th October 2021. I believe the information below entirely refutes Cllr. Cordery's actions on 20th October 2021.
2. The build up to the Special Meeting of the Council on 20th October 2021 is mainly covered in my email to Flintshire County Council's Monitoring Officer of 21st October 2021 (see Appendix G). Please note, The Welsh Government did supply a response to my email of 6th October 2021 (see Appendix G) and it was forwarded to Members prior to the Special Meeting (it arrived after the Agenda had been sent out). The response was somewhat confusing and suggested that it could be imagined that the Firework display could take place. When the Agenda for the Special meeting of the Council was put on the Council's Website, a number of Facebook contributors on one of the Forums run in Buckley took exception to the words "keyboard warriors" in the Agenda. (I believe that the annoyance may possibly have been stoked by particular Members). I would request that cognisance is taken of the fact that although I had used those words, I confirmed in the Agenda item that those people had highlighted that the New Regulations allowed for exemptions in relation to the Firework Display. Please see Appendix I for a copy of the Agenda for the Special Meeting. I state here that I am 74 years old, have never been a social media user and genuinely did not intend any offence whatsoever in using the term 'keyboard warriors', as I believed the expression was used in common parlance; I will deal with this issue later in this submission.
3. I was advised by my eldest Son's partner that on one of the Facebook Forums, the postings got so potentially abusive that the Administrator posted "...As we don't want it to turn into a witch hunt, as we aren't 'keyboard warriors' we are going to close comments. If you so wish, you could voice your comments to BTC Thanks". Following that post I received only one or two comments to the Town Council itself, I replied to those comments. Please see Appendix J for a copy of the post.
4. I used the expression "keyboard warriors" as it has been used in the past in Council Agendas, not prepared by me and I have heard Members use it during Council and

Committee Meetings as well as meetings between Members, on no occasion was any complaint made by anyone about its usage. I enclose, for your information, as Appendix K a copy of a Report from the then Town Centre Manager made to the General Purposes Committee at its meeting held on 25th September 2018 and the subsequently Approved Minutes. Under Agenda item 4, I have highlighted the use of the expression. No complaints were made at the time from either Members of the Council or the public.

5. On 15th October 2021, I received an email from Cllr. R B Jones, complaining about the use of the words in the Agenda, he quoted one description of the words. Cllr. Jones concluded by stating "This is, in my view, is a completely unnecessary comment and not the language expected of our council." This was the only complaint I received from a Member of the Council, prior to the Special Meeting. Please bear in mind that Cllr. Jones has not, to my knowledge, ever complained when the expression has been used in Council/Committee Meetings or other meetings before.
6. In order to try and explain and clarify the situation with regard to the expression, I emailed all Members at 9.05am on 20th October 2021 addressing the matter of the expression "keyboard warriors" I stated that - "1. I genuinely believed that the expression was in common parlance; 2. I [had] heard Members on numerous occasions using the expression when referring to Facebook and other Social Media platform posts; and 3. I meant no disrespect to anyone." I then stated "As Members know I am not a Facebook or other Social Media platform user." I concluded by stating "I would remind Members that under Standing Order 33(a) staffing matters and employment issues may not be discussed in public session and as such matters may only be considered after the Council has resolved to remove the press and public. Moreover, it maybe that a particular matter cannot be discussed in Council and has to be referred to the Establishment Sub-Committee which is responsible for employment issues." Please see Appendix L. I therefore advised all Members, prior to the Meeting, that if the matter of the expression was to be discussed, Standing Order 33(a) must be observed. Cllr Cordery appears to have completely ignored the content of my email.
7. I received a response to my email at 14.09 on 20th October 2021 from Cllr C A Ellis, which stated "Thank you for your email I note that you mention Members have in the past used the Ph[r]ase "Keyboard Warriors". It is my understanding that when this word was used, Members were in fact referring to Facebook users who were concealing their true identity not Facebook users who are asking questions or expressing a[n] opinion in their own name. Also that Members have directly challenged the person (using a made up identity not a real name) making a comment at the time. I do not believe that the comparison made in this email regarding Members comments in the past is relevant in my opinion o[f] this Agenda" (see Appendix M). Please note that Cllr C A Ellis' email confirms that the expression has been used by Members. I responded the following day and stated "Thank you for your email dated 20th October 2021 at 14.09, I note the content. I am afraid I must disagree with the content and assertions made." Please see Appendix N for my reply. I replied, as I did, as I have heard numerous Members using the expression in Meetings and in particular Cllr. D Ellis (Cllr. C A Ellis' husband) has named individuals while using the expression. Also, how could "...Members have directly challenged the person (using a made up identity not a real name)" when the very

point is that the posting was anonymous. I was also advised by my solicitor that it is the fact that the expression has been used by Members which is relevant.

8. Again, I was advised by the same individual as above (please see Note 3 on page 7) that in one of the postings on Facebook, one contributor stated that they would be contacting Cllrs. D and C A Ellis to demand an apology for the use of the expression; he later stated he had had confirmation from the two Members that they would do so. I received no demand for an apology from Cllrs. C A and D Ellis, nor was a demand made at the Special Meeting held on 20th October 2021.
9. When Cllr. Cordery made his interjection at the Special Meeting of the Council on 20th October 2021, he made no reference to what he was referring to when alleging a Council cover up and smoke screen, nor did he explain why I should resign with immediate effect.
10. Please be informed that a number of members of the public were present at the meeting.
11. With regard to the approved resolution of the Special Meeting of the Council on 20th October 2021, the final element of the resolution i.e. "That Members disassociated themselves from the wording in the Agenda, as they had had no prior knowledge of the wording being used" was specifically put forward by Cllr. R B Jones. Please see Appendix O.
12. An interesting postscript to this matter is that on 21st October 2021, I received a phone call from Cllr. R B Jones (see Notes 5 on page 7 and Note 11 above) who advised me to forget the previous night's Meeting as it was all a "Storm in a Teacup" and would be forgotten very quickly. My response to Cllr Jones was that I regarded it as a very large storm in a very large teacup. I thought his comments were insensitive and insulting. Especially as this Member had recommended the final element of the resolution recorded in the Draft Minutes of the Special Meeting of the Council the night before. Additionally, this Member had, when the Finance & Economic Development Committee was discussing providing equipment for the three Staff Members to work from home during the second lockdown, stated that "He would rather give the money to charity than provide equipment to the staff". Please note the Staff had, whilst working from home, used their own equipment during the first lockdown in order to maintain the administration of the Council.
13. I absolutely and utterly refute any suggestion that I used the expression "keyboard warriors" in any derogatory sense whatsoever and merely used it to describe Facebook contributors. In order to clarify that was the case; the Mayor forwarded an email to all Members on 21st October 2021 providing the wording of a Statement she was going to post on the Website (see Appendix P (a)). The Statement on the matter was posted on the Council's Website on 22nd October 2021, please see Appendix P. Please note the statement was prepared with external legal assistance.

SUMMARY

1. At the Special Council Meeting held on 20th October 2021, members of the public were present.
2. Cllr. C Cordery give no clarification or explanation as to the reasons behind his accusation that 'there was a cover going on in the Council in an attempt to protect members of the

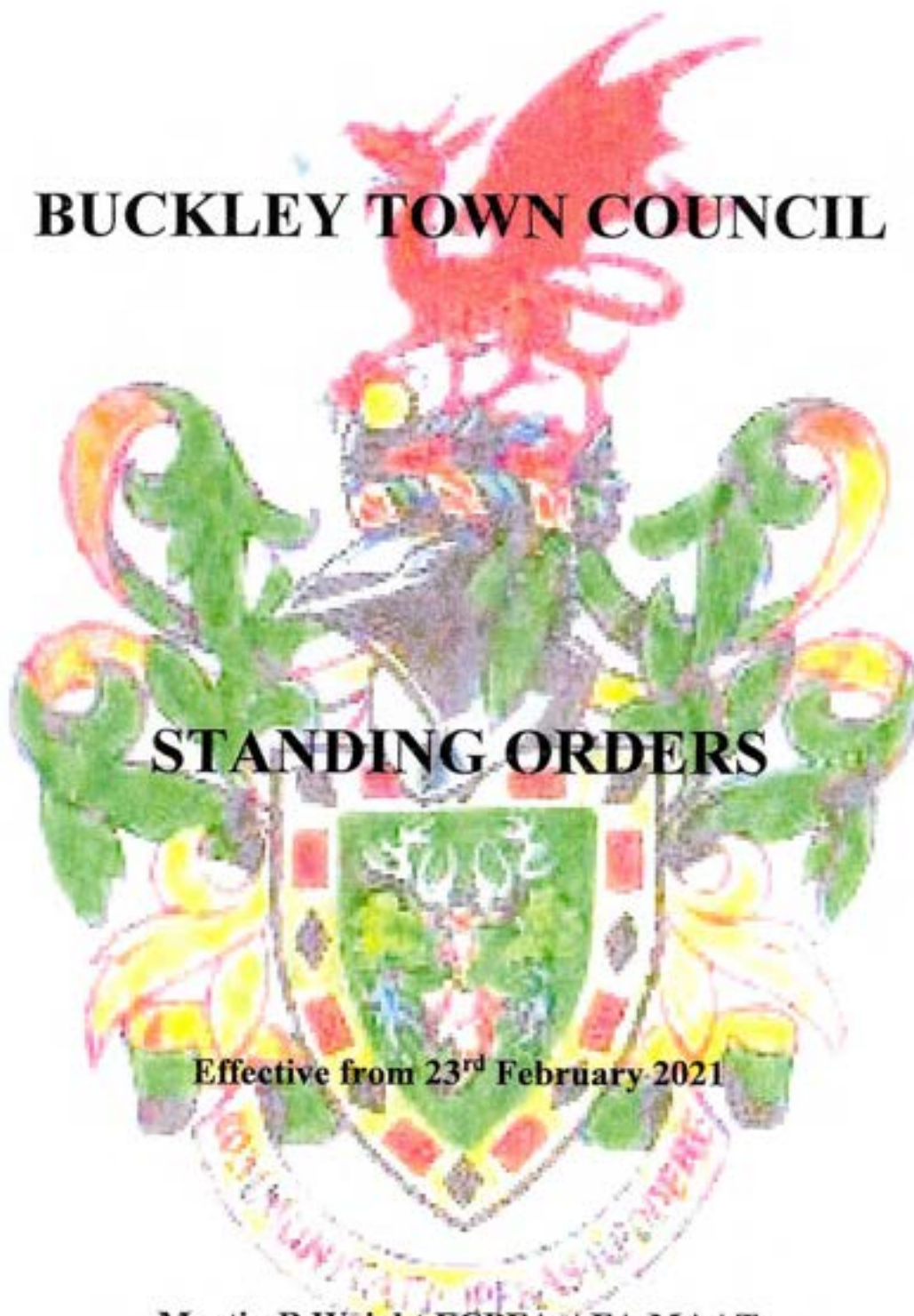
Council Staff by brushing things under the carpet and creating a smoke screen thereby bringing the Council into disrepute' and that 'that individual I will say now should offer his resignation with immediate effect'. However as there were members of the public present at the Meeting he ran roughshod over my rights under the Council's Standing Orders, The Council's Risk Assessment Document and (I contend) breached the Members Code of Conduct. I, therefore, provide details of why I contend that Cllr. C. Cordery and others ignored the requirements of various Policies and Documents in the actions he took. Those Policies/Documents are:-

- a) The Mayor's letter to him of 23rd September 2021 (Appendix D). Please note I do not believe that Cllr. C. Cordery has yet acknowledged receipt of the letter as requested by the Mayor
 - b) My email to all Members on 20th October 2021 at 09.05, particularly with reference to the requirements of Standing Order 33(a) (Appendix L).
 - c) The requirements for all Members to abide by Standing Orders, in particular 33(a) and Page 11 of Addendum 3, under the sub-heading Mental Health.
 - d) The Monitoring Officer's advice given to Cllr. C. Cordery at their meeting held on 18th October 2021 (Appendix F).
 - e) The Town Mayor's valiant but failed attempts to get Cllr. C. Cordery to follow the requirements of Standing Orders and the Members Code of Conduct at the commencement of the Special Council Meeting held on 20th October 2021.
 - f) The failure of Cllr. Cordery and others to abide by the Member's Code of Conduct.
3. I contend that the Council has ignored my rights under my Contract of Employment, in particular Point 22. Please see a copy of my Contract of Employment attached as Appendix Q. Please note that the signatures on the Contract are approx. 3 years after my appointment. This is because my Contract was altered in 2007 to remove the retirement age of 65.
 4. I contend that my rights under the Members Code of Conduct have been ignored by Cllr. Cordery and that Cllr. Cordery breached, at least, the following requirements of the Code in respect of my position as Town Clerk & Financial Officer:- PART 2 – GENERAL PROVISIONS – 4(b), 4(c) and 4(d) and 6(1)(a) & (d).
 5. I contend that those Members who attended the Special Meeting of the Council held on 20th October 2021 who 'sat on their hands' both at the Meeting and afterwards (I, of course, exclude those Members who may have lodged a complaint with the Monitoring Officer and/or the PSOW), are guilty of breaching The Town Council's Members Code of Conduct, PART 2 – GENERAL PROVISIONS – 6(1)(c) which states "You must, report to your Authority's Monitoring Officer any conduct by another Member which you reasonably believe breaches this Code of Conduct." I refer you specifically to my email of 20th October 2021 at 9.05, the email was sent to all Members. See Appendix L. I would contend that Cllr. Cordery's actions at the above Meeting breached the Member's Code of Conduct as detailed in **SUMMARY**, Note 4 above and those Members present at the meeting should have known of the breaches and therefore their duty under 6(1)(c) above.
 6. I contend that the Council's duties towards me under the Standing Orders have been ignored particularly with regard to 33(a) and Addendum 3, the Council's Risk Assessment Document page 11, under the sub-heading 'Mental Health'.

7. I contend that the Council has failed in its statutory duty to treat me with respect and to operate as a reasonable and considerate employer under its legal obligations. I refer you to the Monitoring Officer's email of 22nd October 2021 (see Appendix H) where he states under point 3 "...Cllr. Cordery's actions appear to be in breach of his obligation under the code to treat you with respect and **THEY** (my parenthesis) failed to respect your right as an employee to have matters pertaining to your service discussed in private."

Finally, I would advise you that I am a Fellow of The Chartered Institute of Public Finance & Accountancy, a Member of the Institute of Financial Accountants and a Member of the Association of Accounting Technicians. Throughout my career I have been a Factory Accountant for a large metals organisation, The Head of Internal Audit for both a District and County Council, the General Manager of a Local Authority Purchasing Organisation and the Town Clerk and Financial Officer of Buckley Town Council. I have never, throughout my career, experienced or been subjected to, what happened at the Special Council Meeting held on 20th October 2021.

BUCKLEY TOWN COUNCIL



STANDING ORDERS

Effective from 23rd February 2021

**Martin B Wright FCPFA AFA MAAT
Town Clerk and Financial Officer**

**BUCKLEY TOWN COUNCIL
STANDING ORDERS
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Any reference in these Standing Orders to individuals, uses the masculine term, however the words are intended and designed to be used as a generic term.

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BUCKLEY TOWN COUNCIL STANDING ORDERS

1. MEETINGS

- (a) A Summons to attend a Meeting of the Council and its Standing Committees (including Sub-Committees and the Police Liaison Committee), specifying the business to be transacted, signed by the Clerk, must be left at or sent by post to the usual place of residence of every Member of the Council three clear days at least before the meeting. When statutorily allowed the summons may be forwarded via email. The period of three days is exclusive of the day on which the notices are given and the day on which the meeting is held. The minimum three clear days for notice of a meeting does not include a Sunday, a day of the Christmas break, a Bank Holiday or a day appointed for public thanksgiving or mourning. Want of service of the summons on any Member does not affect the validity of the meeting.
- (b) The Agenda for the meeting must specify the business which it is proposed to transact in such a way that the Member that receives it can identify the matters which he will be expected to discuss. The Agendas for Council and Standing Committee Meetings are normally discussed with the Mayor and Chairs of the Standing Committees at a Meeting held on the Tuesday prior to the Council and Standing Committee Meetings. If any dispute arises as to the items to be included in the Agendas, the final decision rests with the Clerk (Local Councils Explained, Model Standing Order 9e-f, pages 187 to 188). This Standing Order also applies to Special Meetings and/or Meetings called by Members.
- (c) No decision can lawfully be taken by the Council or its Committees on any business of which notice has not been given. In particular no decision can lawfully be taken on any matter not specified in the summons.
- (d) Meetings of the Council and its Standing Committees shall be held at the Council Chamber, Buckley at 7 o'clock in the evening unless the Council otherwise decides at a previous meeting.
- (e) The meetings of the Council and its Standing Committees shall end at or before 9.30pm unless a motion is moved and it is resolved to suspend Standing Orders in accordance with Standing Order 8(a)(xviii). The resolution to suspend Standing Orders should only be made for specific urgent reasons when Agenda item(s) not yet discussed cannot be deferred. If it is resolved to suspend Standing Orders, the specific Agenda item(s) to be heard must be highlighted as part of the resolution.
- (f) *The Statutory Annual Meeting of the Council shall be held:-*
 - (i) *In an election year, on the Tuesday next following the fourth day after the ordinary day of the elections to the Council or*
 - (ii) *In a year which is not an election year, on the second Tuesday of May.*
- (g) Additional meetings shall be held on the fourth Tuesday in each month of the year with the exception of December when the meeting shall be on the third Tuesday and August when there shall be no meetings.

2. CHAIR OF MEETING

- (a) *The person presiding at a Meeting may exercise all the powers and duties of the Chair in relation to the conduct of the Meeting.*

3. PROPER OFFICER

- (a) Where a statute, regulation or order confers functions or duties on the proper officer of the Council in the following cases, he shall be the Clerk:-
- (i) To receive declarations of acceptance of office.
 - (ii) To receive and record notices disclosing pecuniary interests.
 - (iii) To receive and retain plans and documents.
 - (iv) To sign notices or other documents on behalf of the Council.
 - (v) To receive copies of byelaws made by another authority.
 - (vi) To certify copies of byelaws made by the Council.
 - (vii) To sign summonses to attend Meetings of the Council.
- (b) In any other case the proper officer shall be the person nominated by the Council and, in default of nomination, the Clerk.

4. QUORUM

- (a) *Seven Members shall constitute a quorum.*
- (b) If a quorum is not present when the Council meets or if during a Meeting the number of Members present falls below the quorum, the business not transacted at that Meeting shall be transacted at the next Meeting or on such other day as the Chair may fix.

5. VOTING

- (a) Members shall vote by show of hands, or, if at least two Members so request and the request on being voted upon is carried, by a secret ballot:-
- (i) On the requisition of any Member, made before the vote is taken, and supported by a majority of the Members present, who signify their support by a show of hands, the Clerk shall record the names of the Members who voted on any question so as to show whether they voted for or against that question or abstained from voting.
 - (ii) A request by an individual Member to have recorded how he voted on any question will be permitted only if such request is made before the vote is taken.
- (b) A vote will be carried by a simple majority of Members present.

- (c) *(1) Subject to (2) and (3) below the Chair may give an original vote on any matter put to the vote and in the case of an equality of votes, may give a casting vote even if he gave no original vote.*

(2) If the person presiding at the Annual Meeting would have ceased to be a Member of the Council but for the statutory provisions which preserve the Membership of the Chair and Vice-Chair until the end of their term of office, he may not give an original vote in an election for Chair.

(3) The person presiding must give a casting vote whenever there is an equality of votes in an election for Chair.

6. ORDER OF BUSINESS

- (a) In an election year Councillors should execute Declarations of Acceptance of Office in the presence of a proper officer previously authorised by the Council to take such declaration, before the Annual Meeting commences.

- (b) *At each Annual Meeting the first business shall be*

- (i) To elect a Town Mayor.*
- (ii) To receive the Town Mayor's Declaration of Acceptance of Office.*
- (iii) To appoint a Deputy Town Mayor.*

The Annual General Meeting shall be adjourned at this point.

After the adjournment of the Annual General Meeting, at the Resumed Meeting, the first formal business shall be:-

- (iv) Appointment, designation of Standing Committees.*
- (v) Appointment of Chairs and Vice Chairs of Standing Committees.*
- (vi) To fix dates of Meetings.*

- (c) After the first business has been completed, the order of business, unless the Council otherwise decides shall be as follows:-

- (i) To choose a person to preside if the Chair and Vice-Chair be absent.*
- (ii) To receive and approve apologies for absence with reasons.*
- (iii) To receive declarations of interest, the declaration to identify the Agenda item to which it relates.*
- (iv) To receive and respond to questions (if any) forwarded to the Council by the public as detailed on Addendum 4 to these Standing Orders.*
- (v) To read and consider the Minutes: provided that if a copy has been circulated to each Member not later than the day of issue of the summons to attend the Meeting, the Minutes may be taken as read.*
- (vi) After consideration to approve the signature of the Minutes by the presiding Chair as a correct record.*
- (vii) To deal with business expressly required by statute to be done.*
- (viii) To receive such communications as the presiding Chair may wish to lay before the Council.*
- (ix) To answer questions.*
- (x) To dispose of business, if any, remaining from previous Meetings.*
- (xi) To receive and consider Reports and Minutes of Committees and Advisory Committees.*

- (xii) To receive and consider reports from officers of the Council.
 - (xiii) To consider motions or recommendations in the order in which they have been notified.
 - (xiv) Any other business specified in the summons.
- (d) A motion to vary the order of business on the ground of urgency:
- (i) May be proposed by the Chair or by any Member and, if proposed by the Chair, may be put to the vote without being seconded, and
 - (ii) Shall be put to the vote without discussion.

7. RESOLUTIONS MOVED ON NOTICE

- (a) Except as provided by these Standing Orders, no resolution may be moved unless the mover has given notice in writing of its terms and has delivered the notice to the Clerk not later than the Tuesday in the week before the next meeting of the Council at the office of the Clerk of the Council by whom it shall be dated.
- (b) The Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received unless the Member giving a notice of motion has stated in writing that he intends to move it at some later meeting or that he withdraws it.
- (c) If a resolution or recommendation specified in the summons be not moved, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
- (d) If the subject matter of a resolution comes within the province of a Committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such Committee or to such other Committee as the Council may determine for report; provided that the Chair, if he considers it to be a matter of urgency, may allow it to be dealt with at the Meeting at which it was moved.
- (e) Every resolution or recommendation shall be relevant to some question over which the Council has power or which affects its area.

8. RESOLUTIONS MOVED WITHOUT NOTICE

- (a) Resolutions dealing with the following matters may be moved without notice:-
 - (i) To appoint a Chair of the Meeting.
 - (ii) To correct the Minutes.
 - (iii) To approve the Minutes.
 - (iv) To alter the order of business.
 - (v) To proceed to the next business.
 - (vi) To close or adjourn the debate.
 - (vii) To refer a matter to a Committee.
 - (viii) To appoint a Committee or any Members thereof.
 - (ix) To adopt a report.

- (x) To amend a motion.
- (xi) To give leave to withdraw a motion or an amendment.
- (xii) To extend the time limit for speeches.
- (xiii) To consider otherwise than in Committee a question affecting an employee of the Council.
- (xiv) To exclude the press and public. (Refer to Standing Order 28).
- (xv) To silence or eject from the meeting a Member named for misconduct. (Refer to Standing Order 12).
- (xvi) To invite a Member having an interest in the subject matter under debate to remain. (Refer to Standing Order 25 and 26).
- (xvii) To give the consent of the Council where such consent is required by these Standing Orders.
- (xviii) To suspend Standing Orders.

9. QUESTIONS

- (a) A Member may ask the Chair any question concerning the business of the Council.
- (b) A Member with or without notice may ask the Chair of a Committee any question upon the proceedings of the Committee then before the Council if the question is put before the Council's consideration of those proceedings is finished.
- (c) Every question shall be put and answered without discussion.
- (d) A person to whom a question has been put may decline to answer.

10. RULES OF DEBATE

- (a) As soon as the minutes have been read, or if they are under STANDING ORDER 6(c), taken as read, the Chair shall put the question that the Minutes of the Meeting of the Council held on the day of be signed as a true record.
- (b) No discussion shall take place upon the Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chair.
- (c)
 - (i) A resolution or amendment shall not be discussed unless it has been proposed (and seconded) and unless proper notice has already been given, it shall, if required by the Chair, be reduced to writing and handed to him before it is further discussed or put to the Meeting.
 - (ii) A Member when seconding a resolution or amendment may, if he then declares his intention to do so, reserve his speech until a later period of the debate.
 - (iii) A Member shall direct his speech to the question under discussion or to a personal explanation or to a question or order.
 - (iv) No speech shall exceed five minutes, except by consent of the Council.
 - (v) An amendment shall be either:-

- (1) To leave out words.
- (2) To leave out words, and insert or add others.
- (3) To insert or add words.
- (vi) An amendment shall not have the effect of negating the motion before the Council.
- (vii) If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved.
- (viii) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- (ix) The mover of a resolution or of an amendment shall have a right of reply.
- (x) The Member, other than the mover of a resolution, shall not, without leave of the Council, speak more than once, on any resolution except to move an amendment or further amendment, or on an amendment, or on a point of order, or in a personal explanation, or to move the closure.
- (xi) A Member may rise to make a point of order or a personal explanation. A personal explanation shall be confined to some material part of a former speech by him which may have been misunderstood. A Member rising for these purposes shall be heard forthwith.
- (xii) A motion or amendment may be withdrawn by the proposer with the unanimous consent of the Council, which shall be signified without discussion, and no Member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.
- (xiii) When a resolution is under debate no other resolution shall be moved except the following:-
 - (1) To amend the resolution.
 - (2) To proceed to the next business.
 - (3) To adjourn the debate.
 - (4) That the question be now put.
 - (5) That a Member named be not further heard.
 - (6) That a Member named do leave the Meeting.
 - (7) That the resolution be referred to a Committee.
 - (8) To exclude the public and press.
 - (9) To adjourn the Meeting.
- (d) A Member shall stand when speaking unless permitted by the Chair to sit on account of infirmity.
- (e)
 - (i) The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall not be discussed.
 - (ii) Members shall address the Chair.
 - (iii) If two or more Members rise, the Chair shall call upon one of them to speak and the others to resume their seats.
 - (iv) Whenever the Chair rises during a debate all other Members shall be seated and silent.

11. CLOSURE

- (a) At the end of any speech a Member may, without comment, move "that the question be now put", "That the debate be now adjourned" or "that the Council do now adjourn". If such motion is seconded and if the Chair is of the opinion

that the question before the Council has been sufficiently debated (but not otherwise), he shall forthwith put the motion. If the motion "that the question be now put" is carried, he shall call upon the mover to exercise or waive his right of reply and shall put the question immediately after the right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover's right of reply at the resumption.

12. DISORDERLY CONDUCT

- (a) No Member shall misconduct himself at a meeting by persistently disregarding the ruling of the Chair, by wilfully obstructing business, or by behaving irregularly, offensively, improperly or in such manner as to scandalise the Council or bring it into contempt or ridicule.
- (b) If, in the opinion of the Chair, a Member has so misconducted himself, the Chair shall express that opinion to the Council and thereafter any Member may move that the Member named be no longer heard or that the Member named do leave the Meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- (c) If either of the motions mentioned in paragraph (b) is disobeyed, the Chair may suspend the meeting or take such further steps, as may reasonably be necessary to enforce them.

13. RIGHT OF REPLY

- (a) The mover of a resolution shall have a right to reply immediately before the resolution is put to the vote. If an amendment is proposed the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A Member exercising a right of reply shall not introduce new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

14. ALTERATION OF RESOLUTION

- (a) A Member may, with the consent of his seconder, move amendments to his own resolution.

15. RESCISSION OF PREVIOUS RESOLUTION

- (a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months save by a special resolution, the written notice whereof bears the names of at least seven members of the Council.
- (b) When a special resolution has been disposed of, no similar resolution may be moved within a further six months.
- (c) This order shall not apply to rescinding resolutions moved in pursuance of the report or recommendation of a Committee.

16. **RECORDING OF MEETINGS**

- (a) The recording of Meetings of the Council and/or its Standing Committees and Sub-Committees by photographic or electronic means shall only be permitted by the resolution of the individual Meeting of the Council and/or its Standing Committees and Sub-Committees.

17. **VOTING ON APPOINTMENTS**

- (a) Where more than two persons have been nominated for any position to be filled by the Council and of the votes given there is not an absolute majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken, and so on until a majority of votes is given in favour of one person.

18. **RESOLUTIONS ON EXPENDITURE**

- (a) Any motion (which is moved otherwise than in pursuance of a recommendation of the Finance and Economic Development Committee or of another Standing Committee after recommendation by the Finance and Economic Development Committee) and which, if carried, would, in the opinion of the Chair, substantially increase the expenditure upon any service which is under the management of or reduce the revenue at the disposal of any Standing Committee, or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary Meeting of the Council, and any Standing Committee affected by it shall consider whether it desires to report thereon. (The Finance and Economic Development Committee shall report on the financial aspect of the matter).

19. **EXPENDITURE AND DOCUMENTS**

- (a) *Orders for the payment of money and the signing of legal or official documents shall be authorised by resolution of the Council and signed by the relevant number of Members and the Town Clerk (see Addendum 1 to these Standing Orders). In the case of payment of monies, the requirement is for the signatures of two Members and the Town Clerk. The signatories shall be approved at each Annual Meeting of the Council.*

20. **SPECIAL/EXTRAORDINARY MEETINGS OF THE COUNCIL**

- (a) The Chair of the Council (the Mayor) may summon a Special/Extraordinary Meeting of the Council at any time. A Special/Extraordinary Meeting of the Council shall also be summoned on the requisition, in writing, of not less than seven Members of the Council at any time, provided that in both cases the summons shall be required to adhere to the required number of days notification of a meeting of the Council. The summons for such Special/Extraordinary

Meeting of the Council shall set out the business to be considered at the meeting and no other business shall be transacted at that meeting.

21. STANDING COMMITTEES AND SUB-COMMITTEES (see also S.O. 29)

- (a) The Standing Committees of the Council shall be designated at the Annual Meeting and shall consist of such Members as the Council shall at that time determine.
- (b) The Council having designated Standing Committees:-
 - (i) shall not appoint any Member of a Committee so as to hold office later than the next Annual Meeting, and
 - (ii) may subject to the provisions of Standing Order 15(a) – (c) above at any time dissolve or alter the membership of a Committee.
- (c) The Chair of a Standing Committee or the Chair of the Council (in conjunction with the Chair of the Committee) may summon a Special Meeting of that Standing Committee at any time. A Special Meeting shall also be summoned on the requisition in writing of not less than seven of the Members of the Standing Committee. The summons shall set out the business to be considered at the Special Meeting and no other business shall be transacted at that Meeting.
- (d) Every Standing Committee may appoint Sub-Committees for purposes to be specified by the Committee. The public have no statutory right to attend a Sub-Committee or report its proceedings. Therefore, Sub-Committee Meetings will not be publicly notified unless by a resolution of the relevant Standing Committee.
- (e) The Chair of the Standing Committee shall be a Member of every Sub-Committee appointed by it unless he signifies that he does not wish to serve.
- (f) Except where ordered by the Council in the case of a Standing Committee or by the Council or by the appropriate Standing Committee in the case of a Sub-Committee, the quorum of a Standing Committee shall be seven of its Members and in the case of a Sub-Committee shall be one-half of its Members.
- (g) The Order of Business of Standing Committees and Sub-Committees shall be as the Order of Business for Council Meetings (see Standing Order 6(c) and (d)) with appropriate alteration of wording to indicate that it is a Standing Committee and not the Council Meeting.
- (h) The Standing Orders on Rules of Debate (except those parts relating to speaking more than once), Disorderly Conduct, Right of Reply, Alteration of Resolution and the Standing Order on interests of Members in contracts and other matters shall apply to Standing Committee and Sub-Committee Meetings insofar as they are appropriate.
- (i) The service responsibilities of Standing Committees in respect of areas of the Council's administration are as set out in the Annual Budget Statement and Final Accounts documentation. With regard to the Planning Committee, it is responsible for all planning matters.

22. **VOTING IN STANDING COMMITTEES/SUB-COMMITTEES**

- (a) Members of Standing Committees and Sub-Committees shall vote by show of hands.
- (b) *Chairs of Standing Committees and Sub-Committees shall have a second or casting vote.*
- (c) A vote will be carried by a simple majority of Members present and entitled to vote.

23. **PRESENCE OF NON-MEMBERS OF STANDING COMMITTEES/SUB-COMMITTEES AT STANDING COMMITTEE/SUB-COMMITTEE MEETINGS**

- (a) A Member who has proposed a motion which has been referred to any Standing Committee (or Sub-Committee) of which he is not a Member, may explain his motion to the Standing Committee (or Sub-Committee) but shall not vote.
- (b) Any Council Member shall, unless the Council otherwise orders, be entitled to be present as an observer at the Meetings of any Standing Committee or Sub-Committee of which he is not a Member. Such observing Members do not have a right to vote.
- (c) Any Member of a Sub-Committee, shall, if they are unable to attend a Meeting of that Sub-Committee, arrange a substitute Member to attend that particular Sub-Committee Meeting on their behalf. The Clerk to be informed of any substitution and the substituting Member shall have the same voting rights at the Sub-Committee Meeting as the absent Member for whom they are substituting.

24. **ACCOUNTS AND FINANCIAL STATEMENT**

- (a) Except as provided in sub-paragraph (b) of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the appropriate Standing Committee of the Council and the minutes thereof approved by the Council.
- (b) Where it is necessary to make a payment before it has been authorised by the appropriate Standing Committee, such payment shall be certified as to its correctness and urgency by the appropriate Officer and subsequently authorised by the Chair(s)/authorised signatory(s) and then approved by the Standing Committee having charge of the business to which the matter relates, unless it has been otherwise authorised by the Council.
- (c) All payments authorised under sub-paragraph (b) of this Standing Order or made without authority of the Finance and Economic Development Committee and ultimately the Council shall be included in the next Schedule of Payments laid before the Finance and Economic Development Committee.

- (d) Where a cheque or other form of payment is to be personally presented to or formally presented to the recipient(s), or a representative of the recipient(s), either through resolution of the Council or through request from the recipient(s), the function shall be carried out by the Mayor, or in the Mayor's absence the Deputy Mayor. Any other arrangements in relation of the above must be as a result of a resolution of the Council. None of the above should be regarded as restricting individual Members from providing personal financial assistance donations if they so wish.
- (e) The Clerk shall submit to the Finance and Economic Development Committee, for approval at its first convenient Meeting after the end of the financial year, and following internal audit, a statement of final accounts for the preceding financial year.

25. CONDUCT AND INTERESTS

- (a) Members must undertake to adhere to the Council's Code of Conduct which involves, inter alia, the disclosure of personal interests at Meetings.
- (b) If a candidate for any appointment under the Council is to his knowledge related to any Member or the holder of any office under the Council, he and the person to whom he is related shall disclose the relationship in writing to the Clerk. A candidate who fails so to do shall be disqualified for such appointment and, if appointed, may be dismissed without notice. The Clerk shall report to the Council or to the appropriate Committee any such disclosure. Where relationship to a Member is disclosed, Standing Order 25(a) shall apply. The Clerk shall make known the purport of this Standing Order to every candidate.

26. CANVASSING OF AND RECOMMENDATIONS BY MEMBERS

- (a)
 - (i) Canvassing of Members or of any Standing Committee or Sub-Committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purport of this sub-paragraph of this Standing Order to every candidate.
 - (ii) A Member of the Council shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, a Member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- (b) Standing Orders Nos. 25(b) and 26(a)(i) and (ii) shall apply to tenders as if the person making the tender were a candidate for an appointment.

27. INSPECTION OF DOCUMENTS

- (a) A Member may for the purpose of his duty as such (but not otherwise), inspect any document in possession of the Council or a Standing Committee, and if

copies are available shall, on request, be supplied for the like purpose with a copy.

- (b) (i) *All Minutes kept by the Council and by any Standing Committee shall be open for the inspection of any Member of the Council.*
- (ii) *The Minutes of the Council shall be open to inspection by any local government elector of the town without charge.*

28. ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

- (a) *The public and the press shall be admitted to all meetings of the Council and its Standing Committees which may, however, temporarily exclude the public or the press or both by means of the following resolution, viz:*
"That in view of the (special) (confidential) nature of the business about to be transacted, it is advisable in the public interest that the public and press be temporarily excluded and they are instructed to withdraw."

(Note: The special reasons should be stated; if a person's advice or assistance is needed they may be invited (by name) to remain after the exclusion resolution is passed).

- (b) The Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.
- (c) If a member of the public interrupts the proceedings at any meeting, the Chair may, after warning, order that person to be removed from the Council or that part of the Chamber open to the public be cleared.

29. CONFIDENTIAL BUSINESS OF STANDING COMMITTEES

- (a) No Member of the Council or of any Standing Committee or Sub-Committee shall disclose to any person not a member of the Council, any business declared to be confidential by the Council, the Standing Committee or the Sub-Committee as the case may be.

30. STANDING ORDERS ON CONTRACTS

- (a) For details of the requirements in respect of Contracts please see Financial Regulation 11.

31. CODE OF CONDUCT COMPLAINTS

- (a) Upon notification by Flintshire County Council that it is dealing with a complaint that a Member with voting rights has breached the Council's Code of Conduct, the Clerk shall, subject to Standing Order 32, report this to the Council.
- (b) Where the notification in Standing Order 31 (a) relates to a complaint made by the Clerk, the Clerk shall notify the Chair of Council (the Mayor) of this fact and

the Chair shall nominate another staff Member to assume the duties of the Clerk in relation to the complaint until it has been determined.

- (c) The Council may:
- (i) Provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement.
 - (ii) Seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter.
 - (iii) Indemnify the Member with voting rights in respect of his related legal costs and any such indemnity is subject to approval by a meeting of the Council.

32. MANAGEMENT OF INFORMATION (see also Standing Order 34 below)

- (a) The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.
- (b) The Council shall have in place and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's Retention Policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible, the criteria used to determine that period (eg the Limitation Act 1980).
- (c) The Agenda, papers that support the Agenda and the minutes of a Meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.
- (d) Members, staff, the Council's Contractors and Agents shall not disclose confidential information or personal data without legal justification.

33. DISCUSSIONS, RESOLUTIONS AND HANDLING MATTERS AFFECTING EMPLOYEES OF THE COUNCIL

- (a) If at a Meeting there arises any question relating to the appointment, conduct, promotion, performance, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or Committee (as the case may be) has resolved to exclude the press and public. See Standing Orders No. 28(a) above and 33(g) below.
- (b) A matter personal to a Member of Staff that is being considered by a meeting of Council, the Finance and Economic Development Committee or the Establishment Sub Committee is subject to Standing Orders 32 and 33(a) above.
- (c) Subject to the Council's policy regarding absences from work, the Clerk shall keep the Mayor notified or, if the Mayor is not available the Deputy Mayor or the Chair of the Establishment Sub Committee of absence occasioned by illness or other reason and the above person(s) shall be kept apprised of the situation.

Should it be necessary the matter may be referred to the Establishment Sub Committee.

- (d) Subject to the Council's Policy regarding the handling of grievance matters, the Clerk shall contact the Mayor or in his absence, the Deputy Mayor who should decide whether the matter is an informal or formal grievance. A formal grievance shall follow the requirements contained within the Member of Staff's Contract of Employment.
- (e) Subject to the Council's Policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by a Member of Staff relates to the Mayor or the Deputy Mayor this shall be communicated to another Member of the Establishment Sub Committee and the matter should be progressed by following the requirements contained within the Member of Staff's Contract of Employment.
- (f) Any persons responsible for all or part of the management of Staff shall treat as confidential the written records of all meetings relating to their appointment, conduct, promotion, performance, capabilities, grievances, disciplinary matters, dismissal, salary or conditions of service.
- (g) In accordance with Standing Order 32 (a) persons with line management responsibilities shall have access to Staff records referred to in this Standing Order (e) above.

34. RESPONSIBILITIES TO PROVIDE INFORMATION (see also Standing Order 35 below)

- (a) In accordance with Freedom of Information legislation, the Council shall publish information in accordance with its adopted Policy and respond to requests for information held by the Council, unless the information is confidential.

35. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION (see also Standing Order 32 above)

- (a) The Council shall have Policies and Procedures in place to respond to an individual exercising statutory rights concerning his personal data.
- (b) The Council shall have a written Policy in place for responding to and managing a personal data breach.
- (c) The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.
- (d) The Council shall ensure that information communicated in its Privacy Notices is in an easily accessible and available form and kept up to date.
- (e) The Council shall maintain a written record of its processing activities.

36. **RESTRICTIONS ON MEMBERS ACTIVITIES**

- (a) Unless duly authorised by resolution of the Council and/or a Standing Committee, no Member shall:
- (i) Inspect any land and/or premises which the Council has a right or duty to inspect; or
 - (ii) Issue orders, instructions or directions; or
 - (iii) Negotiate on behalf of the Council any contract for any good or service thereby committing the Council to financial obligations.

37. **VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS**

- (a) Any part of the Standing Orders except those highlighted in *italics* may be suspended by resolution in relation to any specific item of business.
- (b) A motion permanently to vary or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary Meeting of the Council.

38. **STANDING ORDERS TO BE GIVEN TO MEMBERS**

- (a) A printed copy of these Standing Orders shall be given to each Member by the Clerk upon delivery to him/her of the Member's declaration of acceptance of office, or when revisions to these Standing Orders have been approved by Council.

Adopted 1988 MBW/LG
Reprinted and updated 2004 MBW/LG
Revised and reprinted 2009 MBW/LG
Revised in part October 2009 MBW/LG
Revised in part January 2010 MBW/LG
Revised in part May 2011 MBW/LG
Revised in part June 2014 MBW/LG
Revised in part January 2015 MBW/LG
Revised in part December 2015 MBW/LG
Revised in part January 2016 MBW/LG
Revised in part February 2017 MBW/LG
Revised in part January 2019 MBW/LG
Revised in part May 2019 MBW/LG
Revised in part October 2019 MBW/LG
Revised and updated March 2020 MBW/TJR
Revised and updated July 2020 MBW/LG
Revised and updated September 2020 MBW/LG
Revised and updated February 2021 MBW/G

ADDENDUM 1

BUCKLEY TOWN COUNCIL

INTERNAL FINANCIAL CONTROLS

The Council's Internal Financial Controls consist of the following and are complimentary to the Council's Adopted Financial Regulations.

1. Obtaining Best Value for money in all purchases. This includes the purchase of all stationery and office supplies through the Wirral and North Wales Purchasing Organisation, or its successor organisations, which provides discounted prices on items purchased. Where goods and/or services are required, the annual value of which will exceed the limit specified in the Council's Financial Regulations; contracts shall be let in accordance with the requirements of Financial Regulation 11.
2. The checking of all invoices for accuracy and validity. The check shall be carried out by a Personal Assistant and/or the Town Clerk and Financial Officer prior to signing the cheques or the authorising of Direct Debits and/or Bank Transfers.
3. The entering of all receipts and payments in the appropriate financial Cash Book on a monthly basis and the balancing of the Cash Book both arithmetically and to the summarised Statement of Income and Expenditure, again on a monthly basis (see Note 5 below).
4. The sequencing, on a monthly basis, of all invoices and supporting papers for keeping as accounts records. VAT is separately identified in the Cash Book for reclaiming.
5. The maintenance and monthly reconciliation of an imprest Petty Cash Account and the monthly analysis of Petty Cash payments, identifying and extracting VAT figures. The work to be undertaken by an employee who is not an official signatory for Council cheques, one or more of which will be used each month to reimburse the Petty Cash system. The Petty Cash Account to be reported to the Finance and Economic Development Committee, for approval, on a quarterly basis.
6. The preparation of cheques for signature by the Council's authorised signatories by an employee who is not one of the Council's authorised signatories.
7. The signing of all cheques and the initialling of cheque counterfoils, for goods and services, by at least three of the Council's authorised signatories, one of which must be the Town Clerk and Financial Officer unless otherwise resolved by the Council. Those signatories are responsible for checking the accuracy and validity of the cheque against the invoice/vouchers tendered, when signing the cheques.
8. Under no circumstances shall cheques be signed by authorised signatories without the cheque being fully completed, including the payee details.

9. For those payments made by other than cheques (eg direct debits, standing orders and/or bank transfers) the signing of the schedule as indicated in Internal Financial Control 10 below, requires that the three official signatories have verified the none cheque payments against the supporting invoices/vouchers and satisfied themselves as to the accuracy and validity of those supporting invoices/vouchers. To ensure that this is properly undertaken, each signatory must initial the invoice and entry on the schedule for the none cheque payments. The initialling of the invoice and the schedule also to indicate that the Bank Account details of the supplier have been checked and alterations in Bank Account details have been checked, verified and noted.

10. The presentation to the Finance and Economic Development Committee, for approval on a monthly basis, of a detailed schedule of accounts to be paid and a summarised Statement of Income and Expenditure to date. The schedule to be signed as a correct record of the required payments and summarised statement of income and expenditure to-date by three official signatories, one of whom must be the Clerk and Financial Officer.

11. The maintenance of the on-line banking facility, for the Current and Business Call Accounts of the Council, by the use of confidential passwords and sign-ins. Access to the on-line Banking facility be restricted to the Clerk and Financial Officer and one of the Personal Assistants. No other member of staff or Councillor to have access to the on-line Banking facility without the express resolution of the Council.

12. The reconciling of all bank statements on a monthly basis. The completed Bank Reconciliation to be reported to the Finance and Economic Development Committee, for approval, on a monthly basis.

13. The arrangement of and compliance with, the requirement for two Internal Audits in each Financial Year. The first, the Interim Audit to be conducted in November or December each year with the results of the Audit being reported to the Finance and Economic Development Committee. The second, the Final Accounts Audit to be conducted and the report received by the Council in time for the findings of the Audit to be incorporated in the Final Accounts of the Council submitted for External Audit each year.

14. The preparation of a first draft budget each year for presentation to the various political groups within the Council, prior to the draft budget (amended where required) being presented to the Council for approval.

15. The presentation of a draft budget each year to Council for approval.

16. The presentation to the Finance and Economic Development Committee for approval on a regular basis (at least quarterly), of an itemised Statement of Income and Expenditure showing, Income and Expenditure as against the Budget and a projection of the likely Income and Expenditure for the financial year in question. The detailed Statement to also include a note of the statutory powers invoked for spends and a variance analysis of the projected Income and Expenditure against the Budgeted Income and Expenditure.

17. The preparation of year end accounts for submission to Council for approval and subsequently for audit purposes.
18. The carrying out and presentation of, an annual Risk Assessment to Council for approval and the adherence to that Risk Assessment in relation to all financial and other relevant matters of the Council. Please see Addendum 3 to these Standing Orders.
19. The carrying out and presentation of, an annual review of the Council's Treasury Management and Investment Strategy. Please see Addendum 2 to these Standing Orders.
20. The annual level of salary grades and gross salaries payable to be approved, in advance of the Financial Year to which they apply, by the Establishment Sub-Committee which has delegated powers to act. Where changes to gross salaries are recommended, the calculations should be presented to the Establishment Sub-Committee for its consideration and approval of those changes. The decision of the Establishment Sub-Committee to be reported for noting to the next meeting of the Council. The Establishment Sub-Committee is not required to approve the annual level of salary grades and gross salaries if the Budget, approved by the Council, for the forthcoming year contains no increase in salary grades or gross salaries save for incremental increases within salary grades or, the increase in gross salaries following the implementation of the National Pay Negotiations of the NJC and/or NALC. The notes to the approved Budget to clearly specify this fact. Where salaries are amended/increased, the Chair of the Finance and Economic Development Committee should initial the payment document which accommodates the amendments/increases. It should be noted that all the Staff are paid under the NALC Payscales.
21. A complete, up-to-date and accurate Asset Register, including asset valuations will be maintained and presented to Council at least annually. The updated Asset Register to be provided to the Council's Insurance Company when any amendments are made.

Last updated January 2015 MBW/LG
Reviewed January 2016 MBW/LG
Reviewed February 2017 MBW/LG
Revised January 2018 MBW/LG
Revised May 2019 MBW/LG
Revised October 2019 MBW/LG
Revised April 2020 MBW/LG
Revised July 2020 MBW/LG
Revised September 2020 MBW/LG
Revised March 2021 MBW/LG

ADDENDUM 2

BUCKLEY TOWN COUNCIL

ANNUAL TREASURY MANAGEMENT AND INVESTMENT STRATEGY

2020/21 - 2021/22

PREAMBLE:

This Annual Treasury Management and Investment Strategy is prepared in accordance with the statutory guidance on Local Government Investments issued by the Welsh Assembly Government.

All cash, bank balances, financial assets, borrowing and credit arrangements are defined as a part of the Council's treasury management activities. This Annual Strategy will concentrate not only on the Council's treasury management activities but also upon the Council's temporary surplus resources (or other financial assets it holds) and the investments it undertakes of these resources.

The Council undertakes to ensure that for all its treasury management and investments, priority will be given to security and liquidity rather than to yield. In drafting this Annual Strategy the Council has made appropriate arrangements for:

1. Identification, management and control of risks in the investments/treasury management activities it undertakes.
2. Budgeting, accounting and audit arrangements.
3. Its cash and cash flow management requirements.
4. Segregation of responsibilities, organisational arrangements, adequate documentation and the identification of a responsible officer for investment/treasury management activities.
5. Corporate governance.
6. Procedures to ensure it is alert to the possibility it may become subject to an attempt to involve it in a transaction involving the laundering of money.

All treasury management activities and investments undertaken by this Council will be made and repaid in Sterling.

TREASURY MANAGEMENT ARRANGEMENTS:

For the day to day financial management of the Council two bank accounts are operated:

- a. Current Account
- b. Business Call Account

Both the accounts are held at Lloyds Bank and the interest rate received on the Business Call Account is currently (correct as at February 2021) as follows, the interest will vary according to economic circumstances:

Below £50,000	0.01%
£50,000+	0.01%
£100,000+	0.01%
£250,000+	0.01%
£1,000,000+	0.01%

Interest is credited on a monthly basis. There are monthly bank charges levied for the transactions on the Current Account, no interest is received on the Current Account. Authorised overdrafts are charged at 0.10% (correct at February 2021) per month on the Business Call Account and Current Account.

The Current Account is used only for making the monthly payments as agreed by reference to the schedule presented each month to the Finance and Economic Development Committee. In order to achieve a balance sufficient to pay the monthly outgoings, sums of money are transferred from the Business Call Account, which is the account where all income owed to and received by the Council is deposited.

The accrued balances, with the exception of the Current Account shall be reviewed on an ongoing basis to ensure that specific and general reserves are maintained at a level to meet expected demands. Should the balances in those reserves reach a level beyond that which is reasonably required, potential transfers to High Interest earning accounts should be considered.

All sums of money owed by the Council will be discharged by either Bank Direct Debit, Standing Order, Bank Transfer or authorised Council cheque payment. The only exception is for small, non credit, transactions for which an imprest petty cash float of £300 will be maintained together with a petty cash book and petty cash account.

LISTINGS OF INVESTMENTS UNDERTAKEN:

The Council will undertake the following categories of investment for the financial years 2020/21 and 2021/22:

1. As from 30th November 2011, the balance of the Lloyds Premier Account was transferred to a Lloyds Bank High Interest Deposit for a 12 month term with an interest rate of 1.55% (minute 14062 of the Finance and Economic Development Committee held on 22nd November 2011 refers). Since the above date, each year the maturing balance on the High Interest Deposit Account has been placed for a further year another

High Interest Deposit Account at the most advantageous interest rate available. Prior to the maturity of the High Interest Deposit Account the Clerk is required to provide alternatives for reinvesting the matured sum, the Council to approve the most advantageous option, always ensuring that "The Council undertakes to ensure that for all its Treasury Management and Investments, priority will be given to security and liquidity rather than yield" (see above).

2. The Council also invests in another High Interest Deposit Account with a maturity at the end of June each year. Prior to the maturity of the High Interest Deposit Account the Clerk is required to provide alternatives for reinvesting the matured sum, the Council to approve the most advantageous option, always ensuring that "The Council undertakes to ensure that for all its Treasury Management and Investments, priority will be given to security and liquidity rather than yield" (see above).

3. If during the current and future financial years the Council disposes of any fixed assets, the net proceeds of any such disposal shall be placed in the Lloyds Business Call Account as soon as they are received. If the net proceeds of the sale of any individual asset exceed £20,000.00, the monies shall be placed in a High Interest Deposit Account as soon as is practicable.

NEW TREASURY MANAGEMENT AND/OR INVESTMENTS – REPORTING REQUIREMENTS:

If any Treasury Management or Investment Instruments (other than those approved in the lists above) are proposed during the current or future financial year before such proposals are undertaken notification shall be made to the Mayor and Chairs Briefing meeting, which is held one week before each Council and Committees meeting and be reported to a subsequent Finance and Economic Development Committee meeting for its ratification.

REVIEW OF ARRANGEMENTS:

A review of banking arrangements was conducted in 2007/08, comparing the costs and benefits of the four High Street Banks in Buckley, Lloyds, HSBC, Barclays and Nat West. The result was the retention of Lloyds TSB for banking services for the Town Council.

Document last updated September 2018 MBW/LG

Document last updated May 2019 MBW/LG

Document last updated July 2019 MBW/LG

Document last updated November 2019 MBW/LG

Document last updated July 2020 MBW/LG

Document last updated September 2020 (1) MBW/LG

Document last updated September 2020 (2) MBW/LG

Document last updated March 2021 MBW/LG

BUCKLEY TOWN COUNCIL

RISK ASSESSMENT 2020/21 and 2021/22 (To be reviewed on an ongoing basis)

The Risk Assessment document is broken down into "Risk Elements", these are as follows:-

- 1 Financial Risks
- 2 Employment Risks
- 3 Administration Risks
- 4 Asset Management Risks
- 5 Covid-19 Risks

Each "Risk Element" has areas of Risk analysed within it. Where there are overlaps, the Risk is included in the "Risk Element" that the majority of the Risks fall in.

ADDENDUM 3

Key to Columns		I = High II = Medium III = Low	A = Frequent B = Likely C = Occasional D = Unlikely E = Remote F = Impossible	H = High Risk M = Medium Risk L = Low Risk		C = Comprehensive S = Satisfactory A = Adequate	H = High Risk M = Medium Risk L = Low Risk
IDENTIFIED RISK	POTENTIAL CONSEQUENCES OF RISK	SEVERITY OF IMPACT	PROBABILITY OF RISK OCCURRING	INITIAL RISK	CONTROLS TO MANAGE RISK	LEVEL OF INTERNAL CONTROLS	MITIGATED RISK
Financial Risks							
Poor management of funds.	Potential additional charges to normal monthly charges incurred. Loss of potential interest.	II	D	L	Budgetary Control in place. Monthly bank reconciliations. Detailed and comprehensive Annual Treasury Management and Investment Strategy approved by Council. Banking arrangements reviewed and recommendations made to Council.	C	L
Inadequate control of monthly payments which are actioned through Cheques, Direct Debits, Standing Orders and/or Direct Bank Transfers.	Fraudulent appropriation of Council Funds. Loss of control of Cash Flow. Criminal investigations against staff with potential legal proceedings. Challenge by External/Internal Auditors.	I	D	H	Detailed and comprehensive Internal Financial Controls document. All payments are listed on Monthly Schedule of payments which goes before the Finance and Economic Development Committee for approval. The Schedule is signed by three authorised signatories, one of which is the Clerk. The signatures denote that all the payments have been objectively reviewed and approved. The vouchers/invoices to be intailed as proof of being verified against the Schedule. The Schedule indicates the method of payment being used. Monthly Bank Reconciliation, reported to Fin. & Economic Development Committee for approval. Quarterly Petty Cash Account, reported to Fin. & Economic Development Committee for approval.	C	L
Requirements for the proper accounting and administration of VAT.	Entitlement to reclaim of VAT for a specific period being lost.	II	C	M	Monthly recording of VAT reclaimable and annual return being prepared promptly.	C	L
Precept being inadequate.	The Council would not be able to meet its objectives due to lack of funds. Council could, in an extreme case, run out of funds completely.	I	C	H	Robust Budgetary Control process in operation. The Budget, when being set by Council, provides adequate and meaningful information to support the Precept. Regular comparisons of actual to budget supplied to Council, with variance analysis of significant differences. Use of commitment accounting techniques.	C	L

IDENTIFIED RISK	POTENTIAL CONSEQUENCES OF RISK	SEVERITY OF IMPACT	PROBABILITY OF RISK OCCURRING	INITIAL RISK	CONTROLS TO MANAGE RISK	LEVEL OF INTERNAL CONTROLS	MITIGATED RISK
Financial Risks cont'd.							
Expenditure being incurred which is not within the legal powers available to Local Councils.	Ultra-vires expenditure - illegal transactions. Local Elector challenge. Challenge by Internal and/or External Auditor. External Auditor may produce public interest report. Potential for higher audit charges.	I	D	M	Recording in minutes the powers under which expenditure was being incurred. Regular updates of actual to budget include reference to statutory powers being used to incur expenditure. Budget and Final accounts both highlight various statutory powers being used to incur expenditure.	C	L
Local Government Act 1972, Section 137 payments exceed statutory amount in any one year.	Ultra-vires expenditure - illegal transactions. Local Elector Challenge. Internal Auditor may issue qualified report. External Auditor may produce public interest report. With consequent higher audit charges.	I	E	L	Budgetary process clearly identifies Section 137 provision, with separate analysed table which indicates legal limit for expenditure. Regular updates and Final accounts analyse actual/probable expenditure against budget and actual/probable expenditure against legal limit.	C	L
Loss of Revenue from Tenants due to accidental or malicious damage to premises.	The Council's budget would not be sustainable. Possible claims from Tenants for consequential losses.	II	B	H	Adequate insurance cover through Business Interruption policy. Adequate fire alarm systems in place.	A	M
Complaint from an elector if a contract is perceived to be awarded without proper and open competition.	Investigation by external auditor leading to potential increased audit fees, public interest report, etc. Damage to the reputation of the Council. Poor value for money.	I	C	H	Standing Orders and financial regulations in place dealing with the award of contracts. Check made by internal auditor on placement of contracts.	S	L
Inadequate Rental Income from Tenants.	Increased Precept requirements due to inadequate levels of rent or due to lack of thorough rent reviews.	II	D	L	Thorough rent reviews undertaken, which resulted in all tenants being placed on reviewable lease agreements.	C	L
Services provided by Flintshire County Council, for which a Service Level Agreement is required because of the financial nature of the service.	Inaccurate, incorrect or poor service being provided for which value for money cannot be proven. Lack of clear parameters on which to monitor and assess each parties obligations under the agreements. May lead to financial loss.	I	A	H	Service Level Agreements (SLA's) put in place. SLA's to cover the requirements and obligations of each party to the service provided. SLA's to be annually reviewed. The Mitigation of the Risk is indicated assuming that both parties monitor and honour their obligations to a comprehensive SLA.	C	M
Service Level Agreements: Under certain circumstances, the Town Council "contracts" with service providers to provide a specific service for the Town eg funding the presence of the CAB in the Town Council Offices on a one day per week basis.	Inaccurate, incorrect or poor service being provided for which value for money cannot be proven. Lack of clear parameters on which to monitor and assess each parties obligations under the agreements. May lead to financial loss.	I	A	H	Service Level Agreements (SLA's) and/or Memorandums of Understanding (MOUs). SLA's/MOUs to cover the requirements and obligations of each party to the service provided. SLA's/MOUs to be annually reviewed. The Mitigation of the Risk is indicated assuming that both parties monitor and honour their obligations to a comprehensive SLA/MOU.	C	M

IDENTIFIED RISK	POTENTIAL CONSEQUENCES OF RISK	SEVERITY OF IMPACT	PROBABILITY OF RISK OCCURRING	INITIAL RISK	CONTROLS TO MANAGE RISK	LEVEL OF INTERNAL CONTROLS	MITIGATED RISK
Financial Risks cont'd.							
Match Funded Schemes.	Financial standing of Council may be adversely affected to such an extent as to materially affect the ability of the Council to meet its financial and operational obligations.	I	A	H	All Match Funded schemes to be financially limited to a maximum contribution from this Council equal to an agreed percentage of the estimated costs as supplied by Flintshire County Council. Such estimated costs to be provided with detailed analysis of the make up of those costs. The Match Funding should not exceed the budgetary provision without prior approval of the Council.	C	L
Grants Receivable from Flintshire County Council, under the Town Centre Health Check Scheme/Town Centre Partnership	Lack of audit trail in respect of monies expended for which a grant will be obtainable. Internal Auditor may issue qualified report if no proper audit trail in place. External Auditor may issue public interest report, with consequent increase in audit charges. If not properly administered, lack of transparency in use of public money.	I	A	H	Applications from Buckley Town Council are put to the Town Centre Partnership which is made up of Town and County Councillors together with traders/public. If a grant application originating from Buckley Town Council is approved, BTC will make the payments and reclaim the monies. Comprehensive correspondence between Town Council and FCC regarding grant monies. Detailed quotes and estimates sought by Town Council in relation to work to be undertaken, all correspondence forwarded to FCC with details of contractor(s) chosen. Town Council pays for work undertaken and then invoices FCC with net cost (ie excl. VAT). VAT reclaimed by Town Council.	C	L
Grants receivable from Flintshire County Council under general provisions	Lack of audit trail in respect of monies expended for which a grant will be obtainable. Internal Auditor may issue qualified report if no proper audit trail in place. External Auditor may issue public interest report, with consequent increase in audit charges. If not properly administered, lack of transparency in use of public money.	I	A	H	Applications from Buckley Town Council are put to Flintshire County Council. If a grant application is approved, BTC will make the payments and reclaim the amount of grant approved. Comprehensive correspondence between Town Council and FCC regarding grant monies. Where applicable, detailed quotes and estimates sought by the Town Council in relation to work /services to be contracted. All relevant correspondence forwarded to FCC with details of contractor(s)/ service provider(s) chosen. Town Council pays invoices for work/service undertaken and then invoices FCC with net cost (ie excl. VAT). VAT reclaimed by Town Council. Alternatively, Town Council completes grant final application form to claim reimbursement and forwards to Flintshire County Council with supporting documentation.	C	L
Levels of Reserves held	Financial ability to maintain services may be affected if Budget ignored and additional payments made, may leave Council vulnerable to financial risks. Too high a level of Specific Reserves as against General Reserve	II	C	M	Comprehensive Policy on Reserves to be maintained and approved by Council, indicating the minimum & maximum Reserves to be held. Regular reports to Finance and Economic Development Ctee. Re potential movements in Reserves.	C	L

IDENTIFIED RISK	POTENTIAL CONSEQUENCES OF RISK	SEVERITY OF IMPACT	PROBABILITY OF RISK OCCURRING	INITIAL RISK	CONTROLS TO MANAGE RISK	LEVEL OF INTERNAL CONTROLS	MITIGATED RISK
Financial Risks cont'd. Supplier (Procurement) Fraud	<p>Loss of money which may be substantial.</p> <p>Financial ability to maintain services may be affected.</p> <p>Lack of audit trail in respect of monies expended.</p> <p>Potential involvement of the Council in either Civil or Criminal Proceedings.</p> <p>Internal Auditor may issue qualified report if no proper audit trail in place.</p> <p>External Auditor may issue public interest report, with consequent increase in audit charges.</p> <p>If not properly administered, lack of transparency in use of public money.</p>	I	B	H	<p>The potential for providing sensitive company information to third parties, particularly contract, account or bank details of contractors through any form of communication to be mitigated by Staff training and monitoring.</p> <p>Should a supplier change their payment/bank details, the supplier to be contacted to verify the change and follow up with hard copy confirmation with a designated signatory. The Clerk to be advised of any changes prior to payment being made, verification of actions taken to be proved. A periodic review to be undertaken of suppliers no longer used and dormant records expunged from the system.</p> <p>Notification by the supplier of change of address should be verified by checking on the internet or other means.</p> <p>If notification of change of payee to a Factoring Company is received, the notification to be checked by reference to a confirmation email from the supplier and check made of the existence of the Factoring Company.</p> <p>Periodic checks of the financial health of suppliers (incl. company checks).</p> <p>The verification of payment details on invoices as compared to payment details held. Any discrepancies to be investigated.</p> <p>Acknowledgement that the Council's Insurance does not cover supplier fraud nor is it offered or available.</p> <p>The Bank used by the Council offers messages under the Confirmation of Payee Scheme to warn of any minor or major differences in the account details held against the account details provided.</p>	S	M

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IDENTIFIED RISK	POTENTIAL CONSEQUENCES OF RISK	SEVERITY OF IMPACT	PROBABILITY OF RISK OCCURRING	INITIAL RISK	CONTROLS TO MANAGE RISK	LEVEL OF INTERNAL CONTROLS	MITIGATED RISK
Employment Risks							
Requirements under employment law and HMRC Regulations not being met.	Liability for unpaid tax and/or N.I. Inland Revenue fines for late returns. Potential legal action by employee.	I	C	H	Information forwarded to HMRC in real time by Payroll provider - Independent Bureau. Payroll operated by Independent Bureau. Annual P35 Return filed on line. Comprehensive insurance cover through Employers' Liability Insurance Policy.	C	L
Personal Accident and/or Assault upon a Member of Staff.	Potential claims for injuries sustained.	I	C	H	Adequate insurance cover through Personal Accident cover. Security of public access via locked and controlled entrances and exits. Mise. of an Accident Report Book.	C	L
Staff not working to standardised Job Descriptions or Contracts of Employment.	Risk of potential financial loss if staff instructed to perform duties outside their sphere of competence which results in claims from third parties. Demotivated staff who are unsure of their role in the organisation.	I	B	H	All staff work under the same conditions of service and contracts of employment, adapted from the National Agreement. All staff have detailed job descriptions.	C	L
All staff must be entered into an approved Pension Scheme with the Employer making a contribution to The Occupational and Personal Pension Schemes (Auto Enrolment) (Amendment) Regulations 2015 [SI 2015/501] The Town Council's staging date for its Declaration of Compliance under the Regulations is 1st October 2016.	Employer acting illegally if no scheme offered. Potential for litigation against Employer. Potential for qualified reports by Internal and Potential for Public Interest Reports being issued by External Auditors. Potential excessive legal and claim costs against the Council. Potential loss of reputation and credibility in the public's eye. Potential loss of reputation and credibility in the Council by the public.	I	D	L	All staff are enrolled in the Clwyd Pension Fund which is operated by Flintshire County Council. Employer contribution based on qualifying pay and Employee contribution dependent on salary scale. The Town Clerk has been named as the main contact under the Occupational and Personal Pension Schemes (Auto Enrolment) (Amendment) Regulations 2015 [SI 2015/501]. The staging date for Auto Enrolment for BTC was 1st October 2016 - On that date a Declaration of Compliance was completed electronically. The Declaration of Compliance confirms the Pension Scheme which the Town Council is part of complies with the requirements of the Regulations	C	L
Staff being bullied, victimised or generally dealt with in a less than constructive and/or negative manner by Member(s).	Risk of demotivated staff who work in a less than efficient and effective manner. Risk of High Turnover of staff. Risk of complaints through the Grievance Procedure. Risk of Ombudsman complaints. Potential for litigation against individual Members or the Council as a Corporate Body. Poor perception of Council operation by Public.	1	C	M	Staff work to standardised Contracts of Employment which details the Grievance Process. Staff made aware of ability to complain to the Public Services Ombudsman for Wales. Council Standing Order 25(a) refers Members to the need to comply with the Code of Conduct. Members sign up to the Code of Conduct which specifies how they are to treat staff.	S	M

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IDENTIFIED RISK	POTENTIAL CONSEQUENCES OF RISK	SEVERITY OF IMPACT	PROBABILITY OF RISK OCCURRING	INITIAL RISK	CONTROLS TO MANAGE RISK	LEVEL OF INTERNAL CONTROLS	MITIGATED RISK
Administration Risks							
Improper recording and custody of Council and Committee Minutes.	Local Elected Challenge. Internal Auditor may issue qualified report. External Auditor may issue public interest report with consequent higher charges. Council unable to provide proof of decisions made. Potential for certain Minutes to go missing.	I	D	M	All minutes from Council and Committees sequentially numbered and pages numbered. All minutes signed at Council and Committees. All signed minutes securely maintained in appropriate files and recorded on Website. Comprehensive Retention of Documents Policy document.	C	L
Lack of Member Accountability through some maintenance of a Register of Members' Interests, Gifts and Hospitality.	Lack of trust by Public in proper administration of the Council. Members open to challenge over decisions made. Potential for illegal activity by Members and subsequent potential for police investigations. Potential for Standards Committee to investigate decisions by certain Members, this could lead to suspension of Members.	I	B	H	All Members sign for receipt of Council's Code of Conduct. (see Code of Conduct Section 3). Standing Orders of the Council provided to all Members, Standing Order 25 (x) refers Members to Code of Conduct and need to undertake adherence to Code of Conduct. Members required to declare interests, if appropriate, on all Council and Committee agendas. Declaration form completed and signed on occasion of declaring interest. Interests analysed between personal and prejudicial. Members advised to declare interests on each Council and Committee Agenda. Members' Interests recorded on Minutes of Council and Committee Meetings showing whether interest is personal and/or prejudicial. Forms completed by Members declaring interests and Minutes placed on the Council's website include completed forms, on a monthly basis. This method complies with S58 of The Local Government (Democracy) (Wales) Act 2013. Register maintained of notified gifts and/or hospitality with a value in excess of £10.00.	C	L
Lack of Member Accountability through breaches of Standing Orders and Code of Conduct.	Lack of trust by Public in proper administration of the Council. Members open to challenge over decisions made. Potential for illegal activity by Members and subsequent potential for police investigations. Potential for Standards Committee to investigate decisions by certain Members, this could lead to suspension of Members. Potential for third party to issue civil proceedings against either the Council or individual Member if Breach of Confidentiality occurs.	I	B	H	All Members sign for receipt of Council's Code of Conduct. (see Code of Conduct Section 3). Standing Orders of the Council provided to all Members, Standing Order 25 (x) refers Members to Code of Conduct and the need to undertake adherence to the Code of Conduct. In relation to Breach of Confidentiality, Any breach of the Code of Conduct requires any other Member(s) who become reasonably aware that a breach of confidentiality has occurred, to notify the County Council's Monitoring Officer - Code of Conduct - Part 2 General Provisions - para. 6(1)(i).	C	L
Data Protection Act 1998 - Compliance to include compliance with GDPR as from May 2018 and Data protection Act 2018.	Potential legal action for non compliance and loss of funds due to legal costs.	I	B	H	Preparation of Data Protection Policy (2015) as updated to accommodate requirements of GDPR and Data Protection Act 2018 which will replace Data Protection Act 1998. Use of Consultant as Data Protection Officer for Council from 2017/18 onwards. Comprehensive set of Data Protection Policies maintained.	C	L
Disability Discrimination Act.	Complaint being made that little or no cognisance is being taken of the requirements of the Act. Potential legal action against Council.	I	B	H	Report commissioned regarding suitability of Council building for disabled access and use. Budgetary provision made for adaptations where feasible. Use of temporary ramps etc in the immediate future. Installation of chair lift to first floor office suites and adaptation of toilet to allow disabled access on first floor.	S	M

IDENTIFIED RISK	POTENTIAL CONSEQUENCES OF RISK	SEVERITY OF IMPACT	PROBABILITY OF RISK OCCURRING	INITIAL RISK	CONTROLS TO MANAGE RISK	LEVEL OF INTERNAL CONTROLS	MITIGATED RISK
Administration Risks cont'd.							
Freedom of Information Act	Public complaint regarding available information. Information Commissioner investigating Town Council. Potential adverse report from Information Commissioner.	I	B	H	Freedom of Information Act 2005, New Publication Scheme adopted by Town Council in December 2008. Came into force 1st Jan. 2009. Types of disclosures available to the public listed in detail on Council website. Enquiries dealt with as and when they arrive. Records maintained of incoming requests and outgoing responses. Use of Consultant as FOI Officer from 2017/18 onwards.	C	L
Health and Safety Matters	Possible claim for injury to a Member of the Public in using the Council's facilities. Possible claim for injury from tenants who occupy offices in the Council Buildings. Possible claim by Staff for injury whilst in work. Possibly investigation by Health and Safety Executive for breach of legislation. If such an investigation is actioned, there is a potential cost to the Council per hour and for the issue of an Improvement Notice.	I	A	H	See Hiring out of Council Chamber and/or Community Room in respect of Public use of the Council's buildings (Asset Mgt. Risks below). All tenants responsible for the Health and Safety of their own staff, however all emergency procedures in relation to the public using the Council's building are copied to the tenants. The Council has employed a Health and Safety Consultant to advise on all Health and Safety matters, the Consultant has prepared a Manual and will undertake periodic audits to ensure compliance with the requirements of the Manual.	C	L
Use of Social Media	Use of Social Media: If not used in a structured manner may lead to Administration Risks which can be categorised as Reputational Risks. Financial Risks and Operational Risks:- Reputational Risks - Posts or 'likes' of negative comments about the Council, which may make or 'like' a misrepresentative comment about the Council or falsely claims a particular stance that the Council may take on a matter. - May lead to legal action by 3rd Parties and/or disciplinary action against the individual. Financial Risks - Confidential Financial information is posted on Social Media before the Council has debated it - May lead to legal action by 3rd Parties, who have acted on the posted information, if the Council amends the information. The claim may be based on the 3rd Party arguing that by posting the information on Social Media the individual was representing the Council. The individual may also be subjected to disciplinary action. Operational Risks - Individuals may post or 'like' comments that can be deemed to be hostile discriminatory or offensive and if that post is viewed by Employees, Members or interested 3rd Parties - Potential for legal action by Employees, Members or 3rd Parties and/or disciplinary action against the individual. Any or all of the above, if occurring, may lead to the Council being viewed in a negative light by the public.	I	A	H	All Members provided with a copy of the Welsh Local Government Association, publication "Social Media: A Guide for Councillors" on 16th November 2015. Thereby:- Members advised on protocols required when using personal Social Media. Members advised that when using personal Social Media they are also representing the Council when discussing anything related to the Council. Members made aware of the impact of 'liking' a 3rd Party's statement on Social Media. The Town Council Website informs the public that it does not, as a corporate body, usually reply to comments made on Social Media. Staff and Members comply with the Council's Social Media Policy as adopted and when amended.	A	M

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IDENTIFIED RISK	POTENTIAL CONSEQUENCES OF RISK	SEVERITY OF IMPACT	PROBABILITY OF RISK OCCURRING	INITIAL RISK	CONTROLS TO MANAGE RISK	LEVEL OF INTERNAL CONTROLS	MITIGATED RISK
Administration Risks cont'd.							
Risk of severe and potentially damaging loss of Council Data through inadequate storage methods	Loss of substantial amounts of Council Data. Prolonged interruption to administration processes of the Council. Potential permanent loss of important and legal documentation. Loss of credibility in Council by public and Statutory Bodies. Potential breach of Data Protection Legislation.	I	C	H	Replacement Computer Hardware which includes a 2 disc server in 2018. Comprehensive hard copies of documents maintained. IT support through a contract with a support provider. Regular assessments of adequacy of safety of stored data.	S	M

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IDENTIFIED RISK	POTENTIAL CONSEQUENCES OF RISK	SEVERITY OF IMPACT HML	PROBABILITY OF RISK OCCURRING HML	INITIAL RISK	CONTROLS TO MANAGE RISK	LEVEL OF INTERNAL CONTROLS	MITIGATED RISK
Asset Management Risks							
Legal Liability arising from asset ownership and providing services to the public. Since 1st April 2015 also includes Car Park at side and rear of Council Chamber (incl. Barter). Various tenants and other authorised groups/individuals have right of access to the Car Park.	Risk of litigation should an individual or third party property become injured or damaged. Risk of litigation should an Employee become injured at work.	I	C	H	Adequate Public & Employer Liability insurance. Adequate property insurance. Regular physical maintenance of assets where applicable. When required, adequate surveys of physical assets undertaken by specialists. Renewed and replaced Fire Alarm system incl. Council Offices, tenanted areas and parts of Old Baths Building. Work completed October 2018. Regular Fire Alarm tests.	B	L
Loss or damage to assets owned by the Council. Since 1st April 2015 also includes Car Park at side and rear of Council Chamber (incl. Barter). Since 2021 includes Laptops and bags provided to certain Members by the Council.	Assets unable to be used. Expense of replacing assets. Potential breach of Data Protection Legislation in relation to the use of the Laptops.	I	B	H	Adequate insurance cover for assets. Up to date register of Fixed Assets. In the case of the Laptops a comprehensive policy for their use and return, when required, has been approved by the Council.	S	M
Loss of cash or other assets through theft or dishonesty.	Council may be unable to provide its services. Potential damage to reputation of Council. Possible absence of staff for extended period (e.g. suspension). Potential additional costs of providing cover for absent staff.	I	B	H	Robust internal management controls, including prevention and detection of fraud and corruption. Fidelity Guarantee Insurance. Adequate and exercised Budgetary Controls, including regular update reports to Committee comparing actuals to budget. Variance analysis of significant differences between actual and budget. Regular Bank reconciliations and comparisons to financial records.	C	L
Loss or damage to assets owned by 3rd Parties, given on permanent loan to the Council.	Potential damage to reputation of Council. Potential for a claim from the third party for loss or damage to particular item.	II	D	L	All assets whether owned by the Council or on permanent loan to the Council are recorded in the Asset Register and insured for loss or damage. No asset on permanent loan to the Council is housed in an area where the public have unauthorised access to.	C	L
Hiring out of the Council Chamber, Community Room or other offices in the Council Building.	Asset of the Council being damaged and needing repair. In emergency, hirer not being familiar with evacuation procedures, resulting in potential claims through civil courts and/or criminal courts for negligence. Loss of trust in Council and possible fines/compensation. Insurance Company may refuse claim if negligence is proved.	I	A	H	All hirers supplied with a comprehensive list of conditions of hiring the Council Chamber and/or the Community Room. The conditions include a comprehensive evacuation procedure with details of the various evacuation routes to follow and the assembly point outside the buildings. All the evacuation routes are fully signed. The conditions also include "penalties" for damaging the Council's property.	B	M
Coronation Gardens	The gardens which were transferred to BTC from FCC in May 2009 are a public open space. There were various risk elements in the Gardens which could cause injury to users. Please refer to comprehensive risk assessment of Gardens in Coronation Garden files.	I	B	H	See comprehensive risk assessment prepared in relation to the Gardens in the Coronation Gardens file. Substantial remedial works carried out at the Gardens identified when the Gardens were transferred. Gardens maintained by Landscape Contractor and now gated with opening and closing times. Gardens included in insurance policies of the Council.	S	L
Water Supply	Health risks if drinking water or water droplets become contaminated.	II	E	L	Water sampling conducted when required with all high priority measures identified in the sampling eradicated as soon as is practicable. Please note high priority measures identified do not necessarily constitute a present danger, but when rectified eradicate the potential for the dangerous situation to occur.	S	L

IDENTIFIED RISK	POTENTIAL CONSEQUENCES OF RISK	SEVERITY OF IMPACT H/M/L	PROBABILITY OF RISK OCCURRING H/M/L	INITIAL RISK	CONTROLS TO MANAGE RISK	ADDITIONAL CONTROLS	LEVEL OF INTERNAL RISK	MITIGATED RISK
Pandemic/Epidemic Spread of Covid-19 Coronavirus	Staff Members Contractors who have access to the building - The Town Events Organiser & Town Centre Support Provider Cleaners Members of the Public Anyone else who physically comes in contact with any of the above in the building	H	H	H	<p>The following to be available at all times:- Hand Washing facilities with soap and water and disposable paper hand towels. Stringent hand washing to take place.</p> <p>Notices in appropriate place advising of actions to be taken during Pandemic. Staff encouraged to protect skin with appropriate lotions. Hand sanitisers available in most rooms and corridors. Surface cleaning disinfectant wet wipes available. PPE incl. gloves and masks. Tissues for catching coughs and sneezes.</p> <p>Cleaning:- Frequently clean and disinfect objects and surfaces that are regularly touched, particularly in areas of high use such as door handles, light switches and reception areas using appropriate cleaning products and methods.</p> <p>Social Distancing:- Reducing the number of persons in any work area to comply with the appropriate gap as recommended by Welsh Government amended as required by Government advice.</p> <p>Review and alter work schedules as required eg staggering work times, working from home etc. to reduce the number of staff at any location in the offices at any one time.</p> <p>Redesign procedures to ensure social distancing is maintained.</p> <p>Whenever practicable, conference calls to be used instead of physical meetings.</p> <p>Ensure sufficient rest breaks for staff.</p> <p>Social distancing to be maintained throughout the building.</p>	<p>Employees to be reminded on a regular basis to wash their hands for 20 seconds with water and soap and the importance of proper drying with disposable towels. Also reminded to catch coughs and sneezes in tissues - Follow "Catch it, Bin it, Kill it" and avoid touching face, or mouth with unclean hands.</p> <p>Encourage staff to report any problems and carry out skin checks as part of</p> <p>Posters/Leaflets and other material to be available and on display.</p> <p>Rigorous checks to be carried out by all staff to ensure that the necessary procedures are being followed.</p> <p>Staff to be reminded on a daily basis of the importance of social distancing both in the workplace and outside it.</p> <p>To ensure social distancing is observed the following to be instigated:- A clear perspex screen will be fixed to the public access door/hatch and a perspex screen be placed in the Chamber for Members to attend if required. Members should request entry to the offices and if granted, access should be via the side Council Chamber door. Any informal meeting to adhere to the social distancing in force at the time and be held in the Chamber. Contractors should follow the same procedure.</p> <p>Any person (incl. Members) who wish to visit the Offices must make an appointment at least two working days in advance. This is essential in minimising and managing person to person contact within the Council Building and offices within it.</p>	A	M
							A	M
							A	M
							A	M

IDENTIFIED RISK	POTENTIAL CONSEQUENCES OF RISK	SEVERITY OF IMPACT HML	PROBABILITY OF RISK OCCURRING HML	INITIAL RISK	CONTROLS TO MANAGE RISK	ADDITIONAL CONTROLS	LEVEL OF INTERNAL RISK	MITIGATED RISK
Spread of Covid-19 Coronavirus cont'd		H	H	H	<p>Wearing gloves and other PPE:- Where it is appropriate, wear PPE as a requirement of the job.</p> <p>If anyone becomes unwell with a new continuous cough, high temperature, loses their sense of or taste or starts with a continuously runny nose, they will be sent home and be advised to follow the latest Welsh Government Guidelines.</p>	<p>Staff to wear PPE as and when appropriate to ensure social distancing rules are maintained.</p> <p>Staff to be reminded that wearing gloves is not a substitute for good hand washing.</p>	A	M
					<p>Use of vehicles:- The sharing of vehicles with other staff and/or Members is advised against.</p>	This element also includes Contractors.	A	M
					<p>Mental Health</p>	<p>An open door policy to be maintained for staff to confide in the Clerk when required.</p> <p>Members to ensure that there is a positive attitude to the maintenance of the mental health of the staff and to ensure that no action taken by them, either individually or as a group could be construed as adversely affecting the mental health and well being of any Member of Staff or the Staff as a whole, particularly where the staff are working in unfamiliar or stressful situations.</p>	A	M

BUCKLEY TOWN COUNCIL

PUBLIC QUESTION TIME

Public Question Time will be conducted on the Main Council Agenda each month and will occur after Apologies. The rules relating to the Public Question Time are listed below:-

1. An Agenda item should appear on each Ordinary Council Meeting Agenda, immediately after Declarations of Interest. The Agenda item heading should read 'Public Question Time'.
2. Questions should be in writing, received by the Friday preceding the Briefing Meeting which is held one week before the Council Meeting. The date for receiving questions each month, should be posted on the Town Council's Website.
3. Questions should only be accepted from electors from the four Wards of Buckley Town Council and should be limited to one question per elector per month. The Council should not accept or answer frivolous or vexatious questions.
4. Questions should only be asked that relate to matters regarding the services provided by Buckley Town Council, questions should not be accepted that relate to other Councils or Agencies.
5. No questions will be entertained that may be deemed to include potential personal canvassing on any matter or seek to gain an advantage for the questioner on any matter.
6. A maximum of five written questions per month should be accepted. The selection of the five questions, if more are received, should be made at the Mayor and Chairs' Briefing Meeting. The questions should normally be chosen on a first come first served basis.
7. A maximum of 30 minutes should be allowed for the Mayor or Chair of a relevant Committee to answer the questions. The questions should be read out, the answer given with no further debate.
8. Repeat questions from previous months should not be considered.
9. The minutes should record the questions asked and the answers given.

BUCKLEY TOWN COUNCIL

MEMBERS CODE OF CONDUCT

**ADOPTED BY RESOLUTION OF THE
TOWN COUNCIL AT ITS MEETING HELD ON
TUESDAY 22nd MARCH 2016**

TO TAKE EFFECT FROM 1st APRIL 2016

**THE LOCAL AUTHORITIES
(MODEL CODE OF CONDUCT) (WALES)
(AMENDMENT) ORDER 2016**

MEMBERS' CODE OF CONDUCT

PART 1 INTERPRETATION

1.(1) In this code –

“Co-opted Member”, in relation to a relevant Authority, means 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 which falls to be decided at any meeting of that Committee or Sub-Committee;

“meeting” means any meeting –

- (a) of the relevant Authority
- (b) of any Cabinet or Board of the relevant Authority
- (c) of any Committee, Sub-Committee, Joint Committee or Joint Sub-Committee of the relevant Authority or of any such Committee, Sub-Committee, Joint Committee or Joint Sub-Committee of any Cabinet or Board of the Authority, or
- (d) where Members or Officers of the relevant Authority are present other than a meeting of a political group constituted in accordance with Regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990 (1),

and includes circumstances in which a Member of a Cabinet or Board or an Officer acting alone exercises a function of an Authority;

“Member” includes, unless the context requires otherwise, a Co-opted Member;

“Registered Society” means a Society, other than a Society registered as a Credit Union which is –

- (a) a registered Society within the meaning given by Section 1(1) of the Co-operative and Community Benefit Societies Act 2014; or
- (b) a Society registered or deemed to be registered under the Industrial and Provident Societies Act (Northern Ireland) 1969;

“Register of Members’ Interests” means the register established and maintained under Section 81 of the Local Government Act 2000;

“Relevant Authority” means –

- (a) a County Council,
- (b) a County Borough Council,
- (c) a Town or Community Council,
- (d) a Fire and Rescue Authority constituted by a scheme under Section 2 of the Fire and Rescue Services Act 2004 (2) or a scheme to which Section 4 of that Act applies,
- (e) a National Park Authority established under Section 63 of the Environment Act 1995 (3);

“you” means you as a Member or Co-opted Member of a relevant Authority; and

“your Authority” means the relevant Authority of which you are a Member or Co-opted Member.

1.(2) In relation to Town or Community Councils reference to "Authority" should be read as meaning Council –

- (a) "Proper Officer" means an Officer of that Council within the meaning of Section 270(3) of the Local Government Act 1972; and
- (b) "Standards Committee" means the Standards Committee of the County or County Borough Council which has functions in relation to the Town or Community Council for which it is responsible under Section 56(1) and (2) of the Local Government Act 2000.

(1) S.I.1990/1553 as amended by S.I.1991/1389; S.I. 1993/12339; S.I. 1998/1918; AND S.I. 1999/500.

(2) 2004 c.21.

(3) 1995 c.25.

PART 2 GENERAL PROVISIONS

- 2.(1) Save where paragraph 3(a) below applies, you must observe this Code of Conduct –
- (a) whenever you conduct the business, or are present at a meeting, of your Authority;
 - (b) whenever you act, claim to act or give the impression you are acting in the role of Member of the Authority to which you were elected or appointed;
 - (c) whenever you act, claim to act or give the impression you are acting as a representative of your Authority; or
 - (d) at all times and in any capacity, in respect of conduct identified in paragraphs 6(1)(a) and 7 of this Code of Conduct.
- 2.(2) You should read this Code together with the General Principles attached as Appendix 1 to this Code of Conduct, prescribed under Section 49(2) of the Local Government Act 2000 in relation to Wales.
3. Where you are elected, appointed or nominated by your Authority to serve –
- (a) on another relevant Authority, or any other Body, which includes a Health Board, you must, when acting for that other Authority or Body, comply with the Code of Conduct of that other Authority or Body; or
 - (b) on any other Body which does not have a Code relating to the conduct of its Members, you must, when acting for that other Body, comply with this Code of Conduct, except and insofar as it conflicts with any other lawful obligations to which that other Body may be subject.
4. You must –
- (a) carry out your duties and responsibilities with due regard to the principle that there should be equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion;
 - (b) show respect and consideration for others;
 - (c) not use bullying behaviour or harass any person; and
 - (d) not do anything which compromises, or which is likely to compromise, the impartiality of those who work for, or on behalf of, your Authority.
5. You must not –
- (a) disclose confidential information or information which should reasonably be regarded as being of a confidential nature, without the express consent of a person authorised to give such consent, or unless required by law to do so;
 - (b) prevent any person from gaining access to information to which that person is entitled by law.
- 6.(1) You must –
- (a) not conduct yourself in a manner which could reasonably be regarded as bringing your Office or Authority into disrepute;
 - (b) report, whether through your Authority's confidential reporting procedure or direct to the proper Authority, any conduct by another Member or anyone who works for, or on behalf of, your Authority which you reasonably believe involves or is likely to involve criminal

behaviour (which for the purposes of this paragraph does not include offences or behaviour capable of punishment by way of a fixed penalty);

- (c) report to your Authority's Monitoring Officer any conduct by another Member which you reasonably believe breaches this Code of Conduct;
 - (d) not make vexatious, malicious or frivolous complaints against other Members or anyone who works for, or on behalf of, your Authority.
- 6.(2) You must –
- (a) co-operate with any Local Resolution Procedure set up;
 - (b) comply with any request of your Authority's Monitoring Officer, or the Public Services Ombudsman for Wales, in connection with an investigation conducted in accordance with their respective statutory powers.
7. You must not –
- (a) in your official capacity or otherwise, use or attempt to use your position improperly to confer on or secure for yourself, or any other person, an advantage or create or avoid for yourself, or any other person, a disadvantage;
 - (b) use, or authorise others to use, the resources of your Authority –
 - (i) imprudently;
 - (ii) in breach of your Authority's requirements;
 - (iii) unlawfully;
 - (iv) other than in a manner which is calculated to facilitate, or to be conducive to, the discharge of the functions of the Authority or of the Office to which you have been elected or appointed;
 - (v) improperly for political purposes; or
 - (vi) improperly for private purposes.
8. You must –
- (a) when participating in meetings or reaching decisions regarding the business of your Authority, do so on the basis of the merits of the circumstances involved and in the public interest having regard to any relevant advice provided by your Authority's Officers, in particular by –
 - (i) the Authority's Head of Paid Service;
 - (ii) the Authority's Chief Financial Officer;
 - (iii) the Authority's Monitoring Officer;
 - (iv) the Authority's Chief Legal Officer (who should be consulted when there is any doubt as to the Authority's power to act, as to whether the action proposed lies within the policy framework agreed by the Authority or where the legal consequences of action or failure to act by the Authority might have important repercussions);
 - (b) give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your Authority.
9. You must –
- (a) observe the law and your Authority's rules governing the claiming of expenses and allowances in connection with your duties as a Member;
 - (b) avoid accepting from anyone gifts, hospitality (other than official hospitality such as a civic reception or a working lunch duly authorised

by your Authority), material benefits or services for yourself or any person which might place you, or reasonably appear to place you, under an improper obligation.

PART 3 INTERESTS

PERSONAL INTERESTS

10.(1) You must in all matters consider whether you have a personal interest and whether or not this Code of Conduct requires you to disclose that interest.

10.(2) You must regard yourself as having a personal interest in any business of your Authority if –

- (a) it relates to, or is likely to affect –
 - (i) any employment or business carried on by you;
 - (ii) any person who employs or has appointed you, any firm in which you are a partner or any company for which you are a remunerated director;
 - (iii) any person, other than your Authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties as a Member;
 - (iv) any corporate body which has a place of business or land in your Authority's area and in which you have a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body;
 - (v) any contract for goods, services or works made between your Authority and you, or a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;
 - (vi) any land in which you have a beneficial interest and which is in the area of your Authority;
 - (vii) any land where the landlord is your Authority and the tenant is a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;
 - (viii) any body to which you have been elected, appointed or nominated by your Authority;
 - (ix) any –
 - (aa) Public Authority or body exercising functions of a public nature;
 - (bb) company, industrial and providence society, charity or body directed to charitable purposes;
 - (cc) body whose principle purposes include the influence of public opinion or policy;
 - (dd) trade union or professional association; or
 - (ee) private club, society or association operating within your Authority's area,
in which you have membership or hold a position of general control or management;
 - (x) any land in your Authority's area in which you have a licence (alone or jointly with others) to occupy for 28 days or longer;

- (b) a decision upon it might reasonably be regarded as affecting –
 - (i) your wellbeing or financial position, or that of a person with whom you live, or any person with whom you have a close personal association;
 - (ii) any employment or business carried on by persons as described in 10(2)(c)(i);
 - (iii) any person who employs or has appointed such persons described in 10(2)(c)(i), any firm in which they are a partner, or any company of which they are directors;
 - (iv) any corporate body in which persons as described in 10(2)(c)(i) have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or
 - (v) any body listed in paragraphs 10(2)(a)(ix)(aa) to (ee) in which persons described in 10(2)(c)(i) hold a position of general control or management,
 to a greater extent than the majority of –
 - (aa) in the case of an Authority with electoral divisions or wards, other Council tax payers, rates payers or inhabitants of the electoral division or ward, as the case may be, affected by the decision; or
 - (bb) in all other cases, other Council tax payers, rate payers or inhabitants of the Authority's area.

DISCLOSURE OF PERSONAL INTERESTS

11.(1) Where you have a personal interest in any business of your Authority and you attend a meeting at which that business is considered, you must disclose orally to that meeting the existence and nature of that interest before, or at the commencement of, that consideration or when the interest becomes apparent.

11.(2) Where you have a personal interest in any business of your Authority and you make –

- (a) written representations (whether by letter, facsimile or some other form of electronic communication) to a Member or Officer of your Authority regarding that business, you should include details of that interest in the written communication; or
- (b) oral representations (whether in person or some form of electronic communication) to a Member or Officer of your Authority you should disclose the interest at the commencement of such representations, or when it becomes apparent to you that you have such an interest and confirm the representation and interest in writing within 14 days of the representation.

11.(3) Subject to paragraph 14(1)(b) below where you have a personal interest in any business of your Authority and you have made a decision in exercising a function of a Cabinet or Board, you must in relation to that business ensure that any written statement of that decision records the existence and nature of your interest.

11.(4) You must, in respect of a personal interest not previously disclosed, before or immediately after the close of a meeting where the disclosure is made pursuant to sub-paragraph 11(1) above, give written notification to your Authority in accordance with any requirements identified by your Authority's Monitoring Officer, or in relation to a

Town or Community Council, your Authority's Proper Officer from time to time but, as a minimum, containing –

- (a) details of the personal interest;
- (b) details of the business to which the personal interest relates; and
- (c) your signature.

11.(5) Where you have agreement from your Authority's Monitoring Officer that the information relating to your personal interest is sensitive information, pursuant to paragraph 16(1) below, your obligations under this paragraph 11 to disclose such information, whether orally or in writing, are to be replaced with an obligation to disclose the existence of a personal interest and to confirm that your Authority's Monitoring Officer has agreed that the nature of such personal interest is sensitive information.

11.(6) For the purposes of sub-paragraph (4) above, a personal interest would only be deemed to have been previously disclosed if written notification has been provided in accordance with this Code since the last date on which you were elected, appointed or nominated as a Member of your Authority.

11.(7) For the purposes of sub-paragraph (3) above, where no written notice is provided in accordance with that paragraph you will be deemed as not to have declared a personal interest in accordance with this Code.

PREJUDICIAL INTERESTS

12.(1) Subject to sub-paragraph (2) below, where you have a personal interest in any business of your Authority you also have a prejudicial interest in that business if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

12.(2) Subject to sub-paragraph (3) below, you will not be regarded as having a prejudicial interest in any business where that business –

- (a) relates to –
 - (i) another relevant Authority of which you are also a Member;
 - (ii) another Public Authority or body exercising functions of a public nature in which you hold a position of general control or management;
 - (iii) a body to which you have been elected, appointed or nominated by your Authority;
 - (iv) your role as a school governor (where not appointed or nominated by your Authority) unless it relates particularly to the school of which you are a governor;
 - (v) your role as a Member of a Health Board where you have not been appointed or nominated by your Authority;
- (b) relates to –
 - (i) the housing functions of your Authority where you hold a tenancy or lease with your Authority, provided that you do not have arrears of rent with your Authority of more than two months and provided that those functions do not relate particularly to your tenancy or lease;
 - (ii) the functions of your Authority in respect of school meals, transport and travelling expenses, where you are a guardian,

- parent, grandparent or have parental responsibility (as defined in Section 3 of the Children Act 1989) of a child in full time education, unless it relates particularly to the school which that child attends;
- (iii) the functions of your Authority in respect of statutory sick pay under Part X1 of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to, the receipt of such pay from your Authority;
- (iv) the functions of your Authority in respect of an allowance or payment made in accordance with the provisions of Part 8 of the Local Government (Wales) Measure to 2011, or an allowance or pension provided under Section 18 of the Local Government and Housing Act 1989;
- (c) your role as a Town or Community Councillor in relation to a grant, loan or other form of financial assistance made by your Town or Community Council to community or voluntary organisations up to a maximum of £500.

12.(3) The exemptions in sub-paragraph (2)(a) above do not apply where the business relates to the determination of any approval, consent, licence, permission or registration.

OVERVIEW AND SCRUTINY COMMITTEES

13. You also have a prejudicial interest in any business before an Overview and Scrutiny Committee of your Authority (or of a Sub-Committee of such a Committee) where –

- (a) that business relates to a decision made (whether implemented or not) or action taken by your Authority's Cabinet, Board or another of your Authority's Committees, Sub-Committees, Joint Committees or Joint Sub-Committees; and
- (b) at the time the decision was made or action was taken, you were a Member of the Cabinet, Board, Committee, Sub-Committee, Joint Committee or Joint Sub-Committee mentioned in sub-paragraph 13(a) above and you were present when that decision was made or action was taken.

PARTICIPATION IN RELATION TO DISCLOSED INTERESTS

14.(1) Subject to sub-paragraphs (2), (2A), (2B), (3) and (4) below, where you have a prejudicial interest in any business of your Authority you must, unless you have obtained a dispensation from your Authority's Standards Committee –

- (a) withdraw from the room, chamber or place where a meeting considering the business is being held –
 - (i) where sub-paragraph (2) below applies, immediately after the period for making representations, answering questions or giving evidence relating to the business has ended and in any event before further consideration of the business begins, whether or not the public are allowed to remain in attendance for such consideration; or

- (ii) in any other case, whenever it becomes apparent that that business is being considered at that meeting;
- (b) not exercise Cabinet or Board functions in relation to that business;
- (c) not seek to influence a decision about that business;
- (d) not make any written representations (whether by letter, facsimile or some other form of electronic communication) in relation to that business; and
- (e) not make any oral representations (whether in person or some form of electronic communication) in respect of that business or immediately cease to make such oral representations when the prejudicial interest becomes apparent.

14.(2) Where you have a prejudicial interest in any business of your Authority you may attend a meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

14.(2A) Where you have a prejudicial interest in any business of your Authority you may submit representations to a meeting of that business provided that the public are allowed to attend the meeting for the purpose of making representations, answering questions or giving evidence in relation to the business, whether under statutory right or otherwise.

14.(2B) When submitting written representations under sub-paragraph (2A) you must comply with any procedure that your Authority may adopt for the submission of such representations.

14.(3) Sub-paragraph (1) above does not prevent you attending and participating in a meeting if –

- (a) you are required to attend a meeting of an Overview or Scrutiny Committee, by such Committee exercising its statutory powers; or
- (b) you have the benefit of a dispensation provided that you –
 - (i) state at the meeting that you are relying on the dispensation; and
 - (ii) before or immediately after the close of the meeting give written notification to your Authority containing –
 - (aa) details of the prejudicial interest;
 - (bb) details of the business to which the prejudicial interest relates;
 - (cc) details of and the date on which, the dispensation was granted; and
 - (dd) your signature.

14.(4) Where you have a prejudicial interest and are making written or oral representations to your Authority in reliance upon a dispensation, you must provide details of the dispensation within any such written or oral representation and in the latter case, provide written notification to your Authority within 14 days of making the representation.

PART 4

THE REGISTER OF MEMBERS' INTERESTS

REGISTRATION OF FINANCIAL AND OTHER INTERESTS AND MEMBERSHIP AND MANAGEMENT POSITIONS

- 15.(1)** Subject to sub-paragraph (4) below, you must, within 28 days of –
- (a) your Authority's Code of Conduct being adopted or the mandatory provisions of this Model Code being applied to your Authority; or
 - (b) your election or appointment to office (if that is later),
- register your personal interests, where they fall within a category mentioned in paragraph 10(2)(a) above in your Authority's register of Members' Interests by providing written notification to your Authority's Monitoring Officer.
- 15.(2)** Subject to sub-paragraph (4) you must within 28 days of becoming aware of any new personal interest falling within a category mentioned in paragraph 10(2)(a), register that new personal interest in your Authority's register of Members' Interests by providing written notification to your Authority's Monitoring Officer.
- 15.(3)** Subject to sub-paragraph (4) you must, within 28 days of becoming aware of any change to a registered personal interest falling within a category mentioned in paragraph 10(2)(a) register that change in your Authority's Register of Members' Interests by providing written notification to your Authority's Monitoring Officer, or in the case of a Town or Community Council to your Authority's Proper Officer.
- 15.(4)** Sub-paragraphs (1), (2) and (3) do not apply to sensitive information determined in accordance with paragraph 16(1) below.
- 15.(5)** Sub-paragraph (1) and (2) do not apply if you are a Member of a relevant Authority which is a Town or Community Council when you act in your capacity as a Member of such an Authority.
- 15.(6)** You must, when disclosing a personal interest in accordance with paragraph 11 for the first time, register that personal interest in your Authority's Register of Members' Interests by providing written notification to your Authority's Monitoring Officer, or in the case of a Town or Community Council to your Authority's Proper Officer.

SENSITIVE INFORMATION

- 16.(1)** Where you consider the information relating to any of your personal interests is sensitive information and your Authority's Monitoring Officer agrees, you need not include that information when registering that interest, or, as the case may be, a change to the interest under paragraph 15 above.
- 16.(2)** You must within 28 days of becoming aware of any change of circumstances which means that information excluded under sub-paragraph (1) above is no longer sensitive information, notify your Authority's Monitoring Officer, or in relation to a

Town or Community Council your Authority's Proper Officer, asking that the information be included in your Authority's Register of Members' Interests.

16.(3) In this Code, "sensitive information" means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

REGISTRATION OF GIFTS AND HOSPITALITY

17.(1) You must, within 28 days of receiving any gift, hospitality, material benefit or advantage above a value specified in a resolution of your Authority, provide written notification to Flintshire County Council's Monitoring Officer, or in relation to a Town or Community Council to your Authority's Proper Officer of the existence and nature of that gift, hospitality, material benefit or advantage.

17.(2) This Authority has determined that for the purposes of paragraph 17(1) above the amount shall be £10.00 until further determination.

THE PRINCIPLES

The Local Government Act empowered the National Assembly to issue Principles to which you must have regard in undertaking your role as a Member. The Code is based on these Principles which are designed to promote the highest possible standards. These Principles draw on the 7 Principles of Public Life which were set out in the Nolan Report "Standards of Conduct in Local Government in England, Scotland and Wales". Three more were added to these: a duty to uphold the law, proper stewardship of the Authority's resources and equality and respect for others.

Members elected to Local Authorities (including Town and Community Councils) give generously of their time and commitment for the benefit of their communities. The Principles provide a framework for channelling your commitment in a way which will reflect well on you and your Authority and which will give your communities confidence in the way that your Authority is governed.

The individual sections of the Code are designed to support the implementation of the Principles. For example, the Selflessness Principle is covered by section 7 of the Code.

The current Principles were set out in a statutory instrument and are detailed below:-

1. Selflessness

Members must act solely in the public interest. They must never use their position as Members to improperly confer advantage on themselves or to improperly confer advantage or disadvantage on others.

2. Honesty

Members must declare any private interests relevant to their public duties and take steps to resolve any conflict in a way that protects the public interest.

3. Integrity and Propriety

Members must not put themselves in a position where their integrity is called into question by any financial or other obligation to individuals or organisations that might seek to influence them in the performance of their duties. Members must on all occasions avoid the appearance of such behaviour.

4. Duty to Uphold the Law

Members must act to uphold the law and act on all occasions in accordance with the trust that the public has placed in them.

5. Stewardship

In discharging their duties and responsibilities Members must ensure that their Authority's resources are used both lawfully and prudently.

6. Objectivity in Decision Making

In carrying out their responsibilities, including making appointments, awarding contracts or recommending individuals for rewards and benefits, Members must make decisions on merit. Whilst Members must have regard to the professional advice of Officers and may properly take account of the views of others, including their political groups, it is their responsibility to decide what view to take and if appropriate, how to vote on any issue.

7. Equality and Respect

Members must carry out their duties and responsibilities with due regard to the need to promote equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion and show respect and consideration for others.

8. Openness

Members must be as open as possible about all their actions and those of their Authority. They must seek to ensure that disclosure of information is restricted only in accordance with the law.

9. Accountability

Members are accountable to the electorate and the public generally for their actions and for the way they carry out their responsibilities as a Member. They must be prepared to submit themselves to such scrutiny as is appropriate to their responsibilities.

10. Leadership

Members must promote and support these Principles by leadership and example so as to promote public confidence in their role and in the Authority. They must respect the impartiality and integrity of the Authority's Statutory Officers and its other employees.

The Principles are not part of the Model Code and failure to comply with the Principles is not of itself, therefore, indicative of a breach of the Code. However, it is likely that a failure, for example, to adhere to the Principle concerning Equality and Respect would constitute a breach of the requirements of paragraphs 4(a) and (b) in the Code in respect of equality of opportunity and respect.

In any event the Principles offer a sound basis for your conduct in office and I encourage Members to have regard to them at all times.

Public Services Ombudsman for Wales

MBW/LG January 2015
MBW/LG Revised March 2016

Buckley Town Council

Council Offices, Buckley, Flintshire. CH7 2JB
Telephone and Fax: 01244 544540
www.buckleytc.org.uk

Town Clerk and Financial Officer:
Martin B. Wright CPFA AFA MAAT
E mail: [REDACTED]



Cyngor Tref Bwcle

Swyddfa'r Cyngor, Bwcle, Sir y Fflint. CH7 2JB
Rhif Ffôn a Ffacs: 01244 544540
www.buckleytc.org.uk

Clerc y Dref a Swyddog Cyllid:
Martin B. Wright CPFA AFA MAAT
E bost: [REDACTED]

Our Ref/Ein Cyf

Your Ref/Eich Cyf

Date/Dyddiad

DECLARATION OF ACCEPTANCE OF OFFICE

I, **CHARLES CORDERY** having been elected to the office of Councillor of the Town Council of Buckley hereby declare that I take that office upon myself and will duly and faithfully fulfil the duties of it according to the best of my judgement and ability.

I undertake, to observe the Code for the time being as to the conduct which is expected of Members of Buckley Town Council and which may be revised from time to time. The current Code of Conduct for Members was approved and adopted by Buckley Town Council on Tuesday 22nd March 2016.

DATED this 13th day of MAY 2021

(Signed) C. Cordery

THIS DECLARATION was made and signed before me

(Signed) M. Wright
Proper Officer of the Council

Buckley Town Council

Council Offices, Buckley, Flintshire. CH7 2JB
Telephone and Fax: 01244 544540
www.buckleytc.org.uk

Town Clerk and Financial Officer:
Martin B. Wright CPFA AFA MAAT
E mail: [REDACTED]



APPENDIX B

Cyngor Tref Bwcle

Swyddfa'r Cyngor, Bwcle, Sir y Fflint, CH7 2JB
Rhif Ffôn a Ffacs: 01244 544540
www.buckleytc.org.uk

Clerc y Dref a Swyddog Cyllid:
Martin B. Wright CPFA AFA MAAT
E bost: [REDACTED]

Our Ref/Ein Cyf

Your Ref/Eich Cyf

Date/Dyddiad

MBW/LG

8th September 2021

STRICTLY PRIVATE & CONFIDENTIAL

To: Members of the Establishment Sub-Committee

Councillor V Blondek	- Town Mayor
Councillor J S Jones	- Deputy Town Mayor
Councillor J F Thornton	- Chair of Finance and Economic Development Committee
Councillor N Phillips	- Vice Chair of Finance and Economic Development Committee
Councillor H D Hutchinson	- Chair of General Purposes Committee
Councillor D Ellis	- Vice Chair of General Purposes Committee
Councillor C M Preece	
Councillor P G Shone	

Dear Councillor,

You are requested to attend a meeting of the Establishment Sub-Committee to be held via Zoom Conferencing on **14th September 2021 at 8pm.**

To ensure a quorum is achieved for the meeting, would you please, if you are not available, nominate a replacement, contact them and ensure that they are available for the meeting. A notification of replacement should be sent to the Clerk who will ensure that the replacement has a copy of the Agenda. For ease of administration, this Agenda has also been forwarded electronically.

The agenda for the meeting is given below.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M Wright'.

Town Clerk and Financial Officer

AGENDA

1. APOLOGIES

To receive apologies for absence. Councillor J F Thornton has already provided apologies as he has no internet access.

2. CORRESPONDENCE BETWEEN THE CLERK AND COUNCILLOR C CORDERY

As you will all be aware there was correspondence between the Clerk and Councillor Cordery from 8th July 2021 to 23rd July 2021. The correspondence initially related to the Buckley Jubilee and the Fairground but moved towards the interpretation of Standing Orders.

On two occasions during the correspondence Councillor Cordery accused the Clerk of acting in a confrontational and disrespectful manner. Councillor Cordery requested that the matter of the correspondence be placed before the Full Council, however, following the Clerk's advice that it should be referred to the Establishment Sub-Committee he confirmed his agreement to this action.

Enclosed with this Agenda item is the full correspondence between the Clerk and Councillor Cordery. You will note from the correspondence that Councillor Cordery has yet to identify the individuals, groups or organisations he referred to in his initial email of 8th July 2021 as "It has become apparent that some of the residents of the town feel disenfranchised by the inability of those who have responsibility of the organisation of these events to palpably do so." and "... I ask why the people of this town are being left behind to the detriment of others through what appears to be inertia and lack of organisation towards these events."

The Sub-Committee is requested to receive Councillor C Cordery to the meeting, to invite him to explain his correspondence and to decide whether or not the Clerk acted in a confrontational and disrespectful manner during the correspondence.

3. PROTOCOL IN RELATION TO REVIEWING THE WORK OF THE CLERK

Members will recall that following the last meeting of this Sub-Committee held on 29th April 2021, Members were charged with providing templates for the introduction of a Review System for the work of the Clerk and Staff.

Since that date the Clerk has received a copy of Warwick Town Council's Employee Review System, a copy of Stockesley Town Council's Employee Review System. The Clerk has also prepared a 'Guidance Note entitled 'Guidance on the Performance Management Process' for Buckley Town Council (the four page document) which, after discussion with Councillor P G Shone has been revised by Councillor P G Shone to become, "more generic" (the three page document). Copies of both the Clerk's document and Councillor P G Shone's document are enclosed for Members' consideration. The copies of the documents from Warwick Town Council and Stockesley Town Council have not been included as each organisation is not comparable with Buckley Town Council.

The Sub-Committee is requested to receive and note the above report and enclosed documentation and to decide whether or not it wishes to adopt either of the documents or to further review the matter. Should the Sub-Committee decide to adopt one of the two documents provided, then a commencement date needs to be considered for implementing the process.

4. STATEMENT BY THE CLERK

The Clerk seeks the permission of the Sub-Committee to make a statement in relation to his future intentions in respect of potential retirement and the need for succession planning.

ITEM NO: 2

Sent: Thursday, July 8, 2021 9:30:49 AM

To:



Dear Member,

Please see below correspondence between the Town Centre Events Organiser and Town Centre Support Provider (TCEO&TCSP) and Flintshire County Council with regard to the above.

Although the allowing of the Fair or otherwise is the responsibility of Flintshire County Council, the TCEO&TCSP regularly liaises with the County Council. As you can see from the documentation below, there is no permission from Flintshire County Council this year for the Fair to go ahead.

The Jubilee itself will not be parading on 13th July 2021, however, each Church will conduct its own celebration. The bunting has been erected to ensure that the town is bedecked as it normally is for the Jubilee.

If you have any queries on the matter of the Fair please contact Mr Tom Woodall at [REDACTED] or the TCEO&TCSP on [REDACTED]

Regards,
Martin Wright
Town Clerk and Financial Officer

From: Andy [REDACTED]
Sent: 07 July 2021 18:32
To: Martin Wright <[REDACTED]>
Cc: Lynne George [REDACTED] Tracey Reece [REDACTED]
Subject: Fwd: Buckley Fair

Regards Andy

Begin forwarded message:

From: Kara Jones [REDACTED]
Date: 7 July 2021 at 16:28:13 BST
To: Andy <[REDACTED]>
Subject: RE: Buckley Fair

Hi Andy,

I can confirm that we have not received any application, risk assessment or fee from Mr. Collins therefore currently there is no permission from FCC to operate.

Kind regards Kara

From: Andy [REDACTED]
Sent: 02 July 2021 08:13
To: Kara Jones [REDACTED]
Cc: Tom Woodall [REDACTED]; Mark Edwards [REDACTED]
[REDACTED] Martin Wright [REDACTED]
Subject: Re: Buckley Fair

Good Morning Kara,
Further to talks with Tom and North Wales Police, I would be advising Buckley Town Council, that due to the ever changing rules regarding outside crowds and social distancing that Collins funfair does not attend this year on July 13th.

The reasons behind this advice are as follows,

Mr Collins was sent booking forms on June 1st to include the relevant risk assessments, and I also asked for a site specific assessment covering the likes of, port a loos of which this service is now provided by Mr Collins. I believe these forms have not been recieved by FCC.

Mr Collins has been persistent in calling and it has been repeated that the relevant forms with booking fee be submltted in time for consideration by FCC for the event to go ahead.

The toilets are booked by Buckley Town Council and invoiced to Mr Collins , I would not be confident that a cleaning procedure would be carried out to COVID standards required at this time.

North Wales Police have contacted me over staffing concerns on the evening of 13July, and I will liaise with them pending FCC decision.

Finally Mr Collins has proposed that with the Jubilee not going ahead with the traditional March and service on the common that it be considered that the fair arrives on Tuesday 13 th July and builds up rides for the following weekend , this was dismissed by Tom and myself .

I look forward to a official decision on this matter ASAP , and I will inform Mr Collins and Buckley Town Council upon receipt .

Regards

Andy White

Town support Officer

Buckley Town Council

On 27 May 2021, at 12:28, Kara Jones [REDACTED] wrote:

Hi Andy,

Please see attached Hire Forms as per previous email for completion.

Many thanks ,

Kara Jones

Admin and Finance Officer [Swyddog Gweinyddol
Planning and Environment | Cynllunio a'r Amgylchedd
Flintshire County Council | Cyngor Sir y Fflint

Tel | Ffôn | [REDACTED]

Email | Ebost | [REDACTED]

<http://www.flintshire.gov.uk> | <http://www.siryffflint.gov.uk>
<http://www.twitter.com/flintshirecc> | <http://www.twitter.com/csyffflint>

<image001.jpg>

**

08/07/21

[REDACTED]

Subject: Re: Buckley Fair

Dear Martin,

Thank you for your message concerning the unfortunate demise of the Buckley Jubilee Festivities notably the fun fair.

From social media and also receiving comments from the general public whilst in the Town.

It has become apparent that some of the residents of the town feel disenfranchised by the inability of those who have responsibility for the organisation of these events to palpably do so.

Whilst we all realise the limitations from Covid 19 that exist, in other neighbouring towns for example Flint where the fair was successfully organised and Hawarden where this event is about to take place the towns people gained immense enjoyment from this.

As an elected representative I ask why the people of this town are being left behind to the detriment of others through what appears to be inertia and lack of organisation towards these events.

Kind Regards,

Cllr. Charles Cordery.

[REDACTED]

From: Lynne George
Sent: 09 July 2021 10:23
To: Charles Cordery <[REDACTED]>

Subject: RE: Buckley Fair

Councillor Cordery,

I refer to your email of 8th July 2021 at 14.10.

Before I provide a comprehensive response to your email, would you please answer the following questions in relation to your email:-

1. You state in the third paragraph of your email that some of the residents of the town feel "... disenfranchised by the inability of those who have responsibility for the organisation of these events to palpably do so.". When you state that, who do you regard as responsible for the organisation of the Buckley Jubilee and the Funfair?
2. You state in the final paragraph of your email that as an elected representative I ask why the people of this town are "... being left behind to the detriment of others through what appears to be inertia and lack of organisation towards these events.". This is not the first time you have used the expression inertia when writing to me and similar to question 1 above, who are you accusing of inertia and lack of organisation towards these events? Is it an organisation, more than one organisation or individuals?

I would request your urgent response to this email in order that I can then fully address the content of your email of 8th July 2021.

Regards,
Martin Wright FCPFA AFA MAAT
Town Clerk and Financial Officer

Lynne George

From: Lynne George
Sent: 14 July 2021 12:41
To: Charles Cordery; Vivienne Blondak; Carol; ellisd889; Louis Fox; Ian Howes; Dennis Hutchinson; Julia Jones; 'Richard Jones'; Mike Peers; ianpeters101; Neville Phillips OBE J.P.; carolyn preece; Emma Preece; peter.shone2@ [REDACTED]; Martyn Teire; willwilliams05@ [REDACTED] arnold woolley
Cc: Andy White; [REDACTED] Tom Woodall
Subject: RE: Buckley Fair

Councillor Cordery,

I refer to your email to me dated 8th July 2021 and to my response to you dated 9th July 2021. As I have not received a reply from you to my email of 9th July 2021, I will respond to your email of 8th July 2021. I will deal with each paragraph of your email in turn:-

Your first paragraph – you refer in this paragraph to my message “... concerning the unfortunate demise of the Buckley Jubilee festivities notably the funfair.” – The expression unfortunate demise is normally used when something either ceases to exist or no longer operates. Neither Buckley Jubilee nor the Funfair have ceased to exist. I will refer to the Buckley Jubilee and the Funfair later in this response.

Your second paragraph – the paragraph appears to mean nothing.

Your third paragraph – I will not comment on “... some [of] the residents of the town feel disenfranchised by the inability of those who have responsibility for the organisation of these events to palpably do so.”. However, I will make the following comments. Firstly the Buckley Jubilee is organised by the Buckley Jubilee Committee it has no connection with Buckley Town Council nor does it have any connection with the Funfair. The Buckley Jubilee, which is approximately 160 years old, is a week-long religious festival that has, on the second Tuesday of each July, a Procession of Witness, which all Churches attend, the Procession goes from Higher Common to The Square, to the junction of Chester Road and Bannel Lane and returns to town, each Church peeling off to have their own festivities. The week-long religious festivities end in all the Churches coming together for hymns and prayers on Higher Common. The Buckley Jubilee Committee have, I understand, carefully considered all the Welsh Covid Regulations and decided, quite correctly in my opinion, although the Jubilee will still go ahead with each Church organising its own festivities, the Procession of Witness will not, because of the social distancing issues. You may note that as far as I am aware, this is only the second time the Procession of Witness has not taken place, the previous occasion was last year and both occasions have been because of the Covid Pandemic. It is, therefore, completely incorrect and misleading for you to claim that the Jubilee Committee has failed to organise the Buckley Jubilee or to refer to the Jubilee's unfortunate demise. With regard to the Funfair, this has nothing whatsoever to do with the Buckley Jubilee. It is a separate entity and attends on Higher Common with the permission of Flintshire County Council provided that all the necessary forms, risk assessments,

insurance documents and fees are provided to Flintshire County Council prior to the Fair arriving. Flintshire County Council confirmed on 7th July 2021 that they had received no application, risk assessment or fee from the Funfair owners. Therefore, there was no permission from Flintshire County Council for the Fair to come to Higher Common. You may argue that another Fair who would fill the forms in should be invited. However, Collins Funfair is part of the Great Britain Showman's Guild. Under the rules of the Guild, provided a Fair Operator has run a Fair for a requisite number of years at the same place, they have ownership of the right to hold the Fair at that location. No other Funfair would come to Higher Common because of the rules of the Guild. To, therefore, indicate that the organisations responsible for the events to have palpably failed to deliver is a distortion of the truth and incorrect.

Your fourth paragraph – with regard to your comments in this paragraph I am advised that Flint Town Council recommended that people should not attend the Fair in Flint. Not only that, the Fair was held on private land and organised by private individuals. It was not organised by Flint Town Council or Flintshire County Council. With regard to the Hawarden event, you will have to ask Hawarden Community Council how it managed to comply with Welsh Government Covid Regulations when holding the event.

Your fifth paragraph – as an elected representative of Buckley Town Council could I recommend in future that you do some research first before making the accusations contained within your email. You state in this paragraph that “I ask why the people of this town are being left behind to the detriment of others through what appears to be inertia and lack of organisation towards these events.” This is not the first time that you have used the word “inertia” when corresponding with me. As you can see from the content of my email, there has been no inertia and certainly no lack of organisation in the events listed. The organisations have complied with Welsh Government Covid-19 Regulations/Guidelines and in the case of the Funfair, Flintshire County Council could not permit Collins Funfair to attend on Higher Common as they had failed to meet any of requirements in order for them to attend.

I am aware that your email may have caused concern to the organisations involved and I would therefore respectfully suggest that an apology to the Jubilee Committee, to Flintshire County Council and to Buckley Town Council would be the honourable thing to do. I include Buckley Town Council because your email was addressed to me as the Town Clerk which therefore implied that the Town Council has been involved in the organisation of both the Buckley Jubilee and the Funfair. The Town Council's contribution to the Buckley Jubilee is the funding of, putting up and taking down the bunting in the town centre. The Town Events Organiser and Town Centre Support Provider also provides a liaison link in order to assist if required.

As you will see above I am copying this email to all those people which you included in the distribution of your email of 8th July 2021.

I await your response.

Regards,

Martin Wright FCPFA AFA MAAT
Town Clerk and Financial Officer

Lynne George

From: Tom Woodall [REDACTED]
Sent: 14 July 2021 12:49
To: Lynne George
Subject: RE: Buckley Fair

Thanks for copying me in Martin. I fully support your response.

Kind regards

Tom Woodall

Access and Natural Environment Manager | Rheolwr Mynediad a'r Amgylchedd Naturiol
Planning, Environment and Economy | Cynllunio, Amgylchedd ac Economi
Flintshire County Council | Cyngor Sir y Fflint

Tel | Ffôn | [REDACTED]

Email | E-bost | [REDACTED]

<http://www.flintshire.gov.uk> | <http://www.siryfflint.gov.uk>
<http://www.twitter.com/flintshirecc> | <http://www.twitter.com/csyfflint>



Gyda'n gilydd galiwn ni i gyd helpu i gadw Sir y Fflint yn ddiogel

Together we can all help to keep Flintshire safe

Lynne George

From: Charles Cordery [REDACTED]
Sent: 15 July 2021 09:12
To: [REDACTED]

Cc: [REDACTED]

Subject: Re: Buckley Fair

Dear Martin,

Thank you for your email communication which was received on Wednesday 14th July 2021 12.41 in regards to an email from me on 8th July 2021 14.10 and your response on 9th July 2021 10.23

I fully appreciate that the Jubilee Committee does not have any involvement with the arrangements for the funfair.

However the funfair clearly does not just turn up on Buckley Common the night before Jubilee Day. There are individuals involved in the arrangements and I merely asked who these individuals / groups are.

The fifth paragraph of my email contains the words inertia, the definition of which is "sluggish or resistant to change".

As a democratically elected member of the Town Council and someone who tries to ensure that I am visible around the Town everyday, engaging with residents and listening to their concerns.

I firmly believe that it is my role to raise these concerns on their behalf, which is exactly what I have done.

Kind Regards,

Cllr. Charles Cordery.

Sent from Samsung Mobile on O2
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Lynne George

From: Lynne George
Sent: 16 July 2021 10:08
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Buckley Fair

Councillor Cordery,

Thank you for your prompt response to my email of 14th July 2021. I note the contents of your email and whilst wishing to end this correspondence trail, I believe that the content of your email needs analysis and review. I will therefore analyse your email via reference to each of its paragraphs. Before I do so, I note that you have made no apology nor have you supplied the details of the individuals/groups you were applying the words palpably and inertia to in your email of 8th July 2021:-

First paragraph – content noted.

Second paragraph – content noted.

Third paragraph – I believe my email to you of 14th July 2021 clearly laid out the procedure by which the Funfair comes to Buckley. However, I quote the second sentence of this paragraph which states “There are individuals involved in the arrangements and I merely asked who these individuals/groups are.”. With respect, you did not merely ask who these individuals/groups are, you accused them of the “... inability of those who have responsibility for the organisation of these events to palpably do so.”. May I also correct you in that there is not a Jubilee Day, there is a Jubilee Week and a Day of the Procession of Witness.

Fourth paragraph – thank you for the definition of the word inertia. However, I am sure you are aware of other definitions of the word inertia, one of which is laziness. I am sure you are aware that the word inertia comes from the Latin word iners meaning idle or lazy. The Websters International Dictionary defines inertia as laziness, the Collins English Dictionary defines the word inertia as unwilling to do anything. I, therefore, believe that you need to identify those individuals/groups you are accusing of palpably failing to organise the two events and displaying laziness and an unwillingness to do anything. This will allow the individuals/groups to respond to the accusations and if felt necessary, take whatever action they see fit.

Fifth paragraph and Sixth paragraph, I assume they should be read as a single paragraph, otherwise the fifth paragraph makes no sense – as a “... democratically elected member of this Town Council” you have every right to raise concerns on the public’s behalf. What I

am respectfully stating is that you do not have the right to make the accusations you make in your email of 8th July 2021 whilst not identifying the individuals/groups you are making the accusations against.

To therefore conclude this line of correspondence, I repeat my previous requests that you provide the list of individuals/groups you are accusing of palpably failing to organise the two events you refer to and which individuals/groups you are accusing of laziness and an unwillingness to do anything (inertia).

I hope and trust, upon receipt of the above list, my involvement with you in this matter will cease.

Regards,
Martin Wright
Town Clerk and Financial Officer

Lynne George

From: Charles Cordery - [REDACTED]
Sent: 16 July 2021 12:57
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: Buckley Fair

Dear Martin,

Thank you for your email communication to me today 16th July 2021 10.07

In which I note your comments should you not be satisfied please feel free to place them as an agenda item for the next Meeting of the Council.

Kind Regards,

Cllr. Charles Cordery

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Tracey Reece

From: Tracey Reece
Sent: 19 July 2021 12:22
To: [REDACTED]
Cc: [REDACTED]

Subject: [REDACTED]

Cllr Cordery

Thank you for your email of 16th July 2021 at 12.57, I note its contents.

I am sure you will have read the documents I provided you with when you became a Councillor and I am sure you will agree that it is inappropriate to put this matter on an Agenda for the Council and/or a Standing Committee. There are a number of avenues that can be pursued in relation to this matter, I will advise you in due course of the course I may recommend.

In the meantime, it is my intention to place the matter on the Agenda of the Establishment Sub Committee that is due to meet in early/mid September 2021.

Finally, may I respectfully suggest that if you wish to raised residents concerns, which you are perfectly entitled to do, you should do so in a less confrontational, adversarial and accusatory manner.

Regards

M B Wright
Town Clerk & Financial Officer

Tracey Reece

From: Charles Cordery [REDACTED]
Sent: 20 July 2021 11:55
To: Tracey Reece
Cc: [REDACTED]

Subject: [REDACTED]

Dear Martin,

Thank you for your email communication to me on Monday 19th of July 2021 12.21 the content of which I have noted and considered very carefully.

In doing so, it has become clear to me that the induction process for newly elected Town Councillors is not fit for purpose. The induction process was largely focussed on the history of the Town Hall building rather than providing information on the roles and responsibilities of the salaried staff who support and advise the elected councillors, along with dedicated time explaining the purpose and functioning of the extensive policy documents which were presented to me in hard copy format as "bedtime reading".

Perhaps the Town Council should commission a professional review of this process by a Human Resource professional as this would be very beneficial.

My understanding of the Committee and Sub-Committees is that the agendas for such meetings are set as a result of discussion between the elected members and then you and your team undertake the administrative tasks for the meetings.

Your role in the meeting is not to set the agenda but to offer advice / information on set agenda items if required.

Finally, I wish to point out to you that I feel the form of words used and the tone of your recent email communications to me has been unnecessarily confrontational and disrespectful.

Kind Regards,

Cllr. Charles Cordery.

Tracey Reece

From: Tracey Reece
Sent: 21 July 2021 08:57
To: 'Charles Cordery'
Cc: 

Subject: 

Cllr Cordery

Thank you for your email of 20th July 2021 at 11.55. I note its contents.

I do not intend to respond further in this matter, however in relation to your fourth and fifth paragraphs, I refer you to Standing Order 1(b) of the Town Council's Standing Orders.

Regards

M B Wright
Town Clerk & Financial Officer

Tracey Reece

From: Charles Cordery [REDACTED]
Sent: 21 July 2021 11:54
To: Tracey Reece
Cc: [REDACTED]
Subject: Email Communications

Dear Martin,

Thank you for your email communication to me today at 08.57

Having studiously read the aforementioned standing orders it appears to state that salaried staff only become involved in the discussion surrounding the compilation of any agenda when a dispute arises.

In relation to your suggestion that the question of email communication be placed to the forthcoming Establishment Committee Meeting

I look forward to an invitation being extended to myself from the Committee so that I may take part in any debate that is surrounding this issue.

Kind Regards,

Cllr. Charles Cordery.

Sent from Samsung Mobile on O2

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The information you provide (personal information such as name, address, email address, phone number, organisation) will be processed and stored to enable us to contact you and respond to your correspondence, provide information and/or access our facilities and services. Your personal information will be not shared or provided to any other third party without your consent. We will only keep your data for the purpose it was collected for and only for as long as is necessary, after which it will be deleted. (You may request the deletion of your data held by the council at any time). The council privacy notice can be found on our website www.buckleytc.org.uk.

BUCKLEY TOWN COUNCIL

STANDING ORDERS

Effective from 23rd February 2021

**Martin B Wright FCPFA AFA MAAT
Town Clerk and Financial Officer**

**BUCKLEY TOWN COUNCIL
STANDING ORDERS
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Any reference in these Standing Orders to individuals, uses the masculine term, however the words are intended and designed to be used as a generic term.

BUCKLEY TOWN COUNCIL
STANDING ORDERS
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Any reference in these Standing Orders to individuals, uses the masculine term, however the words are intended and designed to be used as a generic term.

BUCKLEY TOWN COUNCIL STANDING ORDERS

1. MEETINGS

- (a) A Summons to attend a Meeting of the Council and its Standing Committees (including Sub-Committees and the Police Liaison Committee), specifying the business to be transacted, signed by the Clerk, must be left at or sent by post to the usual place of residence of every Member of the Council three clear days at least before the meeting. When statutorily allowed the summons may be forwarded via email. The period of three days is exclusive of the day on which the notices are given and the day on which the meeting is held. The minimum three clear days for notice of a meeting does not include a Sunday, a day of the Christmas break, a Bank Holiday or a day appointed for public thanksgiving or mourning. Want of service of the summons on any Member does not affect the validity of the meeting.
- (b) The Agenda for the meeting must specify the business which it is proposed to transact in such a way that the Member that receives it can identify the matters which he will be expected to discuss. The Agendas for Council and Standing Committee Meetings are normally discussed with the Mayor and Chairs of the Standing Committees at a Meeting held on the Tuesday prior to the Council and Standing Committee Meetings. If any dispute arises as to the items to be included in the Agendas, the final decision rests with the Clerk (Local Councils Explained, Model Standing Order 9e-f, pages 187 to 188). This Standing Order also applies to Special Meetings and/or Meetings called by Members.
- (c) No decision can lawfully be taken by the Council or its Committees on any business of which notice has not been given. In particular no decision can lawfully be taken on any matter not specified in the summons.
- (d) Meetings of the Council and its Standing Committees shall be held at the Council Chamber, Buckley at 7 o'clock in the evening unless the Council otherwise decides at a previous meeting.
- (e) The meetings of the Council and its Standing Committees shall end at or before 9.30pm unless a motion is moved and it is resolved to suspend Standing Orders in accordance with Standing Order 8(a)(xviii). The resolution to suspend Standing Orders should only be made for specific urgent reasons when Agenda item(s) not yet discussed cannot be deferred. If it is resolved to suspend Standing Orders, the specific Agenda item(s) to be heard must be highlighted as part of the resolution.
- (f) *The Statutory Annual Meeting of the Council shall be held:-*
 - (i) *In an election year, on the Tuesday next following the fourth day after the ordinary day of the elections to the Council or*
 - (ii) *In a year which is not an election year, on the second Tuesday of May.*
- (g) Additional meetings shall be held on the fourth Tuesday in each month of the year with the exception of December when the meeting shall be on the third Tuesday and August when there shall be no meetings.

2. CHAIR OF MEETING

- (a) *The person presiding at a Meeting may exercise all the powers and duties of the Chair in relation to the conduct of the Meeting.*

3. PROPER OFFICER

- (a) Where a statute, regulation or order confers functions or duties on the proper officer of the Council in the following cases, he shall be the Clerk:-
- (i) To receive declarations of acceptance of office.
 - (ii) To receive and record notices disclosing pecuniary interests.
 - (iii) To receive and retain plans and documents.
 - (iv) To sign notices or other documents on behalf of the Council.
 - (v) To receive copies of byelaws made by another authority.
 - (vi) To certify copies of byelaws made by the Council.
 - (vii) To sign summonses to attend Meetings of the Council.
- (b) In any other case the proper officer shall be the person nominated by the Council and, in default of nomination, the Clerk.

4. QUORUM

- (a) *Seven Members shall constitute a quorum.*
- (b) If a quorum is not present when the Council meets or if during a Meeting the number of Members present falls below the quorum, the business not transacted at that Meeting shall be transacted at the next Meeting or on such other day as the Chair may fix.

5. VOTING

- (a) Members shall vote by show of hands, or, if at least two Members so request and the request on being voted upon is carried, by a secret ballot:-
- (i) On the requisition of any Member, made before the vote is taken, and supported by a majority of the Members present, who signify their support by a show of hands, the Clerk shall record the names of the Members who voted on any question so as to show whether they voted for or against that question or abstained from voting.
 - (ii) A request by an individual Member to have recorded how he voted on any question will be permitted only if such request is made before the vote is taken.
- (b) A vote will be carried by a simple majority of Members present.

- (c) (1) Subject to (2) and (3) below the Chair may give an original vote on any matter put to the vote and in the case of an equality of votes, may give a casting vote even if he gave no original vote.

(2) If the person presiding at the Annual Meeting would have ceased to be a Member of the Council but for the statutory provisions which preserve the Membership of the Chair and Vice-Chair until the end of their term of office, he may not give an original vote in an election for Chair.

(3) The person presiding must give a casting vote whenever there is an equality of votes in an election for Chair.

6. ORDER OF BUSINESS

- (a) In an election year Councillors should execute Declarations of Acceptance of Office in the presence of a proper officer previously authorised by the Council to take such declaration, before the Annual Meeting commences.

- (b) *At each Annual Meeting the first business shall be*

- (i) *To elect a Town Mayor.*
- (ii) *To receive the Town Mayor's Declaration of Acceptance of Office.*
- (iii) *To appoint a Deputy Town Mayor.*

The Annual General Meeting shall be adjourned at this point.

After the adjournment of the Annual General Meeting, at the Resumed Meeting, the first formal business shall be:-

- (iv) *Appointment, designation of Standing Committees.*
- (v) *Appointment of Chairs and Vice Chairs of Standing Committees.*
- (vi) *To fix dates of Meetings.*

- (c) After the first business has been completed, the order of business, unless the Council otherwise decides shall be as follows:-

- (i) To choose a person to preside if the Chair and Vice-Chair be absent.
- (ii) To receive and approve apologies for absence with reasons.
- (iii) To receive declarations of interest, the declaration to identify the Agenda item to which it relates.
- (iv) To receive and respond to questions (if any) forwarded to the Council by the public as detailed on Addendum 4 to these Standing Orders.
- (v) To read and consider the Minutes: provided that if a copy has been circulated to each Member not later than the day of issue of the summons to attend the Meeting, the Minutes may be taken as read.
- (vi) After consideration to approve the signature of the Minutes by the presiding Chair as a correct record.
- (vii) To deal with business expressly required by statute to be done.
- (viii) To receive such communications as the presiding Chair may wish to lay before the Council.
- (ix) To answer questions.
- (x) To dispose of business, if any, remaining from previous Meetings.
- (xi) To receive and consider Reports and Minutes of Committees and Advisory Committees.

Tracey Reece

From: Tracey Reece
Sent: 22 July 2021 09:53
To: 'Charles Cordery'
Cc: 

Subject: RE: Email Communications

Cllr Cordery

Although wishing to end the communications in relation to the recent correspondence between you and me, I feel it necessary to respond directly to certain elements of your emails of the 20th July 2021 and 21st July 2021.

Firstly I am surprised to see that your email of 21st July 2021 is only copied into Cllrs David Ellis, Mike Peers and Dennis Hutchinson. I am sure this must be an oversight and I will therefore copy your email of 21st July 2021 to all Members as well as this email.

You state in your email of 20th July 2021 the following "My understanding of the Committee and Sub Committees is that the agendas for such meetings are set as a result of discussion between the elected members then you and your team undertake the administrative tasks for the meetings.

Your role in the meeting is not to set the agenda but to offer advice/information on set agenda items if required."

You will recall I referred you to Standing Order 1(b) of the Town Council's Standing Orders.

In your email of 21st July 2021 you state "Having studiously read the aforementioned standing orders it appears to state that salaried staff only become involved in the discussion surrounding the compilation of any agenda when a dispute arises."

You are wrong in the above statements in both emails, you also, although having studiously read Standing Order 1(b), appear to have either misunderstood or misinterpreted it's content. In order to try and clarify the situation with regard to Agendas I list below the process:-

1. In law the Agendas for the Council, its Standing Committees and any Sub Committees/Working Groups are set by the Clerk. It is the Clerk's responsibility to prepare all Agendas taking into account relevant items that need resolution/approval or noting. It is not the lawful responsibility of Members.
2. Of course Members have the right to request Agenda items and frequently do. It is the Clerk's responsibility to decide on the items to be included in the Agendas and may, on occasions, decline Members requests, giving appropriate reasons.
3. The Meeting referred to in Buckley Town Council's Standing Orders needs to be carefully read. I refer you to the second sentence of Standing Order 1(b) which reads "The Agendas for Council and Standing Committee Meetings are normally discussed with the Mayor and Chairs of the Standing Committees at the Meeting held on the Tuesday prior to the Council and Standing Committee Meetings." It is clear from this sentence that the Agendas have already been prepared before the Meeting on the Tuesday prior to the Council and Standing Committee Meetings. I introduced the Meetings on the Tuesday prior to the formal Meetings the following week, in order to have an effective Briefing Meeting for the Mayor and Chairs so that they can be fully aware of, not only the content of the Agendas, but also all the background information in relation to them. This prepares them for the Meeting the following Tuesday. On rare occasions, the Mayor and Chairs have queried the inclusion of certain items on the Agenda and a discussion takes place. However, they all

know that it is the Clerk's final decision as to whether or not the item is to be included. The Meeting has been an effective means of communication and very rarely do any form of disputes arise.

4. Following the Briefing Meeting, on the following day (whether or not the Briefing Meeting has taken place (Covid 19)), the staff of the Town Council collate all the Agendas and forward them to Members via email and first class post. This is done in order to comply with the legal requirement that Members receive their Agendas three clear days prior to any formal Meeting.

I therefore hope and trust that you are now clear on how the Agendas are prepared and who is responsible for not only preparing the Agendas but also the content and that which is included in those Agendas.

As stated in my email to you of 21st July 2021 at 8.57, I do not intend to respond further with this line of communication and should you wish to email again in relation to any of the matters discussed recently I will not respond. However, please rest assured that I will note the contents of any emails I receive from you on these matters for future reference.

Regards

M B Wright
Town Clerk & Financial Officer

FW: Email Communications

Tracey Reece [REDACTED]

Fri 23/07/2021 06:52

To: Martin Wright [REDACTED]

From: Charles Cordery [REDACTED]

Sent: 22 July 2021 17:14

To: Tracey Reece [REDACTED]

Subject: Re: Email Communications

Dear Martin,

Thank you for your email communication to me today 22nd July 09.52 the contents of which I note.

I would wish to point out that the message delivery was not an oversight the intended recipients were as stated with the exception of Cllr David Ellis the intended recipient Cllr Julia Jones has now received a forwarded copy of my email.

Having carefully considered the question of your email communications to myself I would now wish for this to become an agenda item for the forthcoming Establishment Committee Meeting of which I shall ask those elected Town Councillors who make the arrangements for such to also include an invitation to myself so that I may be party to any discussions and its relevant outcome.

In closing, I reiterate my earlier comments that I find the manner and tone of your email communications to me unnecessarily confrontational and disrespectful.

Kind Regards,

Cllr. Charles Cordery.

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**MINUTES of a MEETING
of the
ESTABLISHMENT SUB-COMMITTEE
held via Zoom
on
Thursday 14th September 2021**

PRESENT

Councillor V E Blondek - (in the Chair)

Cllr D Ellis
Cllr H D Hutchinson
Cllr J S Jones

Cllr N Phillips
Cllr C M Preece
Cllr P G Shone

IN ATTENDANCE

Mr M B Wright – Town Clerk & Financial Officer
Mrs L George – Personal Assistant
Mrs T J Reece – Personal Assistant
Mr D M Wright – Zoom Meeting Administrator

ONLOOKERS

Cllr E J Hutchinson
Cllr E L Preece

INVITEE

Cllr C Cordery for part of Agenda item 2

1. APOLOGIES

An apology for absence and reason was received and approved from Councillor J F Thornton (unable to join the meeting due to lack of internet).

**2. CORRESPONDENCE BETWEEN THE OFFICE AND COUNCILLOR
C CORDERY**

The Sub-Committee, at the request of Councillor C Cordery, discussed issues in relation to emails between himself and the office. Councillor Cordery was present for part of this Agenda item. It was –

Resolved – that a letter be forwarded from the Sub-Committee to Councillor Cordery in relation to the content of certain of his emails.

3. **PROTOCOL IN RELATION TO REVIEWING THE WORK OF THE CLERK**

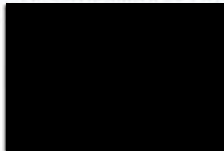
This Agenda item was deferred until a future meeting of the Sub-Committee as time constraints did not allow for a detailed debate.

4. **STATEMENT BY THE CLERK**

The Sub-Committee received a verbal statement by the Clerk. It was –

Resolved – that the verbal statement by the Clerk be received, noted and acknowledged.

MBW/LG

23rd September 2021Councillor C Cordery
**CONFIDENTIAL**

Dear Councillor Cordery,

You will recall that at the Establishment Sub-Committee Meeting held on 14th September 2021, you were invited to present your arguments that the Clerk, in correspondence with you had behaved in an unnecessarily confrontational and disrespectful manner. The quantity of emails between yourself and the Clerk started with enquiries in relation to the none holding of the Buckley Jubilee Procession of Witness and the Funfair that normally accompanies the Jubilee week, in July 2021. However, they extended to your assertions that the Standing Orders dictated different actions by Members as compared to that which the Clerk advised you was the correct reading of Standing Orders.

This letter is written on behalf of the Establishment Sub-Committee, which has authorised me as the Mayor (and Chair of the Establishment Sub-Committee) to sign it.

Firstly, the Establishment Sub-Committee wishes to acknowledge that you are a new Member and may not be familiar with the proper processes of the administration of the Town Council. However, the Establishment Sub-Committee regards some of your correspondence with the Clerk to be unwise, factually incorrect and adversarial.

I refer particularly to your email to the Clerk dated 8th July 2021, which states in the third paragraph "Its has become apparent that some of the residents of the town feel disenfranchised by the inability of those who have responsibility for the organisation of these events to palpably do so.". You also state in the final paragraph "As an elected representative I ask why the people of this town are being left behind to the detriment of others through what appears to be inertia and lack of organisation towards these events.". Both of the above quotations relate to your enquiring about the Buckley Jubilee Procession of Witness and the Funfair.

By stating you are writing as an elected representative of the Town Council you are acknowledging that any comments you make will be covered by the Members Code of Conduct.

It was noted by the Establishment Sub-Committee that although requested in the Clerk's email to you of 9th July 2021, and on numerous occasions during the meeting of the Establishment Sub-Committee you declined to identify which organisations or individuals you were directing your comments at in the above two quotes. The majority of Members of the Establishment Sub-Committee felt that you were directing those comments to not only the Staff of the Town Council but to the Members and Council itself. Such comments as you made and your refusal to identify the organisations you were referring to are regarded as breaching the provisions of the Members Code of Conduct Part 2, General Provisions 4(b)(c) and (d), also Part 2 General Provisions 6(1)(a). Under normal circumstances, your actions would be referred to the Monitoring Officer of Flintshire County Council and potentially to the Standards Committee. There may also be a case for a complaint to the Public Services Ombudsman for Wales. However, as stated above you are a new Member and the Establishment Sub-Committee does not wish to see potential penalties applied to you. With regard to the remainder of the correspondence between you and the Clerk the Establishment Sub-Committee did not find that the Clerk's responses to you were "... unnecessarily confrontational and disrespectful."

The Establishment Sub-Committee requests that you take cognisance of this letter and to, in future, moderate your communications, particularly when stating you are an elected representative. Failure to comply with this request may result in future reference to the Monitoring Officer and Standards Committee.

I look forward to your acknowledgement of receipt of this letter.

Yours sincerely,

Councillor V E Blondak
Mayor of Buckley Town Council

Lynne George

From: Lynne George
Sent: 23 September 2021 11:40
To: [REDACTED]
Subject: Establishment Sub-Committee Meeting 14th September 2021
Attachments: 20210923115122351.pdf

STRICTLY PRIVATE AND CONFIDENTIAL

Dear Member,

Please see attached a copy of the letter forwarded by the Town Mayor to Councillor C Cordery following the above meeting. The letter has been amended slightly with regard to the comments received from various Members to the draft that they were provided with.

I would remind you that the letter has been forwarded as a result of the majority view of the Members attending the above Sub-Committee and as such should be supported by all Members of the Sub-Committee.

Finally, the letter is being forwarded to you under strictly private and confidential cover, under no circumstances should the content of the letter be discussed with any other Member of the Council or any other person. If this request is not adhered to, then the Member not adhering to it will be breaching the Town Council's Code of Conduct for Members.

Regards,
Martin Wright
Town Clerk and Financial Officer

Buckley Town Council

Council Offices, Buckley, Flintshire. CH7 2JB
Telephone and Fax: 01244 544540
www.buckleytc.org.uk

Town Clerk and Financial Officer:
Martin B. Wright CPFA AFA MAAT



Cyngor Tref Bwcle

Swyddfa'r Cyngor, Bwcle, Sir y Fflint. CH7 2JB
Rhif Ffôn a Ffacs: 01244 544540
www.buckleytc.org.uk

Clerc y Dref a Swyddog Cyllid:
Martin B. Wright CPFA AFA MAAT

Our Ref/Ein Cyl
MBW/LG

Your Ref/Eich Cyl

Date/Dyddiad
23rd September 2021

Councillor C Cordery

CONFIDENTIAL

Dear Councillor Cordery,

You will recall that at the Establishment Sub-Committee Meeting held on 14th September 2021, you were invited to present your arguments that the Clerk, in correspondence with you had behaved in an unnecessarily confrontational and disrespectful manner. The quantity of emails between yourself and the Clerk started with enquiries in relation to the none holding of the Buckley Jubilee Procession of Witness and the Funfair that normally accompanies the Jubilee week, in July 2021. However, they extended to your assertions that the Standing Orders dictated different actions by Members as compared to that which the Clerk advised you was the correct reading of Standing Orders.

This letter is written on behalf of the Establishment Sub-Committee, which has authorised me as the Mayor (and Chair of the Establishment Sub-Committee) to sign it.

Firstly, the Establishment Sub-Committee wishes to acknowledge that you are a new Member and may not be familiar with the proper processes of the administration of the Town Council. However, the Establishment Sub-Committee regards some of your correspondence with the Clerk to be unwise, factually incorrect and adversarial.

I refer particularly to your email to the Clerk dated 8th July 2021, which states in the third paragraph "Its has become apparent that some of the residents of the town feel disenfranchised by the inability of those who have responsibility for the organisation of these events to palpably do so.". You also state in the final paragraph "As an elected representative I ask why the people of this town are being left behind to the detriment of others through what appears to be inertia and lack of organisation towards these events.". Both of the above quotations relate to your enquiring about the Buckley Jubilee Procession of Witness and the Funfair

By stating you are writing as an elected representative of the Town Council you are acknowledging that any comments you make will be covered by the Members Code of Conduct.

It was noted by the Establishment Sub-Committee that although requested in the Clerk's email to you of 9th July 2021, and on numerous occasions during the meeting of the Establishment Sub-Committee you declined to identify which organisations or individuals you were directing your comments at in the above two quotes. The majority of Members of the Establishment Sub-Committee felt that you were directing those comments to not only the Staff of the Town Council but to the Members and Council itself. Such comments as you made and your refusal to identify the organisations you were referring to are regarded as breaching the provisions of the Members Code of Conduct Part 2, General Provisions 4(b)(c) and (d), also Part 2 General Provisions 6(1)(a). Under normal circumstances, your actions would be referred to the Monitoring Officer of Flintshire County Council and potentially to the Standards Committee. There may also be a case for a complaint to the Public Services Ombudsman for Wales. However, as stated above you are a new Member and the Establishment Sub-Committee does not wish to see potential penalties applied to you. With regard to the remainder of the correspondence between you and the Clerk the Establishment Sub-Committee did not find that the Clerk's responses to you were "... unnecessarily confrontational and disrespectful."

The Establishment Sub-Committee requests that you take cognisance of this letter and to, in future, moderate your communications, particularly when stating you are an elected representative. Failure to comply with this request may result in future reference to the Monitoring Officer and Standards Committee.

I look forward to your acknowledgement of receipt of this letter.

Yours sincerely,



Councillor V E Blondek
Mayor of Buckley Town Council

Tracey Reece

From: Gareth Legal [REDACTED]
Sent: 18 October 2021 12:55
To: Martin Wright
Subject: Cllr Cordery CONFIDENTIAL

Hi Martin

I hope you are well.

I met with Cllr Cordery today and he shared with me the correspondence between you over the summer, and the letter sent by the Mayor to him as a result.

The councillor and agreed that it would be helpful if I could speak to you about how to de-escalate the conflict that appears to have arisen. Perhaps we could arrange a telephone call for later in the week

Regards

Gareth
Gareth Owens
Prif Swyddog Llywodraethu/Chief Officer Governance
Tel: [REDACTED]



We welcome correspondence in Welsh and English and will respond to correspondence in the same language. Use of either language will not lead to a delay

Opinions advice, conclusions and other information in this

message that do not relate to the official business of

Flintshire County Council shall be understood as neither

given nor endorsed by it or on its behalf, and consequently

Flintshire County Council shall bear no responsibility

whatsoever in respect thereof.

Croesawn ohebiaeth yn y Gymraeg a'r Saesneg a byddwn yn ymateb i ohebiaeth yn yr un iaith. Ni fydd defnyddio'r naill iaith na'r llall yn arwain at oedi.

Deellir na fydd unrhyw safbwyntiau, na chynghorion, na

Gareth

From: Martin Wright [REDACTED]
Sent: 21 October 2021 20:27
To: Gareth Legal [REDACTED]
Cc: Tracey Reece [REDACTED]; Lynne George [REDACTED]
Subject: Actions by Cllr. C Cordery at Buckley Town Council Special Meeting held on 20th October 2021

Gareth

Could I please seek your advice regarding potential action I wish to take in relation to an incident that occurred at the above Meeting:-

The meeting was called as a result of Welsh Government Guidelines introduced on 11th October 2021. Prior to 11th October, I had on the 6th October 2021 asked the Welsh Government's advice re: the advisability of holding the Annual Firework Display in Buckley. The reply from the Welsh Government was merely to advise that it could take 15 days to reply to my query. In conjunction with the Mayor and Standing Committee Chairs, I discussed the potential cancellation of the Fireworks and eventually it was decided by the Mayor and chairs to cancel the event. The Mayor and Chairs were given powers to decided issues that were considered urgent. However, shortly after, the cancellation was posted on our Website; Facebook posts directed the Council to possible exemptions to the Regs. one of which referred to un-ticketed, multiple access points, free Firework Displays on Parkland. I therefore took the decision to call a Special Meeting of allow the full Council to decide whether or not to re-introduce the Firework Display. I will not go into all the factors to be considered as they are irrelevant to this matter. When I issued the Agenda and put it on our Website, social media went in to a frenzy, this was relating to my use of social media users as "Keyboard Warriors". This is a phrase that inflamed a number of the social media users, encouraged by a number of our Councillors, some of whom have used that expression themselves in the Council Chamber and within discussions that included me. When using the expression, they were referring to users of certain Buckley web-based Forums. The messages posted were of an offensive nature and the Administrator of one of the Forums notified her group that she was closing the comment section of the post to any more comments as they were becoming a "Witch Hunt". I was aware that certain Members were "outraged" at my use of the phrase "Keyboard Warriors" and believed that I may have brought the Town Council into disrepute. I robustly contend this is not the case.

Nevertheless, the Special Meeting went ahead at 7.00pm on 20th October 2021 via Zoom Video Conferencing. Prior to the meeting, the Mayor had, in consultation with me, decided to make a statement. The statement would clearly set out that the meeting was open to the public; therefore, the meeting should concentrate on a decision about the Fireworks as a single item agenda. There would be no discussion on the words in the Agenda that had caused offence, if necessary, this could potentially be discussed at the end of the meeting when it would be appropriate to invoke Standing Order 33 (a), or the matter could be referred to a further meeting. The Mayor opened the meeting at 7.00pm and advised the Council that she would be reading out a statement prior to the debate taking place. As she commenced the Statement, Cllr C Cordery shouted out "Point of Order" (it should be noted here that Cllr Cordery had his camera switched off so only a black screen appeared, this remained the same throughout the meeting), the Mayor, using Standing Order 10 (e)(i) stated that she would not hear the point of order as she wished to complete the statement. Cllr. Cordey again shouted out "Point of Order", again the Mayor refused it. Cllr Cordery refused to refrain from speaking, with the Mayor repeatedly asking him to be quiet. Cllr Cordery then said words to the following effect -That there was a cover up going on in the Council in an attempt to protect members of the Council staff by brushing things under the carpet and creating a smoke screen thereby bringing the Council into disrepute. He also said (these are his words to the best of my memory) "That individual I will say now should offer his resignation with immediate effect". That remark could only have been directed at me as the Council only has three staff, two of whom are female. Cllr

Cordery only ceased speaking when the Mayor stated that if he continued, she would seek authority to have him removed from the meeting. No other Member spoke and the debate moved to the Firework display.

Cllr. Cordery did not make another contribution to the meeting throughout the next 1 hour and 45 mins (approx.)

There were four or five members of the public in attendance at the meeting when Cllr. Cordery made his comments; the outburst was so sudden the Mayor was unable to seek a mover and a seconder to propose implementing Standing Order 33(a).

I believe that Members of the Council may be making Official Complaints themselves to you.

Regards

Martin Wright
Town Clerk and Financial Officer
Buckley Town Council

We welcome correspondence in Welsh and English and will respond to correspondence in the same language. Use of either language will not lead to a delay
Opinions advice, conclusions and other information in this message that do not relate to the official business of Flintshire County Council shall be understood as neither given nor endorsed by it or on its behalf, and consequently Flintshire County Council shall bear no responsibility whatsoever in respect thereof.

Croesawn ohebiaeth yn y Gymraeg a'r Saesneg a byddwn yn ymateb i ohebiaeth yn yr un iaith. Ni fydd defnyddio'r naill iaith na'r llall yn arwain at oedi.

Deellir na fydd unrhyw safbwyntiau, na chynghorion, na chasgliadau nac unrhyw wybodaeth arall yn y neges hon, nad ydynt yn berthnasol i waith swyddogol

Cyngor Sir y Fflint, yn cael eu cynnig na'u cadarnhau ganddo nac ar ei ran, ac felly ni fydd Cyngor Sir y Fflint yn derbyn unrhyw gyfrifoldeb am y rhannau hynny o'r neges.

Re: Actions by Cllr. C Cordery at Buckley Town Council Special Meeting held on 20th October 2021

Martin Wright <[REDACTED]>

Fri 22/10/2021 08:56

To: Gareth Legal <[REDACTED]>

Gareth

I seem to be causing problems in trying to reply to your email of 22nd October 2021. Here is the third attempt.

I'm sorry but I cannot reply as I have been signed off sick by my Doctor for 1 month.

Regards

Martin

From: Gareth Legal <[REDACTED]>

Sent: 22 October 2021 07:25

To: 'Martin Wright' <[REDACTED]>

Cc: Tracey Reece <[REDACTED]>; Lynne George <[REDACTED]>

Subject: RE: Actions by Cllr. C Cordery at Buckley Town Council Special Meeting held on 20th October 2021

APPENDIX H

Dear Martin

Thank you for the written account of the events we discussed yesterday. I have received a number of accounts of the incident from other councillors. As the principal "injured party" I think it is appropriate that I discuss with you how to handle the matter.

In such circumstances you have a number of options under the ethical regime (in addition to any separate legal options which you might wish to pursue):

- 1) To ask me to mediate informally with your councillor – given your feelings when we spoke, and the impact of the events upon you, I appreciate this might not be adequate to resolve the issue
- 2) To use Buckley TC's local resolution procedure – to undertake this you would need to have confidence that any resolution would have a lasting impact in preventing a recurrence of the behaviour, but this would be the quickest route and would be focussed on trying to repair the relationship between yourself and Cllr Cordery; or
- 3) To complain to the PSOW - Cllr Cordery's actions appear to be in breach of his obligation under the code to treat you with respect and they failed to respect your right as an employee to have matters pertaining to your service discussed in private. Any such complaint would be subject to the 2 stage test of evidence (which is certainly available) and public interest. On the latter point Cllr Cordery will be afforded a measure of leeway to exercise his role (to hold officers to account). The PSOW's guidance for town councillors below does however suggest that his office would investigate the complaint. This may take some months to reach a resolution during which time you will need to continue to work with Cllr Cordery
"I will consider carefully any complaints of alleged inappropriate behaviour by members towards Clerks, and will investigate those complaints which are supported by appropriate evidence that a member has gone beyond what might be regarded as reasonable challenge."

Please consider which option you would wish to take and come back to next week. If you would like to discuss them over the telephone then please feel free to call me.

Regards

Buckley Town Council

Council Offices, Buckley, Flintshire. CH7 2JB
Telephone and Fax: 01244 544540
www.buckleytc.org.uk

Town Clerk and Financial Officer:
Martin B. Wright CPFA AFA MAAT



APPENDIX I

Cyngor Tref Bwcle

Swyddfa'r Cyngor, Bwcle, Sir y Fflint. CH7 2JB
Rhif Ffôn a Ffacs: 01244 544540
www.buckleytc.org.uk

Clerc y Dref a Swyddog Cyllid:
Martin B. Wright CPFA AFA MAAT

Our Ref/Ein Cyf

Your Ref/Eich Cyf

Date/Dyddiad

MBW/TJR

15th October 2021

To: All Members of the Council

Dear Member,

You are requested to attend a Special Meeting of the Council to be held via Zoom Conferencing on Wednesday 20th October 2021 commencing at 7pm.

The Agenda for the meeting is given below.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M. Wright'.

Town Clerk and Financial Officer

AGENDA

1. APOLOGIES

To receive and approve apologies for absence with reasons.

2. CANCELLATION OF ANNUAL BONFIRE & FIREWORKS DISPLAY

Following the introduction of the new Welsh Government Covid 19 Regulations on 11th October 2021, the Mayor and Chairs of the Standing Committees, in consultation with the Clerk, took the decision to cancel this year's Fireworks Display. However, it has been brought to my attention that following the cancellation of this year's event, some "keyboard warriors" have highlighted that the New Regulations allow for exemptions, different from the reasons quoted on the Town Council Website and in the Press Release, thereby indicating that the Firework Display could go ahead. Having read the documentation, the situation appears somewhat confusing. The Clerk has contacted the Welsh Government on the matter and is awaiting a reply, however that can take up to 15 days. An explanation of the rationale behind the confusion is listed below :-

1. The document referred to is the Welsh Government - Guidance - COVID Pass: guidance for businesses and events (see attached).
2. The above document explains in detail the requirement for holding events. Under the Sub Heading - Settings - It states "The new requirements will mean people over the age of 18 in Wales will need to show their COVID 19 status to attend the following venues or events:" One of the highlighted areas is "any outdoor or indoor venues with over 4,000 in the audience, where some or all of the audience are not normally seated." This applies to Buckley Town Council's Firework Display and requires those attending the event to show a COVID 19 Pass.
3. Under the Sub Heading - Exemptions and Exceptions, it states "Staff, contractors, performers or volunteers involved in the delivery of the event are not required to show a COVID Pass or proof of a negative Lateral Flow Device or test in the last 48 hours. However, in order to protect themselves and others and to help us keep the sector open, venue owners and event organisers may wish to consider encouraging all those on site to take regular lateral flow tests prior to an event as part of their Risk Assessment. The following are examples of the types of premises that are specifically exempted from the requirement". Premises that are listed include "...A free firework display in a public park..." As read, the above exemption appears to relate to the Staff, contractors, performers or volunteers. It does not indicate that the public attending the event are exempt from being required to show a COVID 19 Pass.
4. However, on Annex 1, it states under Example Scenario "An un-ticketed event is being held in an open space. The event will include a firework display. There are no fixed entry or exit points" Under Certification Requirements it states "The event does not need to apply checks prior to entry as it is un-ticketed, being held in an open space and there are no fixed entry or exit points". This appears to contradict the passage under Exemptions and Exceptions, unless the implication is that efforts should be made to confirm the Covid status of sampled individuals once they are at the venue.

Listed below are examples of cancelled North Wales Fireworks Displays and the reasons given:-

- a. Amlwch - "After much deliberation and consulting with various Public Agencies we have made a decision to call off the Community Bonfire and Fireworks. We haven't come to this decision lightly but Covid cases are rising and the hospital is busy. We just can't put anyone at risk unnecessarily"
- b. Denbigh Town Council - "Following on from Denbigh Town Council's full meeting...one of the items discussed was the annual Fireworks...and with great disappointment I advise you that this year's event will not be going ahead... The Town Council had to take into consideration the advice received from their Health & Safety Consultant, Fireworks provider, CADW as well as the up-to-date instructions from the Welsh Government...Whilst it is a disappointment to

the residents and visitors to Denbigh, the Town Councillors felt that the safety of the Councillors, Staff and Volunteers was paramount."

c. Beaumaris Town Council - "Unfortunately due to problems concerning crowd management and Covid Regulations the Bonfire Committee has reluctantly decided not to go ahead with the display this year."

d. The RNLI have cancelled the Flint Firework Display - "After great consideration we have had to make the unfortunate decision to cancel Flint RNLI's Fireworks Display this year. This annual event attracts thousands to Flint Castle every year. The current assessment highlights that due to the events complex location we would be unable to put in place the necessary safeguards to ensure the safety of our community, volunteers and supporters, so the decision has been made to cancel the event for this year."

It is acknowledged that the following displays are currently going ahead - Holyhead, Caernarvon, Llandudno and Wrexham, but these are pending any further changes to the Corona virus situation.

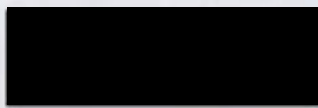
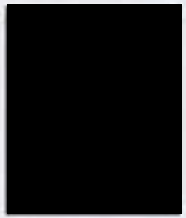
For the period 8th – 14th October 2021 there were 661 confirmed cases of Covid 19 in Flintshire an increase of 2.2% over the previous seven day period. Also, there are currently 1 in 55 people suffering from Covid symptoms in Wales and on Thursday 14th October 2021 new cases of Covid 19 reached a three month high (source Department of Health).

It is not for the Town Clerk and Financial Officer as to whether or not the current cancellation of Buckley Town Council's Firework Display is reversed, that it is a matter for the Council. I am therefore arranging an Emergency Meeting of the Council via Zoom conferencing on Wednesday 20th October 2021 at 7pm, a decision can be made at the meeting. However, I would remind Members of the quote from Denbigh Town Council when cancelling its Annual Fireworks Display "Whilst it is a disappointment to the residents and visitors to Denbigh, the Town Councillors felt that the safety of the Councillors, Staff and Volunteers was paramount."

The Council is requested to receive and note the above report and enclosed documentation and to decide whether or not the Firework Display will remain cancelled or go ahead.



[REDACTED] post



ADMIN....As we don't want it to turn into a witch hunt, as we aren't 'keyboard warriors' we are going to close comments. If you so wish, you could voice your comments to BTC. Thanks

2 h Like Share

2  

GENERAL PURPOSES COMMITTEE**25th SEPTEMBER 2018****AGENDA****1. APOLOGIES**

To receive and approve apologies for absence.

2. DECLARATIONS OF INTEREST

To receive and approve Declarations of Interest from Members in relation to any Agenda item on this Committee.

3. MINUTES

Authority is requested for the Chair to sign the Minutes of the previous meeting of the Committee held on 24th July 2018.

4. TOWN CENTRE MANAGER'S MONTHLY REPORT

Enclosed with this Agenda item is the monthly report presented by the Town Centre Manager.

The Committee is requested to receive and note the enclosed report.

5. LACK OF RESPONSE TO CORRESPONDENCE BY FLINTSHIRE COUNTY COUNCIL

Members will recall that at the meeting of this Committee held on 24th July 2018, it was resolved, with regard to the above, that "...the Clerk be instructed to forward correspondence to the Chief Executive, Flintshire County Council, outlining the concerns of the Council with regard to receiving responses to correspondence, the correspondence to ask four questions, those being:-

1. To receive the timeline quoted for responding to correspondence in the Shared Charter.
2. To receive the timeline quoted for correspondence in Flintshire County Council's Public Charter.
3. To request the monitoring process in place to ensure that the conditions of 1 and 2 above are complied with.
4. The results of the monitoring exercises conducted for the period 1st January 2018 to 30th June 2018".

(minute 17224 refers).

As a result of the above the Clerk forwarded an email to Flintshire County Council on 25th July 2018 (copy email enclosed). A response was received from Flintshire County Council on 14th August 2018 via a covering email enclosing a letter from the Chief Officer (Governance). Members will note that with regard to the answers to questions 3 and 4 above there does not appear to be a formal monitoring process in place.

The Committee is requested to receive and note the above report and enclosed correspondence and to decide what action, if any, it wishes to take on the matter.

TOWN CENTRE MANAGER'S MONTHLY REPORT
SEPTEMBER 2018

A mixed bag this summer! We have seen the Original Factory Shop announcing the group were closing a number of their stores nationwide and Buckley was on the hit list and closed in early September. Nearly all the staff at the Buckley branch have found alternative jobs, however this leaves the town with a large, dated building with no independent parking in the town centre. As usual we have all the keyboard warriors speculating and spreading rumours, I have contacted the agent responsible for reletting the store and he informed me that the roof needs serious attention and the owners were addressing this with a refurb before it is put on the market, he informed me that they were happy to keep BTC in the picture on any future interest.

Members will now be aware that the final Bank in the town will be closing its doors in February 2019. Lloyds have announced they are closing 49 branches, there is however a mention on their official statement that a mobile bank will be offered, as I write this I am awaiting a reply as to whether this will be available in Wales and more importantly Buckley, however, Members will recall the same service offered by NatWest was cancelled due to it not being used sufficiently.

Sadly after the hard work by the committee of BEATS, an announcement has been made that due to costs and lack of support from the community the Committee has decided to disband and are looking to give the remainder of any monies to either local charities or to the collection started by Messy Mallies for a defibrillator in the Town, advice on the legality of this with public money is being sort from the Clerk.

I've attended a post Jubilee meeting with the committee and have been asked to look at the feasibility of Public Liability insurance for the floats used in the parade.

Cllr D Hutchinson and I attended a meeting with the Acquisitions Manager of Lidl to look at the feasibility of opening a store in Buckley, a number of proposals were considered but unfortunately there was no area that met the criteria.

Meadow Fresh Dry Cleaners are to open a cafe and extension to their existing cleaning business, in the former Buckley Carpet store, we wish them every success with their new venture.

**MINUTES of a MEETING
of the
GENERAL PURPOSES COMMITTEE
held in the
Council Chamber, BUCKLEY
on
Tuesday 25th September 2018**

PRESENT

Councillor A Woolley - in the Chair

Cllr V E Blondek
Cllr C A Ellis
Cllr D Ellis
Cllr I D Howes
Cllr E J Hutchinson
Cllr H D Hutchinson

Cllr J S Jones
Cllr W A Lewis
Cllr S Peers
Cllr I Peters
Cllr N Phillips

Cllr C M Preece
Cllr P G Shone
Cllr M P Teire
Cllr J F Thornton
Cllr A G Williams

IN ATTENDANCE

Mr M B Wright – Town Clerk & Financial Officer
Mrs L George – Personal Assistant
Mrs T J Reece – Personal Assistant

17235- APOLOGIES

Apologies for absence and reasons were received and approved from Councillors R B Jones (holiday), M J Peers (holiday) and B L Preece (work commitments).

17236- DECLARATIONS OF INTEREST

No Declarations of Interest were made in relation to this Agenda. It was –

Resolved – that no Declarations of Interest were noted.

17237- MINUTES

Resolved - that the Minutes of the Meeting of the General Purposes Committee held on 24th July 2018, as now submitted, be signed by the Committee Chair.

17238- TOWN CENTRE MANAGER'S MONTHLY REPORT

The Committee received and considered the Town Centre Manager's monthly report.

During the ensuing discussion mention was made that a meeting had been held with Lidl, whose representative toured the town, but did not believe that there was a viable possibility of the Company opening a shop in the town at this time. Mention was also


6426

made that both KFC and Sainsbury's had been less than positive in their opinion as to whether or not it was viable to open a retail outlet in the town at this time. It was also noted with some dismay that the final Bank Branch in the town (Lloyds) would close in February 2019. It was –

Resolved – that the Town Centre Manager's report be received, noted and approved and that the Clerk be instructed to forward a letter to Lloyds Bank in relation to the closure of the Bank, with a copy of the letter going to Mark Tami MP.

17239- LACK OF RESPONSE TO CORRESPONDENCE BY FLINTSHIRE COUNTY COUNCIL

Members were reminded that at the meeting of this Committee held on 24th July 2018, under minute reference 17224 the Clerk had been instructed to correspond with Flintshire County Council with regard to the concerns it had in relation to responses, or lack of, to correspondence. The Clerk was instructed to ask four specific questions. The questions were listed below:-

1. To receive the timeline quoted for responding to correspondence in the Shared Charter.
2. To receive the timeline quoted for correspondence in Flintshire County Council's Public Charter.
3. To request the monitoring process in place to ensure that the conditions of 1 and 2 above are complied with.
4. The results of the monitoring exercises conducted for the period 1st January 2018 to 30th June 2018.

As a result of the above the Clerk wrote to Flintshire County Council on 25th July 2018. The Clerk advised the Committee that a response to his correspondence had been received on 14th August 2018 and it appeared that from the answers to the questions raised that there was no formal monitoring process in place to ensure timely responses to correspondence.

During the ensuing debate it was noted that on 12th September 2018 during a meeting at Flintshire County Council a motion was moved in relation to the very poor response to correspondence received by Flintshire County Council. The poor response included communications with Councillors. The Leader of the Council had backed the motion. It was therefore –

Resolved – that the Clerk's report and enclosed correspondence be received, noted and the situation with regard to the response to correspondence from Flintshire County Council be kept under review.

17240- PRESENTATION ON THE REVIEW OF THE ELECTORAL ARRANGEMENTS FOR THE COUNTY OF FLINTSHIRE

The Committee received and considered a letter dated 31st August 2018 from the Local Democracy and Boundary Commission for Wales. The letter advised of a review of the



1927

Tracey Reece

APPENDIX M

From:

Sent:

20 October 2021 14:09

To:

Subject:

Re:

Thank you for your email I note that you mention Members have in the past used the Phase "Keyboard Warriors." It is my understanding that when this word was used Members were in fact referring to Facebook users who were concealing their true identity not Facebook users who are asking questions or expressing a opinion in their own name. Also that Members have directley challenged the person (using a made up identity not a real name) making a comment at the time. I do not believe that the comparison made in this email regarding Members comments in the past is relevant in my opinion o this Agenda.

Regards
Carol Ellis

Sent from my Huawei phone

APPENDIX L

----- Original message -----

From: Tracey Reece

Date: Wed, 20 Oct 2021, 09:05

Subject:

Dear Member

In case the matter of the expression "keyboard warriors" is brought up at the Special Meeting of the Council this evening, I would ask you to take cognisance of the following:-

As to my email to [REDACTED] and his response (copies attached):

1. I genuinely believed that the expression was in common parlance;
2. I have heard Members on numerous occasions using the expression when referring to Facebook and other Social Media platform posts; and

3. I meant no disrespect to anyone.

As Members know I am not a Facebook or other Social Media platform user.

I would remind Members that under Standing Order 33 (a) staffing matters and employment issues may not be discussed in public session and as such matters may only be considered after the Council has resolved to remove the press and public. Moreover, it maybe that a particular matter cannot be discussed in Council and has to be referred to the Establishment Sub-Committee which is responsible for employment issues.

Regards

M B Wright

Town Clerk & Financial Officer

The information you provide (personal information such as name, address, email address, phone number, organisation) will be processed and stored to enable us to contact you and respond to your correspondence, provide information and/or access our facilities and services. Your personal information will be not shared or provided to any other third party without your consent. We will only keep your data for the purpose it was collected for and only for as long as is necessary, after which it will be deleted. (You may request the deletion of your data held by the council at any time). The council privacy notice can be found on our website www.buckleytc.org.uk.

The information you provide (personal information such as name, address, email address, phone number, organisation) will be processed and stored to enable us to contact you and respond to your correspondence, provide information and/or access our facilities and services. Your personal information will be not shared or provided to any other third party without your consent. We will only keep your data for the purpose it was collected for and only for as long as is necessary, after which it will be deleted. (You may request the deletion of your data held by the council at any time). The council privacy notice can be found on our website www.buckleytc.org.uk.

Response to your email of 20th October 2021 at 14.09

Martin Wright [REDACTED]

Thu 21/10/2021 21:23

To: CAROL ELLIS [REDACTED]

[REDACTED]

Cllr C A Ellis

Thank you for your email dated 20th October 2021 at 14.09, I note the content . I am afraid I must disagree with the content and assertions made.

Regards

M B Wright

Town Clerk and Financial Officer

[≡ MENU](#)

Draft Minutes of a Special Meeting of the Council held via Zoom Conferencing on 20th October 2021

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The Local Government and Elections (Wales) Act 2021 Section 47 applies to Town and Community Councils. Paragraph 12 of Part 1 of Schedule 4 of the Act requires Town and Community Councils to "As soon as reasonably practicable after a meeting of a Community Council, and in any event before the end of seven working days beginning with the day on which the meeting is held the Council must publish electronically a note setting out – (a) the names of the Members who attended the meeting and any apologies for absence (b) any Declarations of Interest and (c) any decisions taken at the meeting, including the outcome of any votes. Excluded from this requirement is any decision which was taken in relation to a decision relating to business which was transacted in private or where disclosure of the information would be contrary to any enactment. Therefore see attached, the Draft Minutes of the above Meetings. Please note that they are Draft Minutes and may be amended when the Council and its Standing Committees review them at the next Meetings. The resolutions noted should not be regarded as being approved by the Council.

Attachments

 [Special Meeting 20.10.21](#) 89 kB

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**MINUTES of a
SPECIAL MEETING OF THE COUNCIL
held via Zoom**

**on
Wednesday 20th October 2021**

PRESENT

Councillor V E Bloudek (Town Mayor) – in the Chair

Cllr C Cordery

Cllr C A Ellis

Cllr D Ellis

Cllr L G Fox

Cllr I D Howes

Cllr E J Hutchinson

Cllr H D Hutchinson

Cllr J S Jones

Cllr R B Jones

Cllr M J Peers

Cllr I Peters

Cllr N Phillips

Cllr C M Preece

Cllr E L Preece

Cllr P G Shone

Cllr A G Williams

Cllr A Woolley

IN ATTENDANCE

Mr M B Wright – Town Clerk & Financial Officer

Mrs L George – Personal Assistant

Mrs T J Reece – Personal Assistant

Mr A J White – Town Events Organiser & Town Centre Support Provider (Contractor)

Mr D M Wright – Zoom Meeting Administrator

18413- APOLOGIES

An apology for absence and reason was received and approved from Councillor J F Thornton (unable to join the meeting due to lack of internet).

18414- CANCELLATION OF ANNUAL BONFIRE & FIREWORKS DISPLAY

The Mayor opened the Agenda item by advising that prior to this item being debated she would be reading out a statement in relation to areas of the Agenda that would not be discussed in open session and that Standing Order 33(a) would have to be applied to exclude the press and public if those areas were to be discussed; The Mayor stated that the Agenda requirements should be adhered to. As the Mayor commenced to read the Statement, Councillor C Cordery shouted out "Point of Order". [Councillor Cordery's camera was switched off so only a black screen appeared, and this remained the case throughout the meeting]. The Mayor, using Standing Order 10(e)(i) stated that she would not take his Point of Order as she wished to complete her statement. Councillor Cordery again shouted out "Point of Order", and again the Mayor declined it. Councillor Cordery refused to refrain from speaking, with the Mayor repeatedly asking him to be quiet. Councillor Cordery then said words to the effect: "There's a cover up going on in the Council in an attempt to protect members of the Council staff by brushing things under the carpet and creating a smoke screen thereby bringing the Council into disrepute". He then added: "That individual, I will say now, should offer his resignation with immediate effect". [That remark was directed at the Clerk – the Council has only three staff, two of whom are female]. Councillor Cordery only ceased speaking when informed by the Mayor that should he keep talking the Mayor would

seek approval from the Council to remove him from the meeting. No proposition was put forward on this matter. No other Member spoke.

There then followed a lengthy and detailed debate regarding the reinstatement of the Firework Display. The emphasis during the debate was on ensuring the safety of Councillors, staff, volunteers, contractors and the public. Their safety was regarded as paramount.

Councillor R B Jones put forward the motion, which was seconded and it was therefore -

Resolved – that:-

- 1. The annual firework display go ahead as initially planned but without supporting acts, rides, food provision and the bonfire. Thus reducing the risk to councillors, staff, volunteers, contractors and the public based upon the latest advice from the Welsh Government at the time. This would be achieved by utilising all necessary security arrangements that would be necessary whilst ensuring value for money.*
- 2. The resolution 1 (above) was subject to any further adverse advice from the Welsh Government which may cause the event to be cancelled.*
- 3. That Members disassociated themselves from the wording in the Agenda, as they had had no prior knowledge of the wording being used.*

CHAIR

Lynne George

From: Lynne George
Sent: 21 October 2021 11:21
To:

Subject: [REDACTED]
Statement by the Town Mayor of Buckley Town Council

This email is for information and not comment.

Dear Members,

As the Town Mayor, I together with the Clerk wish to make the following statement in relation to the words "Keyboard Warriors" in the Agenda for the Special Meeting of the Town Council held on 20th October 2021:-

The Town Clerk is not a Facebook user or a user of any other social media platform with the exception of Hotmail.

At no time whatsoever did the Clerk intend to cause offence with the words. He did not believe the words to be derogatory and used them after consulting, and in line with the definition in, the Collins English Dictionary which describes Keyboard Warrior as a person who uses social media to express outrage or criticism.

The Clerk understood that the phrase was common parlance for such social media contributors. The use of the expression was intended to recognise that Facebook contributors had raised legitimate points for the Council to consider with regard to the potential re-instatement of the Fireworks Display – hence the narrative of the remainder of the Agenda.

Subsequently other definitions have been notified to the Clerk, some of which describe the words as derogatory.

At no time was it the Clerk's intention to make a remark which was or might be (or might be taken to be) derogatory or to cause offence to anyone, and any offence taken by any Facebook user to the use of the words in the Agenda was not intended and is regretted.

The words will not be used again in Council Agendas.

Regards,
Councillor V E Blondek
Town Mayor of Buckley Town Council

Statement by the Town Mayor of Buckley Town Council

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The words will not be used again in Council Agendas.

Councillor V E Blondek
Town Mayor of Buckley Town Council

BUCKLEY TOWN COUNCIL**STATEMENT OF MAIN TERMS OF EMPLOYMENT,**
including particulars of employment contract required by the Employment
(Consolidation) Act 1978.**Name : Martin Bradshaw Wright****Position Held: Town Clerk and Financial Officer****Date of Commencement of Employment: 4th May 2004****1. Introduction**

- 1.1 This statement sets out particulars of your terms and conditions of employment with Buckley Town Council which are required to be given to you by law.
- 1.2 The Scheme of Conditions of Service of the National Joint Council for Local Government Services (the 'Green Book') applies to your employment as amended by this contract.
- 1.3 For all new employees confirmation of the appointment will be subject to satisfactory completion of a period of probationary service of not less than 26 weeks. During any such period of service you would be expected to establish your suitability for the post.

2. Previous Service

Your employment with any public employer as set out in the NJC agreement will be considered as part of a continuous period of employment with the Council for the purposes of your contract of employment.

3. The Job

The title of the job for which you are employed is TOWN CLERK AND FINANCIAL OFFICER of Buckley Town Council under the provisions of the LGA 1972 s. 112 (1). The post reports directly to the full Council and the duties of the post are set out in the job description attached to this contract.

The Council may from time to time wish to amend your job description and you may at any time be requested to undertake additional or other duties as necessary to meet the requirements of the Council.

4. Probationary Period

This is a permanent position with the Council and is subject to a probationary period of six months from the date of commencement of duties. During that period the Council or employee may terminate the appointment and this contract by four weeks notice given by or to the Council as the case may be.

5. Declaration of Other Employment

It is a condition of this Contract of Employment that you inform the Council of any additional employment you undertake, in order to ensure that no tax or insurance liabilities will accrue to the Council. The Council also reserves the right to require that any other employment that you undertake does not conflict with the roles or standards required to be undertaken or met in the public office of the Clerk to the Council.

6. Place of Work

Your usual place of work is: Council Offices, Buckley.

7. Salary

- 7.1 Your salary is in accordance with the current NJC salary point No. 34 (to be reviewed), which is in the National Scale LC4 prior to the 2005 National Agreement (to be reviewed) and is calculated by pro-rata reference to the standard working week for local government staff of 37 hours.
- 7.2 You will be paid monthly by way of bank transfer which will reach your bank or Building Society as cleared funds by the third Friday in each month. Your general conditions of service are as set out within the National Agreement and include a casual car allowance payable at the applicable rate.
- 7.3 Subject to satisfactory performance, you will progress automatically through the salary scale by annual increments until you reach the maximum scale. Your first increment will be payable on 1st April 2006 and thereafter on the 1st April each year until you reach the maximum of the scale. The Council may withhold an increment if it is considered that performance fell below the level expected, following an annual review, or award an additional increment for exemplary performance if it chooses to do so. (See Appraisal/Career Development Review 10 below).

8. In addition one additional salary point will be added to your salary, up to a maximum of four points, for success in obtaining or already holding each of the following relevant qualifications:

- The Certificate in Local Council Administration and other relevant qualification such as:
- Certificate in Local Policy Studies First Year
- the Certificate in Local Policy Studies
- the Diploma in Local Policy Studies
- BA(Hons) Degree Local Policy Studies (University of Gloucestershire).

9. Expenses

The post carries a Casual Car User Allowance, any travel, mileage, subsistence expenses incurred and claimed by you and approved by the Council will be paid at the agreed NJC rate laid down at the time.

10. Appraisal

You may receive an annual Appraisal/Development Review. Should there be any concern about your performance, other than matters of a disciplinary nature, the Council undertakes to work with you to seek to ensure that necessary training, mentoring and support is provided to ensure that agreed standards of performance are reached in a reasonable agreed time frame.

11. Hours of Work

11.1 Yours hours of work are 30 (thirty) hours per week.

11.2 The hours of work may be increased in due course to 37hours per week.

11.3 In accordance with the Flexible Time Working Regulations (Employment Act 2002) you may apply, in writing, for flexible working time conditions on the grounds that you have a child of an age that meets the provisions of the act. The Council retains the right to refuse this application on reasonable objective business grounds. If so, the Council must provide you with reasons in writing.

12. Additional Hours

If you are required to work more than your normal working hours servicing the Council and its committees or external events, you will take Time Off in Lieu equivalent to standard time at a time agreed between you and the Council.

Additional hours worked over and above the normal full-time working week of 37 hours servicing the Council and its committees or external events, you will be reimbursed as Paid Overtime at the normal rates or Time Off in Lieu equivalent to standard time, by agreement with the Council.

Exceptional additional hours required to be worked must be approved by the Council.

13. Annual Leave

13.1 Your holiday entitlement is in accordance with the National Agreement. The Council's leave year runs from 1st April to 31st March in the following calendar year.

- 13.2 In addition to general national holidays, you will be entitled to three extra statutory days (the timing of these extra statutory holidays will be by mutual arrangement and must be taken at times convenient to the Council).
- 13.3 If you join the Council from another authority or other qualifying public body, your previous service will be taken into account in calculating your holiday entitlement.
- 13.4 If your employment commenced or terminates part way through the leave year, your holidays during that year will be assessed on a pro rata basis. Deductions from final salary due to you on termination of employment will be made in respect of any leave taken in excess of entitlement.
- 13.5 Holidays must be taken at times agreed with the Council. By mutual agreement leave may be carried forward to the next year, up to a maximum number of days decided by, approved by and notified to you by the Council from time to time.
- 13.6 In the event of you falling sick during the period of your annual leave, you will be regarded as being on sick leave from the date of your medical certificate and further annual leave will be suspended from that date.

14. Sickness Absence

- 14.1 If you are absent from work on account of sickness or injury, you or someone on your behalf should inform the Council of the reason for your absence as soon as possible, but no later than the end of the working day on which the absence first occurs.
- 14.2 In respect of absence lasting up to seven calendar days, you are required to inform the Chairman or Vice-Chairman of the Finance and Economic Development Committee and self-certify your absence.
- 14.3 In respect of absence relating to illness lasting more than seven calendar days, you must provide a medical certificate stating the reason for the absence and thereafter provide a consecutive certificate to cover any subsequent period of absence.
- 14.4 You will be paid your agreed basic remuneration in line with the scale of payment for any one sick pay year that runs from 1st April to 31st March. The Council will be responsible for reclaiming the Statutory Sick Pay element from the Inland Revenue.

Entitlement to payment is subject to notification of absence and production of medical certificates as required above.

14.5 The Council operates the Statutory Sick Pay scheme and you are required to co-operate in the maintenance of necessary records. For the purposes of calculating your entitlement to Statutory Sick Pay 'qualifying days' are those days on which you are normally required to work. Payments made to you by the Council under its sick pay provisions in satisfaction of any other contractual entitlement will go towards discharging the Council's liability to make payment to you under the Statutory Sick Pay scheme.

14.6 The Council reserves the right to require you to be examined by an independent Medical Examiner of the Councils choosing in the event of prolonged illness in excess of three months.

15. Scale of Payment

Subject to the above conditions of this scheme, when absent from duty owing to illness (which term is deemed to include injury or other disability) you will be entitled to receive an allowance in accordance with the following scale:

during 1 st – year of service	one months full pay and (after completing 4 months service) 2 months half pay
during 2 nd – year of service	2 months full pay and 2 months half pay
during 3 rd – year of service	4 months full pay and 4 months half pay
during 4 th & 5 th - year of service	5 months full pay and 5 months half pay
after 5 – years service	6 months full pay and 6 months half pay

N.B. For the purposes of calculating "half" pay, the rate of pay for the agreed salary month will be used.

The Council, at its discretion, may, on a case by case basis and without reference to precedent, consider increasing the scale of payments applicable to an individual employee, but the Council shall not exceed the maximum allowable scale of payment.

16. Compassionate Leave

The Council will give sympathetic consideration to any hardship or difficulty which might arise and necessitates a request for absence from work on compassionate grounds (e.g. the bereavement or severe illness of a close or dependant relative). Each request for compassionate leave will be considered

on its merits without recourse to any precedent. Leave may be granted with or without pay.

17. Maternity/Paternity/Adoption Leave

Under the provisions of the Employment Act 2002 you will be entitled to apply for Maternity/Paternity/Adoption leave.

18. Injury of Assault

In the event of injury or assault at work, or on Official Duty, leading to incapacity or death, insurance payments will be made to the nominated next-of-kin.

19. Pension

The Council is a member of the Local Government Pension Scheme, which operates a contributory pension scheme which you are entitled to join.

20. Death in Service

In the event of your death in service any salary, pension or gratuities due to you will be paid to your nominated next-of-kin.

21. Notice of Termination of Employment

21.1 The length of notice which you are obliged to give to the Council to terminate your employment is three months.

21.2 The length of notice which you are entitled to receive from the Council to terminate your employment is four weeks until you have been continuously employed for four years and thereafter notice entitlement increases by one week for each year of continuous service until you have completed twelve years of continuous employment after which time you will be entitled to twelve weeks notice.

21.3 Upon or within one month of termination of your employment you are required to surrender to the Council any documents or materials or property that you have been holding on behalf of the Council.

22. Grievance and Discipline – Dispute Resolution

22.1 Conciliation and Mediation

Before resorting to formal procedures from the employee or from the Council it is the policy of the Council that discussions between both parties should be entered into with the express purpose of resolving the matter through a process of mediation seeking reconciliation. Where necessary the Council will seek the services of an external expert to

forward this process to reach a conclusion satisfactory to both parties in the dispute.

22.2 Redress of Grievance

You must apply in writing to the Chairman of the Finance and Economic Development Committee for redress of any grievance relating to your employment and/or any disciplinary decision applied to you. The Chairman shall report your application to an Establishment Sub-Committee meeting held in the absence of the public and press. You will have an opportunity to set out your grievance. The grievance will then be considered and a decision reached by the Establishment Sub-Committee.

Should you be dissatisfied with the Sub-Committee's decision you have the right to make an appeal to an Appeals Panel of the Council which will be set up specifically to hear your grievance.

Under the provisions of the 1999 Employment Relations Act s.10 you have the right to have a representative of your choice present at any Grievance or Disciplinary hearing.

22.3 Disciplinary Rules

Before any disciplinary action is taken by the Council, a notice in writing giving details of the matter, signed by the Chairman of the Finance and Economic Development Committee and authorised by the Council, shall be given to you. You (together with an adviser if you wish) will have a full opportunity to answer the complaint at a meeting of the Council's Establishment Sub-Committee held in the absence of the public and press. Should you be dissatisfied with the Sub-Committee's decision you have the right to make an appeal to an Appeals Panel of the Council, which will be set up specifically for the purpose.

A copy of the Discipline and Grievance Policy and all other policies of the Council are contained in the documentation given to you.

23. Health and Safety Regulations, Other Legislations & Council Policies

You are expected to familiarise yourself with all relevant Regulations, Legislation and Policies applying to or made by the Council and ensure that you comply with and ensure others comply with these as required.

24. Training and Development

It is essential that the Officers and employees of the Council maintain up to date knowledge of their function and duties. To this end the Council will


expect and support your necessary agreed training and development and meet all course and examination expenses and any travel and subsistence incurred on the scale set down as paid working hours. In addition reasonable agreed time for study in paid working hours will be given.

25. Indemnity

The Council undertakes to indemnify its officers against any actions of commission or omission that are made in good faith on behalf of the Council.

Signed  Effective from 1st April 2007
Dated 21st May 2007

Chair of the Finance and Economic Development Committee

Signed  Effective from 1st April 2007
Dated 21 May 2007

Mr Martin Bradshaw Wright
Town Clerk and Financial Officer

From: [Martin Wright](#)
To: [Louise Morland](#)
Subject: IN - Compl - Further information
Date: 03 January 2022 16:33:20

Ms Morland

Your Ref: 202105655 [REF/LO/bn/BX/5d/]

Further to the additional information I have forwarded to you in respect of the above Complaint, I wish to advise you that my GP has signed me off on further sick leave to 30th January 2022. The reason stated is "Stress at Work".

I am not aware of any action Buckley Town Council has taken in respect of the Corporate Body's legal obligations regarding the welfare of its employees (in this case me) to support my return to work and assure me no further incidents will occur.

May I also refer you to Addendum 3 to Buckley Town Council's Standing Orders (The Council's Risk Assessment Document), Page 5, which states under identified risk '*staff being bullied, victimised or generally dealt with in a less than constructive and/or negative manner by member(s)*'. Under Controls to Manage Risk it reminds members of the grievance process, the ability of employees to complain to the PSOW and finally it refers members to Standing Order 25(a) which states '*Members must undertake to adhere to the Council's Code of Conduct...*'.

Regards

M B Wright, FCPFA, AFA, MAAT

From: [REDACTED] <[REDACTED]>
Sent: 16 December 2021 10:49
To: [REDACTED]
Subject: Complaint made to the Ombudsman - 202105656 [REF/LO/bn/BX/5d/]

Dear Mr Wright

Our reference: 202105656

Thank you for your email dated 14 December 2021. I will be out of the office from 20 December 2021 and will return on 4 January 2022. I will consider the information when I return in the new year.

Yours sincerely

Louise Morland
Swyddog Ymchwilio/Investigation Officer

From: Martin Wright
Sent: Sat, 29 Jan 2022 19:59:36 +0000
To: Louise Morland
Subject: IN - COMPL/Clerk- Sick note

Miss Morland

Please find attached the letter I received from Buckley Town Council (letter attached and original email below) on Monday 24th January 2022 and my response that was sent today, Saturday 29th January 2022.

I am forwarding this to you, to highlight that from 20th October 2021 until 24th January 2022, the Council has not made any efforts to facilitate the creation of a plan to allow me to return to work in a smooth and safe manner.

Please also find attached my most recent doctors note that runs from 27th Jan 2022 until 28th February 2022 (inclusive. you will see that he has ruled out the following as an option in this case - phased return to work, altered hours, amended duties and work place adaptations as a way to move forward. This was in response to discussions that took place between me and the doctor, where I highlighted that no efforts had been made to facilitate my smooth return to work.

Any further questions please do not hesitate to contact me.

Regards
Martin Wright

From: Martin Wright <[REDACTED]>
Sent: 29 January 2022 19:46
To: Kevin Glyn-Davies [REDACTED]
Subject: Re: Strictly Confidential and Personal
Mr Glyn-Davies
PRIVATE AND CONFIDENTIAL

I refer to your email of 24th January 2022 and its enclosed letter.

Whilst acknowledging the content of your letter and awaiting contact from Occupational Health, I recognise that you have only been in post for a short time, nevertheless I would make the following comments on the contents of your letter:-

1. May I, as a minor point, advise you that my address is [REDACTED] and not as you state [REDACTED]

2. In your first paragraph you refer to Cllr. Bondek as the "Chairman of the Town Council". May I advise you that the term Chairman is considered a discriminatory term as it is gender specific and has not been used in Buckley Town Council since I became Clerk in 2004. Since I was appointed Clerk the word Chair has been used in Buckley Town Council.
3. On the same point as 2. above, may I remind you that Cllr. Bondek is the Town Mayor and not the "Chairman" of the Town Council.
4. In your second paragraph you refer to the Town Council "...acting as a good employer is keen to ensure a duty of care towards you...". Could I ask where that duty of care has been from 20th October 2021 until now? Is it presumptuous of me to feel that without my numerous requests both verbally and in writing for a plan to be put in place to facilitate my smooth return to work, your letter would not have been written?
5. You state in your first paragraph that "...it has been decided that it is in your best interests to refer you to ...". Could you please clarify under which specific delegated power to act that decision was taken and by whom. Also, in deciding "...that it is in your best interests...", wouldn't it have been polite to talk to me first about "my best interests"?

Notwithstanding my above comments and queries, I confirm that I am happy to discuss my attendance at an Occupational Health appointment when fully availed of all details and when invited to do so, as part of the preparation of a plan to allow me to return smoothly and safely to work.

As it appears Buckley Town Council is now commencing formatting a plan to facilitate my smooth return to work can I request the following details. I, as stated earlier, have been absent from work for over 3 calendar months, during that time I have asked on numerous occasions what actions the Council has undertaken to assure me the events of 20th October 2021 will not be repeated. To date, I have not received any meaningful assurances or updates regarding my requests. Can you please detail for me any actions taken by the Council, to date with regard to this matter, as a result of a formal meeting of the Council and/or of the Establishment Sub-Committee and provide me with the relevant minute(s).

Finally, I would advise you that your letter and my response will be forwarded to the PSOW, for information, in due course, as part of my on-going complaint.

I look forward to your reply to this email.

Regards

Martin Wright

From: Kevin Glyn-Davies <[REDACTED]>

Sent: 24 January 2022 10:23

To: [REDACTED] <[REDACTED]>

Subject: Strictly Confidential and Personal

Dear Mr Wright

Please see attached letter for your attention.

Regards

Buckley Town Council

Kevin Glyn-Davies BA (Hons), MA
Locum Town Clerk

Buckley Town Council

Council Offices, Buckley, Flintshire, CH7 2JB
Telephone and Fax: 01244 544540
www.buckleytc.org.uk

Town Clerk and Financial Officer:
Martin B. Wright CPFA AFA MAAT
E mail: [REDACTED]



Cyngor Tref Bwcle

Swyddfa'r Cyngor, Bwcle, Sir y Fflint. CH7 2JB
Rhif Ffôn a Ffacs: 01244 544540
www.buckleytc.org.uk

Clerc y Dref a Swyddog Cyllid:
Martin B. Wright CPFA AFA MAAT
E bost [REDACTED]

Our Ref/Ein Cyf

Your Ref/Eich Cyf

Date/Dyddiad

Martin Wright Esq
[REDACTED]

Buckley Town Council
Mold Road
Buckley
CH7 2JB

PER EMAIL ONLY

STRICTLY PERSONAL AND CONFIDENTIAL

24 January 2022

Dear Mr. Wright

RE OCCUPATIONAL HEALTH REFERRAL

I write in connection with your current sickness absence from the Town Council. Having discussed your current circumstances with the Chairman of the Town Council, Cllr. Viv Blondek, it has been decided that it is in your best interests to refer you to the Occupational Health team at Flintshire County Council.

The Town Council acting as a good employer is keen to ensure a duty of care towards you and to ensure a smooth return to work for you and to consider such necessary measures that need to be considered to make the transition as effective as possible.

With this in mind, a referral has been made to the Occupational Health team accordingly. I understand that Occupational Health will write to you either to set a date and time to meet with you and discuss next steps and/or to inform you that it may be necessary to write to your GP/specialist.

Should you have any queries in relation to this letter, please do not hesitate to contact me.

Yours sincerely
Buckley Town Council

Kevin Glyn-Davies

Kevin Glyn-Davies BA (Hons), MA

Statement of Fitness for Work
For social security or Statutory Sick Pay

Patient's name

I assessed your case on:

and, because of the following condition(s):

I advise you that:
☒ you are not fit for work.
☐ you may be fit for work taking account of the following advice:-

If available, and with your employer's agreement, you may benefit from:

- | | |
|---|---|
| <input type="checkbox"/> a phased return to work- | <input type="checkbox"/> amended duties- |
| <input type="checkbox"/> altered hours- | <input type="checkbox"/> workplace adaptations- |

Comments, including functional effects of your condition(s):

This will be the case for

or from to

I ~~will~~ will not need to assess your fitness for work again at the end of this period.
(Please delete as applicable)

Doctor's signature

Date of statement

Doctor's address



Unique ID: Med 3 01/17 A4EB7A87-96D9-4893-899E-BFF985E6116A

Data from page 1 of this form may be collected to learn about national patterns of sickness absence. Individuals will not be identified. Find out more at www.gov.uk/dwp/fit-note-data

Help getting back to work if you are employed

If you've been off work or are likely to be off work sick for 4 weeks or more, you may be able to have a free occupational health assessment. You will be able to discuss what advice and support you need to help you go back to work sooner. You can ask your GP or employer to refer you. For further information:

- in England and Wales visit www.fitforwork.org or phone **0800 032 6235**
- in Scotland please visit www.fitforworkscotland.scot or phone **0800 019 2211**.

What your doctor's advice means

'You are not fit for work': Your health condition means that you may not be able to work for the period shown. You can go back to work as soon as you feel able to and, with your employer's agreement, this may be before your fit note runs out.

'You may be fit for work': You could go back to work with the support of your employer. Sometimes your employer cannot give you the support you need and if this happens your employer will treat this form as though you are 'not fit for work'. You don't need to get another of these forms from your doctor.

For more information please visit www.gov.uk and type 'patients and employees' into the search field.

Fill in the **Your details** section. You can ask someone to do this for you if you cannot fill in your details yourself.

Your details – Please use BLOCK CAPITALS

Surname

Other names

Address

 Postcode

Date of birth Mobile

NI number

What you need to do now

- **If you are employed:** Please show this form to your employer. You could get Statutory Sick Pay (SSP) which is paid by your employer. If your employer cannot pay you SSP they will give you form **SSP1** to claim benefits.
- **If you are self-employed:** You could claim benefits.
- **If you are already claiming benefits:** Please send this form to the office dealing with your claim.
- **If you need to make a claim to benefits:** Visit www.gov.uk/browse/benefits or phone **0800 055 6688** (8am to 6pm Monday to Friday). Textphone users call **0800 023 4888**.

Appendix 2

BUCKLEY TOWN COUNCIL

MEMBERS CODE OF CONDUCT

**ADOPTED BY RESOLUTION OF THE
TOWN COUNCIL AT ITS MEETING HELD ON
TUESDAY 22nd MARCH 2016**

TO TAKE EFFECT FROM 1st APRIL 2016

**THE LOCAL AUTHORITIES
(MODEL CODE OF CONDUCT) (WALES)
(AMENDMENT) ORDER 2016**

MEMBERS' CODE OF CONDUCT

PART 1 INTERPRETATION

1.(1) In this code –

“Co-opted Member”, in relation to a relevant Authority, means 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 which falls to be decided at any meeting of that Committee or Sub-Committee;

“meeting” means any meeting –

- (a) of the relevant Authority
- (b) of any Cabinet or Board of the relevant Authority
- (c) of any Committee, Sub-Committee, Joint Committee or Joint Sub-Committee of the relevant Authority or of any such Committee, Sub-Committee, Joint Committee or Joint Sub-Committee of any Cabinet or Board of the Authority, or
- (d) where Members or Officers of the relevant Authority are present other than a meeting of a political group constituted in accordance with Regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990 (1),

and includes circumstances in which a Member of a Cabinet or Board or an Officer acting alone exercises a function of an Authority;

“Member” includes, unless the context requires otherwise, a Co-opted Member;

“Registered Society” means a Society, other than a Society registered as a Credit Union which is –

- (a) a registered Society within the meaning given by Section 1(1) of the Co-operative and Community Benefit Societies Act 2014; or
- (b) a Society registered or deemed to be registered under the Industrial and Provident Societies Act (Northern Ireland) 1969;

“Register of Members’ Interests” means the register established and maintained under Section 81 of the Local Government Act 2000;

“Relevant Authority” means –

- (a) a County Council,
- (b) a County Borough Council,
- (c) a Town or Community Council,
- (d) a Fire and Rescue Authority constituted by a scheme under Section 2 of the Fire and Rescue Services Act 2004 (2) or a scheme to which Section 4 of that Act applies,
- (e) a National Park Authority established under Section 63 of the Environment Act 1995 (3);

“you” means you as a Member or Co-opted Member of a relevant Authority; and

“your Authority” means the relevant Authority of which you are a Member or Co-opted Member.

1.(2) In relation to Town or Community Councils reference to “Authority” should be read as meaning Council –

- (a) “Proper Officer” means an Officer of that Council within the meaning of Section 270(3) of the Local Government Act 1972; and
- (b) “Standards Committee” means the Standards Committee of the County or County Borough Council which has functions in relation to the Town or Community Council for which it is responsible under Section 56(1) and (2) of the Local Government Act 2000.

(1) S.I.1990/1553 as amended by S.I.1991/1389; S.I. 1993/12339; S.I. 1998/1918; AND S.I. 1999/500.

(2) 2004 c.21.

(3) 1995 c.25.

PART 2

GENERAL PROVISIONS

- 2.(1) Save where paragraph 3(a) below applies, you must observe this Code of Conduct –
- (a) whenever you conduct the business, or are present at a meeting, of your Authority;
 - (b) whenever you act, claim to act or give the impression you are acting in the role of Member of the Authority to which you were elected or appointed;
 - (c) whenever you act, claim to act or give the impression you are acting as a representative of your Authority; or
 - (d) at all times and in any capacity, in respect of conduct identified in paragraphs 6(1)(a) and 7 of this Code of Conduct.
- 2.(2) You should read this Code together with the General Principles attached as Appendix 1 to this Code of Conduct, prescribed under Section 49(2) of the Local Government Act 2000 in relation to Wales.
3. Where you are elected, appointed or nominated by your Authority to serve –
- (a) on another relevant Authority, or any other Body, which includes a Health Board, you must, when acting for that other Authority or Body, comply with the Code of Conduct of that other Authority or Body; or
 - (b) on any other Body which does not have a Code relating to the conduct of its Members, you must, when acting for that other Body, comply with this Code of Conduct, except and insofar as it conflicts with any other lawful obligations to which that other Body may be subject.
4. You must –
- (a) carry out your duties and responsibilities with due regard to the principle that there should be equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion;
 - (b) show respect and consideration for others;
 - (c) not use bullying behaviour or harass any person; and
 - (d) not do anything which compromises, or which is likely to compromise, the impartiality of those who work for, or on behalf of, your Authority.
5. You must not –
- (a) disclose confidential information or information which should reasonably be regarded as being of a confidential nature, without the express consent of a person authorised to give such consent, or unless required by law to do so;
 - (b) prevent any person from gaining access to information to which that person is entitled by law.
- 6.(1) You must –
- (a) not conduct yourself in a manner which could reasonably be regarded as bringing your Office or Authority into disrepute;
 - (b) report, whether through your Authority's confidential reporting procedure or direct to the proper Authority, any conduct by another Member or anyone who works for, or on behalf of, your Authority which you reasonably believe involves or is likely to involve criminal

behaviour (which for the purposes of this paragraph does not include offences or behaviour capable of punishment by way of a fixed penalty);

- (c) report to your Authority's Monitoring Officer any conduct by another Member which you reasonably believe breaches this Code of Conduct;
- (d) not make vexatious, malicious or frivolous complaints against other Members or anyone who works for, or on behalf of, your Authority.

6.(2) You must –

- (a) co-operate with any Local Resolution Procedure set up;
- (b) comply with any request of your Authority's Monitoring Officer, or the Public Services Ombudsman for Wales, in connection with an investigation conducted in accordance with their respective statutory powers.

7. You must not –

- (a) in your official capacity or otherwise, use or attempt to use your position improperly to confer on or secure for yourself, or any other person, an advantage or create or avoid for yourself, or any other person, a disadvantage;
- (b) use, or authorise others to use, the resources of your Authority –
 - (i) imprudently;
 - (ii) in breach of your Authority's requirements;
 - (iii) unlawfully;
 - (iv) other than in a manner which is calculated to facilitate, or to be conducive to, the discharge of the functions of the Authority or of the Office to which you have been elected or appointed;
 - (v) improperly for political purposes; or
 - (vi) improperly for private purposes.

8. You must –

- (a) when participating in meetings or reaching decisions regarding the business of your Authority, do so on the basis of the merits of the circumstances involved and in the public interest having regard to any relevant advice provided by your Authority's Officers, in particular by –
 - (i) the Authority's Head of Paid Service;
 - (ii) the Authority's Chief Financial Officer;
 - (iii) the Authority's Monitoring Officer;
 - (iv) the Authority's Chief Legal Officer (who should be consulted when there is any doubt as to the Authority's power to act, as to whether the action proposed lies within the policy framework agreed by the Authority or where the legal consequences of action or failure to act by the Authority might have important repercussions);
- (b) give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your Authority.

9. You must –

- (a) observe the law and your Authority's rules governing the claiming of expenses and allowances in connection with your duties as a Member;
- (b) avoid accepting from anyone gifts, hospitality (other than official hospitality such as a civic reception or a working lunch duly authorised

by your Authority), material benefits or services for yourself or any person which might place you, or reasonably appear to place you, under an improper obligation.

PART 3 INTERESTS

PERSONAL INTERESTS

10.(1) You must in all matters consider whether you have a personal interest and whether or not this Code of Conduct requires you to disclose that interest.

10.(2) You must regard yourself as having a personal interest in any business of your Authority if –

- (a) it relates to, or is likely to affect –
 - (i) any employment or business carried on by you;
 - (ii) any person who employs or has appointed you, any firm in which you are a partner or any company for which you are a remunerated director;
 - (iii) any person, other than your Authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties as a Member;
 - (iv) any corporate body which has a place of business or land in your Authority's area and in which you have a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body;
 - (v) any contract for goods, services or works made between your Authority and you, or a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;
 - (vi) any land in which you have a beneficial interest and which is in the area of your Authority;
 - (vii) any land where the landlord is your Authority and the tenant is a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;
 - (viii) any body to which you have been elected, appointed or nominated by your Authority;
 - (ix) any –
 - (aa) Public Authority or body exercising functions of a public nature;
 - (bb) company, industrial and providence society, charity or body directed to charitable purposes;
 - (cc) body whose principle purposes include the influence of public opinion or policy;
 - (dd) trade union or professional association; or
 - (ee) private club, society or association operating within your Authority's area,in which you have membership or hold a position of general control or management;
 - (x) any land in your Authority's area in which you have a licence (alone or jointly with others) to occupy for 28 days or longer;

- (b) a decision upon it might reasonably be regarded as affecting –
 - (i) your wellbeing or financial position, or that of a person with whom you live, or any person with whom you have a close personal association;
 - (ii) any employment or business carried on by persons as described in 10(2)(c)(i);
 - (iii) any person who employs or has appointed such persons described in 10(2)(c)(i), any firm in which they are a partner, or any company of which they are directors;
 - (iv) any corporate body in which persons as described in 10(2)(c)(i) have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or
 - (v) any body listed in paragraphs 10(2)(a)(ix)(aa) to (ee) in which persons described in 10(2)(c)(i) hold a position of general control or management,
 to a greater extent than the majority of –
 - (aa) in the case of an Authority with electoral divisions or wards, other Council tax payers, rates payers or inhabitants of the electoral division or ward, as the case may be, affected by the decision; or
 - (bb) in all other cases, other Council tax payers, rate payers or inhabitants of the Authority's area.

DISCLOSURE OF PERSONAL INTERESTS

11.(1) Where you have a personal interest in any business of your Authority and you attend a meeting at which that business is considered, you must disclose orally to that meeting the existence and nature of that interest before, or at the commencement of, that consideration or when the interest becomes apparent.

11.(2) Where you have a personal interest in any business of your Authority and you make –

- (a) written representations (whether by letter, facsimile or some other form of electronic communication) to a Member or Officer of your Authority regarding that business, you should include details of that interest in the written communication; or
- (b) oral representations (whether in person or some form of electronic communication) to a Member or Officer of your Authority you should disclose the interest at the commencement of such representations, or when it becomes apparent to you that you have such an interest and confirm the representation and interest in writing within 14 days of the representation.

11.(3) Subject to paragraph 14(1)(b) below where you have a personal interest in any business of your Authority and you have made a decision in exercising a function of a Cabinet or Board, you must in relation to that business ensure that any written statement of that decision records the existence and nature of your interest.

11.(4) You must, in respect of a personal interest not previously disclosed, before or immediately after the close of a meeting where the disclosure is made pursuant to sub-paragraph 11(1) above, give written notification to your Authority in accordance with any requirements identified by your Authority's Monitoring Officer, or in relation to a

Town or Community Council, your Authority's Proper Officer from time to time but, as a minimum, containing –

- (a) details of the personal interest;
- (b) details of the business to which the personal interest relates; and
- (c) your signature.

11.(5) Where you have agreement from your Authority's Monitoring Officer that the information relating to your personal interest is sensitive information, pursuant to paragraph 16(1) below, your obligations under this paragraph 11 to disclose such information, whether orally or in writing, are to be replaced with an obligation to disclose the existence of a personal interest and to confirm that your Authority's Monitoring Officer has agreed that the nature of such personal interest is sensitive information.

11.(6) For the purposes of sub-paragraph (4) above, a personal interest would only be deemed to have been previously disclosed if written notification has been provided in accordance with this Code since the last date on which you were elected, appointed or nominated as a Member of your Authority.

11.(7) For the purposes of sub-paragraph (3) above, where no written notice is provided in accordance with that paragraph you will be deemed as not to have declared a personal interest in accordance with this Code.

PREJUDICIAL INTERESTS

12.(1) Subject to sub-paragraph (2) below, where you have a personal interest in any business of your Authority you also have a prejudicial interest in that business if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

12.(2) Subject to sub-paragraph (3) below, you will not be regarded as having a prejudicial interest in any business where that business –

- (a) relates to –
 - (i) another relevant Authority of which you are also a Member;
 - (ii) another Public Authority or body exercising functions of a public nature in which you hold a position of general control or management;
 - (iii) a body to which you have been elected, appointed or nominated by your Authority;
 - (iv) your role as a school governor (where not appointed or nominated by your Authority) unless it relates particularly to the school of which you are a governor;
 - (v) your role as a Member of a Health Board where you have not been appointed or nominated by your Authority;
- (b) relates to –
 - (i) the housing functions of your Authority where you hold a tenancy or lease with your Authority, provided that you do not have arrears of rent with your Authority of more than two months and provided that those functions do not relate particularly to your tenancy or lease;
 - (ii) the functions of your Authority in respect of school meals, transport and travelling expenses, where you are a guardian,

- parent, grandparent or have parental responsibility (as defined in Section 3 of the Children Act 1989) of a child in full time education, unless it relates particularly to the school which that child attends;
- (iii) the functions of your Authority in respect of statutory sick pay under Part X1 of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to, the receipt of such pay from your Authority;
- (iv) the functions of your Authority in respect of an allowance or payment made in accordance with the provisions of Part 8 of the Local Government (Wales) Measure to 2011, or an allowance or pension provided under Section 18 of the Local Government and Housing Act 1989;
- (c) your role as a Town or Community Councillor in relation to a grant, loan or other form of financial assistance made by your Town or Community Council to community or voluntary organisations up to a maximum of £500.

12.(3) The exemptions in sub-paragraph (2)(a) above do not apply where the business relates to the determination of any approval, consent, licence, permission or registration.

OVERVIEW AND SCRUTINY COMMITTEES

13. You also have a prejudicial interest in any business before an Overview and Scrutiny Committee of your Authority (or of a Sub-Committee of such a Committee) where –

- (a) that business relates to a decision made (whether implemented or not) or action taken by your Authority's Cabinet, Board or another of your Authority's Committees, Sub-Committees, Joint Committees or Joint Sub-Committees; and
- (b) at the time the decision was made or action was taken, you were a Member of the Cabinet, Board, Committee, Sub-Committee, Joint Committee or Joint Sub-Committee mentioned in sub-paragraph 13(a) above and you were present when that decision was made or action was taken.

PARTICIPATION IN RELATION TO DISCLOSED INTERESTS

14.(1) Subject to sub-paragraphs (2), (2A), (2B), (3) and (4) below, where you have a prejudicial interest in any business of your Authority you must, unless you have obtained a dispensation from your Authority's Standards Committee –

- (a) withdraw from the room, chamber or place where a meeting considering the business is being held –
 - (i) where sub-paragraph (2) below applies, immediately after the period for making representations, answering questions or giving evidence relating to the business has ended and in any event before further consideration of the business begins, whether or not the public are allowed to remain in attendance for such consideration; or

- (ii) in any other case, whenever it becomes apparent that that business is being considered at that meeting;
- (b) not exercise Cabinet or Board functions in relation to that business;
- (c) not seek to influence a decision about that business;
- (d) not make any written representations (whether by letter, facsimile or some other form of electronic communication) in relation to that business; and
- (e) not make any oral representations (whether in person or some form of electronic communication) in respect of that business or immediately cease to make such oral representations when the prejudicial interest becomes apparent.

14.(2) Where you have a prejudicial interest in any business of your Authority you may attend a meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

14.(2A) Where you have a prejudicial interest in any business of your Authority you may submit representations to a meeting of that business provided that the public are allowed to attend the meeting for the purpose of making representations, answering questions or giving evidence in relation to the business, whether under statutory right or otherwise.

14.(2B) When submitting written representations under sub-paragraph (2A) you must comply with any procedure that your Authority may adopt for the submission of such representations.

14.(3) Sub-paragraph (1) above does not prevent you attending and participating in a meeting if –

- (a) you are required to attend a meeting of an Overview or Scrutiny Committee, by such Committee exercising its statutory powers; or
- (b) you have the benefit of a dispensation provided that you –
 - (i) state at the meeting that you are relying on the dispensation; and
 - (ii) before or immediately after the close of the meeting give written notification to your Authority containing –
 - (aa) details of the prejudicial interest;
 - (bb) details of the business to which the prejudicial interest relates;
 - (cc) details of and the date on which, the dispensation was granted; and
 - (dd) your signature.

14.(4) Where you have a prejudicial interest and are making written or oral representations to your Authority in reliance upon a dispensation, you must provide details of the dispensation within any such written or oral representation and in the latter case, provide written notification to your Authority within 14 days of making the representation.

PART 4

THE REGISTER OF MEMBERS' INTERESTS

REGISTRATION OF FINANCIAL AND OTHER INTERESTS AND MEMBERSHIP AND MANAGEMENT POSITIONS

- 15.(1) Subject to sub-paragraph (4) below, you must, within 28 days of –
- (a) your Authority's Code of Conduct being adopted or the mandatory provisions of this Model Code being applied to your Authority; or
 - (b) your election or appointment to office (if that is later),
- register your personal interests, where they fall within a category mentioned in paragraph 10(2)(a) above in your Authority's register of Members' Interests by providing written notification to your Authority's Monitoring Officer.
- 15.(2) Subject to sub-paragraph (4) you must within 28 days of becoming aware of any new personal interest falling within a category mentioned in paragraph 10(2)(a), register that new personal interest in your Authority's register of Members' Interests by providing written notification to your Authority's Monitoring Officer.
- 15.(3) Subject to sub-paragraph (4) you must, within 28 days of becoming aware of any change to a registered personal interest falling within a category mentioned in paragraph 10(2)(a) register that change in your Authority's Register of Members' Interests by providing written notification to your Authority's Monitoring Officer, or in the case of a Town or Community Council to your Authority's Proper Officer.
- 15.(4) Sub-paragraphs (1), (2) and (3) do not apply to sensitive information determined in accordance with paragraph 16(1) below.
- 15.(5) Sub-paragraph (1) and (2) do not apply if you are a Member of a relevant Authority which is a Town or Community Council when you act in your capacity as a Member of such an Authority.
- 15.(6) You must, when disclosing a personal interest in accordance with paragraph 11 for the first time, register that personal interest in your Authority's Register of Members' Interests by providing written notification to your Authority's Monitoring Officer, or in the case of a Town or Community Council to your Authority's Proper Officer.

SENSITIVE INFORMATION

- 16.(1) Where you consider the information relating to any of your personal interests is sensitive information and your Authority's Monitoring Officer agrees, you need not include that information when registering that interest, or, as the case may be, a change to the interest under paragraph 15 above.
- 16.(2) You must within 28 days of becoming aware of any change of circumstances which means that information excluded under sub-paragraph (1) above is no longer sensitive information, notify your Authority's Monitoring Officer, or in relation to a

Town or Community Council your Authority's Proper Officer, asking that the information be included in your Authority's Register of Members' Interests.

16.(3) In this Code, "sensitive information" means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

REGISTRATION OF GIFTS AND HOSPITALITY

17.(1) You must, within 28 days of receiving any gift, hospitality, material benefit or advantage above a value specified in a resolution of your Authority, provide written notification to Flintshire County Council's Monitoring Officer, or in relation to a Town or Community Council to your Authority's Proper Officer of the existence and nature of that gift, hospitality, material benefit or advantage.

17.(2) This Authority has determined that for the purposes of paragraph 17(1) above the amount shall be £10.00 until further determination.

THE PRINCIPLES

The Local Government Act empowered the National Assembly to issue Principles to which you must have regard in undertaking your role as a Member. The Code is based on these Principles which are designed to promote the highest possible standards. These Principles draw on the 7 Principles of Public Life which were set out in the Nolan Report "Standards of Conduct in Local Government in England, Scotland and Wales". Three more were added to these: a duty to uphold the law, proper stewardship of the Authority's resources and equality and respect for others.

Members elected to Local Authorities (including Town and Community Councils) give generously of their time and commitment for the benefit of their communities. The Principles provide a framework for channelling your commitment in a way which will reflect well on you and your Authority and which will give your communities confidence in the way that your Authority is governed.

The individual sections of the Code are designed to support the implementation of the Principles. For example, the Selflessness Principle is covered by section 7 of the Code.

The current Principles were set out in a statutory instrument and are detailed below:-

1. Selflessness

Members must act solely in the public interest. They must never use their position as Members to improperly confer advantage on themselves or to improperly confer advantage or disadvantage on others.

2. Honesty

Members must declare any private interests relevant to their public duties and take steps to resolve any conflict in a way that protects the public interest.

3. Integrity and Propriety

Members must not put themselves in a position where their integrity is called into question by any financial or other obligation to individuals or organisations that might seek to influence them in the performance of their duties. Members must on all occasions avoid the appearance of such behaviour.

4. Duty to Uphold the Law

Members must act to uphold the law and act on all occasions in accordance with the trust that the public has placed in them.

5. Stewardship

In discharging their duties and responsibilities Members must ensure that their Authority's resources are used both lawfully and prudently.

6. Objectivity in Decision Making

In carrying out their responsibilities, including making appointments, awarding contracts or recommending individuals for rewards and benefits, Members must make decisions on merit. Whilst Members must have regard to the professional advice of Officers and may properly take account of the views of others, including their political groups, it is their responsibility to decide what view to take and if appropriate, how to vote on any issue.

7. Equality and Respect

Members must carry out their duties and responsibilities with due regard to the need to promote equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion and show respect and consideration for others.

8. Openness

Members must be as open as possible about all their actions and those of their Authority. They must seek to ensure that disclosure of information is restricted only in accordance with the law.

9. Accountability

Members are accountable to the electorate and the public generally for their actions and for the way they carry out their responsibilities as a Member. They must be prepared to submit themselves to such scrutiny as is appropriate to their responsibilities.

10. Leadership

Members must promote and support these Principles by leadership and example so as to promote public confidence in their role and in the Authority. They must respect the impartiality and integrity of the Authority's Statutory Officers and its other employees.

The Principles are not part of the Model Code and failure to comply with the Principles is not of itself, therefore, indicative of a breach of the Code. However, it is likely that a failure, for example, to adhere to the Principle concerning Equality and Respect would constitute a breach of the requirements of paragraphs 4(a) and (b) in the Code in respect of equality of opportunity and respect.

In any event the Principles offer a sound basis for your conduct in office and I encourage Members to have regard to them at all times.

Public Services Ombudsman for Wales

MBW/LG January 2015

MBW/LG Revised March 2016

Appendix 3

Appendix 4

Buckley Town Council

Council Offices, Buckley, Flintshire. CH7 2JB
Telephone and Fax: 01244 544540
www.buckleytc.org.uk

Town Clerk and Financial Officer:
Martin B. Wright CPFA AFA MAAT
E mail: [REDACTED]



Cyngor Tref Bwcle

Swyddfa'r Cyngor, Bwcle, Sir y Fflint. CH7 2JB
Rhif Ffôn a Ffacs: 01244 544540
www.buckleytc.org.uk

Clerc y Dref a Swyddog Cyllid:
Martin B. Wright CPFA AFA MAAT
E bost: [REDACTED]

Our Ref/Ein Cyf

Your Ref/Eich Cyf

Date/Dyddiad

DECLARATION OF ACCEPTANCE OF OFFICE

I, **CHARLES CORDERY** having been elected to the office of Councillor of the Town Council of Buckley hereby declare that I take that office upon myself and will duly and faithfully fulfil the duties of it according to the best of my judgement and ability.

I undertake, to observe the Code for the time being as to the conduct which is expected of Members of Buckley Town Council and which may be revised from time to time. The current Code of Conduct for Members was approved and adopted by Buckley Town Council on Tuesday 22nd March 2016.

DATED this 13th day of MAY 2021

(Signed) C. Cordery

THIS DECLARATION was made and signed before me

(Signed) M. Wright
Proper Officer of the Council

Our ref: 202105656

Ask for: Mr Leigh McAndrew

 01656 641150

Date: 30 November 2021

PERSONAL & CONFIDENTIAL

Councillor Charles Cordery


Dear Councillor Cordery

Code of Conduct complaint made by Mr Martin Bradshaw Wright

I enclose for your information a redacted copy of a complaint we have recently received from Mr Martin Bradshaw Wright against you.

You need not respond to this letter if you do not wish to. However, if you do wish to comment or consider that specific or additional information should be considered by the Ombudsman as part of his initial consideration of this matter please let us know. If you decide to respond or provide any information you should bear in mind that your comments may also be disclosed to the complainant, or used in any subsequent proceedings. As we aim to complete our initial assessment of the complaint promptly, it would be helpful if you could provide any comments you may wish to make as soon as possible. However, if this is not possible or you require additional time to do so, please let us know.

We will now consider the complaint in accordance with our usual procedure. You may want to consider the enclosed copy of the Ombudsman's factsheet, 'Code of Conduct - Information for Members'.

We will aim to inform you whether there are grounds to investigate the complaint within 6 weeks. However, there may be occasions when it is not possible to do so. On these occasions we will write to provide you with an update.

The Ombudsman's investigations are conducted in private. You are therefore asked not to contact or discuss the details of the complaint with any potential witnesses or persons who may be involved in the matter, whether directly or indirectly, to avoid any prejudice to any investigation. Conduct of this kind may amount to a breach of the Code of Conduct.

If you consider that specific information should be considered or witnesses should be contacted by the Ombudsman as part of his initial consideration of this matter, please let me know and I will consider your request.

Meeting your needs

Please let us know if you need us to adapt the way we communicate with you. If anything makes it difficult for you to comment on the complaint enclosed, and you wish to do so, for example, if you have a disability, please contact us to explain how this affects you.

We will consider whether your request is reasonable and appropriate in the circumstances. This is because we need to use public money carefully.

Communicating with you

Please tell us whether you would prefer to communicate with us in Welsh or English. We ask this as part of our Welsh Language Policy and so that we can best meet your language needs. If we do not hear from you, we will assume that you are content for us to communicate with you in the language the complaint was received, in this case English.

We prefer to communicate electronically instead of by post wherever possible. If you are happy to receive email correspondence, please provide us with an email address.

When we correspond with you by email, we will send any confidential or sensitive personal information to you using Egress secure email. This is necessary to protect the content of the material. To access information sent to you via Egress, if you do not already have one, you will need to register for a free account by clicking on the 'New User' link in the email you receive. This set up will only be required once and you can then respond to, and initiate, secure correspondence with us free of charge.

We may occasionally send large emails and attachments. Any emails and attachments greater than 20MB (collectively) will be sent via the Large File Transfer function. These emails will carry the Ombudsman's logo, and will contain a link to access the material. As with other Egress emails, you will be required to log into Switch to access the content.

A Quick Start User Guide is enclosed for your information. If you have any queries about our use of Egress, you can contact our IT team on itc@ombudsman-wales.org.uk You will also be able to obtain further assistance from Egress Software Technologies Customer Service: www.egress.com/support

Your data

In considering your complaint, we will be processing personal information. Further information about the way in which we do this is available in the Privacy Notice. Should you have any queries specifically about this, you can contact our information team on information.request@ombudsman.wales

Please note, the information we receive from you will be scanned to an electronic case record. We therefore routinely destroy hard copy information received 3 months after receipt, unless there is an exceptional reason to keep the information for longer. Please let us know as soon as possible if you would like us to return any of the information you have sent to us.

Your electronic complaint record is retained for 10 years from the date your complaint is closed. We remove identifiable information from the electronic case record so that we can keep information about complaints for longer so that we can use this to analyse trends.

I am copying this letter and enclosure to Mr Gareth Owens, the Monitoring Officer of Flintshire County Council.

Yours sincerely



Leigh McAndrew

Swyddog Ymchwilio/Investigation Officer


Enc: Redacted complaint information
‘Code of Conduct – Information for members’ factsheet
Egress information
Privacy Notice

Cc: Mr Gareth Owens

Appendix 5

Our ref: 202105656/LM/FH

Ask for: Louise Morland

 01656 644224

Date: 7 February 2022



PERSONAL & CONFIDENTIAL

Councillor Charles Cordery

By email only

Dear Councillor Cordery

Code of Conduct complaint made by Mr Martin Bradshaw Wright

The Ombudsman has now decided to investigate the complaint made against you by Mr Wright, of which you were informed on 30 November 2021. I have been asked to carry out the investigation.

The complaint will be investigated on the basis that there may have been a failure to comply with the following paragraphs of the Code:

- 4(b) [Members] must show respect and consideration for others
- 6(1)(a) [Members] must not conduct [themselves] in a manner which could reasonably be regarded as bringing [their] office or authority into disrepute.
- 7(a) [Members] must not in [their official] capacity or otherwise, use or attempt to use [their] position improperly to confer on or secure for [themselves], or any other person, an advantage or create or avoid for [themselves], or any other person, a disadvantage.
- 8(a)(iii) [Members] must when participating in meetings or reaching decisions regarding the business of [their] authority, do so on the basis of the merits of the circumstances involved and in the public interest having regard to any relevant advice provided by [their] authority's officers, in particular by the authority's monitoring officer.

You need not respond to this letter if you do not wish to. However, any comments made at this stage will be taken into consideration. You should bear in mind that your comments may also be disclosed to the complainant or used in any subsequent proceedings.

If my investigation finds that there is a case to answer, I will in due course put to you the evidence I have found, and you may be invited to interview to answer any questions which appear relevant in the light of it.

I have written to notify the Monitoring Officer of Flintshire County Council and to the locum Clerk to Buckley Town Council of this investigation and have asked for any relevant information.

The Ombudsman's investigations are conducted in private. You are therefore asked not to contact or discuss the details of the complaint with any potential witnesses or persons who may be involved in the matter, whether directly or indirectly, to avoid any prejudice to the investigation. Conduct of this kind may amount to a breach of the Code.

If you consider that specific information should be considered, or witnesses should be contacted by the Ombudsman as part of this investigation please let me know and I will consider your request in light of the remit of the Ombudsman's investigation.

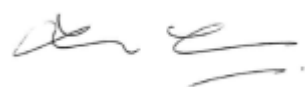
Meeting your needs during our investigation

Please let us know if you need us to adapt the way we communicate with you. If anything makes it difficult for you to engage with us during the investigation, for example, if you have a disability, please contact us to explain how this affects you.

We will consider whether your request is reasonable and appropriate in the circumstances. This is because we need to use public money carefully.

This letter is only being sent electronically. A hard copy will not be sent unless you ask for one.

Yours sincerely



Louise Morland

Swyddog Ymchwilio/Investigation Officer

Appendix 6

From: [Charles Cordery](#)
To: [Louise Morland](#)
Subject: Response to Allegations from Martin Wright (Clerk Buckley Town Council Flintshire)
Date: 05 January 2022 12:45:33

Dear Ms Moreland,

Please find below my response to the allegations as made.

In May of 2021 I was successful in winning a bi election to become a Councillor in the Town of Buckley which is situated in Flintshire, North East Wales.

As a Town Councillor I have always striven to put the viewpoint of its residents into the domain of the Council as I was elected to unfortunately this has been met with acrimonious comment and hostility from a particular political faction within the Council and the Town Clerk who is by any reasonable assessment from myself and others palpably unable to accept any constructive dialogue or what may be construed as passive criticism which differs from his own vision of matters.

In one issue that I raised on behalf of the residents which contained a reference to a perceived inability of the Council to fulfil its obligations was driven out of all proportion by the Town Clerk and his supporters to the point where I was I was invited to attend a Council Meeting to explain my comments this meeting became fractious due to the manipulation of events by the Town Clerk and served no real purpose other than to further his agenda which was to place me before the Office of the Local Government Ombudsman as he has done previously with three other elected Town Councillors who has in his infinite wisdom chosen to challenge him on matters.

In a further issue surrounding fireworks display which was to be attended by the general public and then cancelled by the Town Clerk based on a misinterpretation of Welsh Assembly Government advice and without full consultation of the Town Council led to some comment being placed on the local social media channels.

These comments from individuals who were identifiable led to the Town Clerk making a comment on social media which referred to them as being keyboard warriors this was the causation of great consternation from within the residents and some members of the Town Council who sought a meeting which would be accessible to the general public to further an explanation for what had been said.

This meeting duly took place on the 20th of October 2021 by means of a Zoom virtual platform and was attended by the full council and members of the general public the Chairperson being Councillor Blondek.

The Chairperson opened the meeting by stating that there would be no discussion on the words that had caused great offence at this point I raised a point of order over the stifling

of debate surrounding this decision my comments in this point of order were to the extent that it was shameful that there was going to be no debate on this issue and that the Town Council in allowing this showed no respect to its residents I also suggested that the person who made these comments should consider their position to be untenable and offer their immediate resignation.

Councillor Blondek attempted to interrupt my point of order on a number of occasions however my point of order was allowed to continue to its conclusion at no point during this dialogue did I identify the person who I was referring to either by name or gender.

Following this meeting the Town Clerk and others from a certain political faction from within the Town Council have made allegations against me which I consider to be vexatious and without merit or foundation I have made a separate complaint against the actions of Councillor Blondek who prior to the bi election of May 2021 attempted to destabilise my process of election and remove me as a candidate by making vindictive comments to other Councillors who she believed could influence my removal from the bi election.

in closing I would respectfully suggest to you that this whole affair has been designed by those that wish to indulge in party politics and deviousness with the sole intention of achieving what they failed to do at the ballot box in a democratic election which was to stop me becoming elected as a Town Councillor for Buckley.

Yours Sincerely,

Councillor Charles Cordery

From: [Charles Cordery](#)
To: [Louise Morland](#)
Subject: IN - Acc Member - Comments and Witnesses (MatEv)
Date: 08 February 2022 13:26:56

Dear Louise,

Further to our telephone conversation yesterday please find listed below three further contact details of witnesses who wish to give statements on my behalf.

Cllr. M.J Peers
[REDACTED]

Cllr. J.S.Jones
[REDACTED]

Cllr. Ian Peters
[REDACTED]

In addition I would wish to say that in relation to paragraph 4 of the notification of allegations.

The monitoring officer in making these comments regarding advice as given should have declared a conflict of interest which is prejudicial.

Because as an active trade unionist I have met the monitoring officer in his role as the legal governance officer for Flintshire County Council on issues when in support of our membership.

Could you please consider this point which I find to be a fair and reasonable one in your deliberations.

Kind Regards,

Clr. Charles Cordery.

Sent from Samsung Mobile on O2
Get [Outlook for Android](#)

From: [Charles Cordery](#)
To: [Louise Morland](#)
Subject: IN - Acc Member - Additional Information (MatEv)
Date: 18 February 2022 09:18:52

Dear Louise,

With further reference to the complaint as laid against me by Mr Martin Wright Town Clerk of Buckley Town Council in Flintshire.

Having looked at the Standing Orders for Buckley Town Council in respect of Code of Conduct Complaints.

It would appear that Mr Wright is in breach of Standing Order 31 (a) (b) as he has failed to follow this procedure.

Could you please note this additional information for your deliberations.

Kind Regards,

Cllr.Charles Cordery.

Sent from Samsung Mobile on O2
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From: Louise Morland <[REDACTED]>

Sent: Tuesday, December 21, 2021 9:53:27 AM

To: Charles Cordery <[REDACTED]>

Subject: Automatic reply: Response to Complaint.

Diolch am eich ebost. Rwyf bellach allan o'r swyddfa nes 04/01/22. Byddaf yn ymateb i'ch ebost ar ôl i mi ddychwelyd.

Os yw eich cyswllt yn un brys, anfonwch ebost at caseinfo@ombwdsmon.cymru.

Thank you for your email. I am now out of the office until 04/01/22. I will respond to your email on my return.

If your contact is urgent, please email caseinfo@ombudsman.wales.

From: [Charles Cordery](#)
To: [Louise Morland](#)
Subject: IN - Acc Member - Further Comment
Date: 03 March 2022 15:20:25

Dear Louise,

Mr Wrights claim against me centres around his allegation that at a Special Meeting of the Full Council which was open to the general public and held by zoom on the 20th October 2021

I made the comment that He should offer his resignation with immediate effect.

This comment featured in the minutes that were placed on the Council website shortly afterwards.

I can now say to you that at a further meeting of the Full Buckley Town Council which was held in the Council Chamber last night. Following a discussion of members who were present at the previous Zoom meeting regarding the note taking of the event and as to what was actually said.

An ammendment was proposed to alter that comment to one which said that they should offer their resignation with immediate effect.

The ammendment went to the vote and was passed.

The revised minutes of the Meeting from the 20th of October 2021 will be posted on the Town Council website in the near future.

Mr Wright I would suggest as the Town Clerk who was present at the meeting of the 20th of October 2021 has been in a position of influence to significantly alter the spoken narrative in the minutes for his own benifit.

This has now been rectified to give a more accurate version of what was said during that meeting.

I would ask that you consider this information in your deliberations towards this complaint as lodged by Mr Wright.

Kind Regards,

Cllr.Charles Cordery
Buckley Town Council
Flintshire
North Wales

Sent from Samsung Mobile on O2
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From: [Charles Cordery](#)
To: [Louise Morland](#)
Subject: IN - Acc Member - Further information (MatEv)
Date: 08 March 2022 11:50:15

Dear Louise,

Further to the complaint made against me I can also say that the Temporary Locum Town Clerk who does not know Mr Wright.

Has been subject to behaviours from Mr Wright which amount to Bullying and Harassment.

I would ask that you include this disclosure in your deliberations to this matter.

Kind Regards,

Cllr.Charles Cordery.

Sent from Samsung Mobile on O2
Get [Outlook for Android](#)

From: [REDACTED] >
Sent: Friday, February 18, 2022 11:20:04 AM
To: [REDACTED]
Subject: Complaint made to the Ombudsman - 202105656 [REF/L0/bn/BX/5d/]

Dear Councillor Cordery

Our reference: 202105656

Thank you for your email dated 18 February 2022, the contents have been noted and will be considered in due course.

Kind Regards

Louise Morland
Swyddog Ymchwilio/Investigation Officer
Ffôn/Tel: [REDACTED]

--

Ombwdsmon Gwasanaethau Cyhoeddus Cymru/ Public Services Ombudsman for Wales
1 Ffordd yr Hen Gae
Pencoed
Pen-y-Bont ar Ogwr/ Bridgend/
CF35 5LJ

www.ombwdsmon-cymru.org.uk / www.ombudsman-wales.org.uk
<https://twitter.com/OmbudsmanWales>

Hybu'r Gymraeg

Gallwch ysgrifennu atom yn Gymraeg a byddwn yn ymateb yn Gymraeg. Ni fydd hyn yn arwain at oedi cyn ymateb.
Welsh Language Promotion

You can write to us in Welsh and we will reply in Welsh. This will not lead to a delay in responding.

Sganiwyd y neges hon am bob feirws hysbys wrth iddi adael Ombwdsmon Gwasanaethau Cyhoeddus Cymru.

Mae Ombwdsmon Gwasanaethau Cyhoeddus Cymru yn cymryd o ddifrif yr angen i ddiogelu eich data.

Mae ein Hysbysiad Preifatrwydd yn esbonio sut rydym yn defnyddio eich gwybodaeth a sut rydym yn diogelu eich preifatrwydd.

On leaving the Public Services Ombudsman, this email was scanned for all known viruses.
The Public Services Ombudsman takes the protection of your data seriously.
Our Privacy Notice explains how we use your information and the ways in which we protect your privacy.
Bydd pob galwad yn cael ei recordio ar gyfer dibenion hyfforddi a chyfeirio
All calls are recorded for training and reference purposes
Ystyriwch yr amgylchedd – a oes wir angen i chi argraffu'r neges e-bost hon?
Please consider the environment - do you really need to print this email?

From: [Charles Cordery](#)
To: [Louise Morland](#)
Subject: IN - Acc Member - Additional Information (MatEv)
Date: 18 May 2022 21:36:38

Dear Ms Moreland,

Further to the above I can confirm that following the Local Government Election on the 5th of May 2022 I was re-elected as a Town Councillor to serve on Buckley Town Council.

I can also confirm that at last night's Annual General Meeting of the Town Council I was also elected to serve as the Deputy Mayor for this Mayoral year.

I believe that these two events display a certain amount of confidence in myself from the electorate and fellow Councillors in their belief towards my ability to serve the residents of Buckley in both capacities.

Could you please note this in your deliberations towards the complaint as lodged against myself.

Kind Regards,

Cllr Charles Cordery,
Deputy Mayor,
Buckley Town Council.

Sent from Samsung Mobile on O2
Get [Outlook for Android](#)

Appendix 7

From: [Tracey Reece](#)
To: [caseinfo](#)
Cc: [Louise Morland](#)
Subject: Cllr Charles Cordery - Buckley Town Council
Date: 17 February 2022 10:26:42
Attachments: [20220217102047427.pdf](#)

STRICTLY PRIVATE AND CONFIDENTIAL

-

Dear Ms Morland

Ref: 202105656/LM/FH

Thank you for your letter dated 7th February 2022 advising of a Code of Conduct Complaint being investigated against Cllr Charles Cordery of Buckley Town Council.

As requested, please find attached a full dossier containing the specific information required in your letter.

To the best of our knowledge and belief, our records do not indicate that Cllr Cordery attended any training on the Members Code of Conduct and therefore regret have no training material for any session attended. Please be advised that no such recording is available for the Town Council Meeting held on 20th October 2021 as this did not take place. In respect of copy Council correspondence relating to the Buckley Town Council meeting of 20th October 2021 this is included in the electronic paperwork attached. It is my belief that we have supplied all the requisite material that is required for this investigation but should you have any further queries we will, of course, do our best to cooperate and comply with any additional information as required.

For the record, I formally confirm to you that the same file attached to this email is today being sent to Matthew Georgiou, Legal Services Manager at Flintshire County Council.

Please confirm safe receipt of this email.

Yours sincerely

Kevin Glyn-Davies BA (Hons) MA
Locum Town Clerk & Responsible Financial Officer
Buckley Town Council

The information you provide (personal information such as name, address, email address, phone number, organisation) will be processed and stored to enable us to contact you and respond to your correspondence, provide information and/or access our facilities and services. Your personal information will be not shared or provided to any other third party without your consent. We will only keep your data for the purpose it was collected for and only for as long as is necessary, after which it will be deleted. (You may request the deletion of your data held by the council at any time). The council privacy notice can be found on our website www.buckleytc.org.uk.

Buckley Town Council

Council Offices, Buckley, Flintshire. CH7 2JB
Telephone and Fax: 01244 544540
www.buckleytc.org.uk

Town Clerk and Financial Officer:
Martin B. Wright CPFA AFA MAAT
E mail: [REDACTED]



Cyngor Tref Bwcle

Swyddfa'r Cyngor, Bwcle, Sir y Fflint. CH7 2JB
Rhif Ffôn a Ffacs: 01244 544540
www.buckleytc.org.uk

Clerc y Dref a Swyddog Cyllid:
Martin B. Wright CPFA AFA MAAT
E bost: [REDACTED]

Our Ref/Ein Cyf

MBW/TJR

Your Ref/Eich Cyf

Date/Dyddiad

15th October 2021

To: All Members of the Council

Dear Member,

You are requested to attend a Special Meeting of the Council to be held via Zoom Conferencing on Wednesday 20th October 2021 commencing at 7pm.

The Agenda for the meeting is given below.

Yours sincerely,

Town Clerk and Financial Officer

AGENDA

1. APOLOGIES

To receive and approve apologies for absence with reasons.

2. CANCELLATION OF ANNUAL BONFIRE & FIREWORKS DISPLAY

Following the introduction of the new Welsh Government Covid 19 Regulations on 11th October 2021, the Mayor and Chairs of the Standing Committees, in consultation with the Clerk, took the decision to cancel this year's Fireworks Display. However, it has been brought to my attention that following the cancellation of this year's event, some "keyboard warriors" have highlighted that the New Regulations allow for exemptions, different from the reasons quoted on the Town Council Website and in the Press Release, thereby indicating that the Firework Display could go ahead. Having read the documentation, the situation appears somewhat confusing. The Clerk has contacted the Welsh Government on the matter and is awaiting a reply, however that can take up to 15 days. An explanation of the rationale behind the confusion is listed below :-

1. The document referred to is the Welsh Government - Guidance - COVID Pass: guidance for businesses and events (see attached).
2. The above document explains in detail the requirement for holding events. Under the Sub Heading - Settings - It states "The new requirements will mean people over the age of 18 in Wales will need to show their COVID 19 status to attend the following venues or events:" One of the highlighted areas is "any outdoor or indoor venues with over 4,000 in the audience, where some or all of the audience are not normally seated." This applies to Buckley Town Council's Firework Display and requires those attending the event to show a COVID 19 Pass.
3. Under the Sub Heading - Exemptions and Exceptions, it states "Staff, contractors, performers or volunteers involved in the delivery of the event are not required to show a COVID Pass or proof of a negative Lateral Flow Device or test in the last 48 hours. However, in order to protect themselves and others and to help us keep the sector open, venue owners and event organisers may wish to consider encouraging all those on site to take regular lateral flow tests prior to an event as part of their Risk Assessment. The following are examples of the types of premises that are specifically exempted from the requirement". Premises that are listed include "...A free firework display in a public park..." As read, the above exemption appears to relate to the Staff, contractors, performers or volunteers. It does not indicate that the public attending the event are exempt from being required to show a COVID 19 Pass.
4. However, on Annex 1, it states under Example Scenario "An un-ticketed event is being held in an open space. The event will include a firework display. There are no fixed entry or exit points" Under Certification Requirements it states "The event does not need to apply checks prior to entry as it is un-ticketed, being held in an open space and there are no fixed entry or exit points". This appears to contradict the passage under Exemptions and Exceptions, unless the implication is that efforts should be made to confirm the Covid status of sampled individuals once they are at the venue.

Listed below are examples of cancelled North Wales Fireworks Displays and the reasons given:-

- a. Amlwch - "After much deliberation and consulting with various Public Agencies we have made a decision to call off the Community Bonfire and Fireworks. We haven't come to this decision lightly but Covid cases are rising and the hospital is busy. We just can't put anyone at risk unnecessarily"
- b. Denbigh Town Council - "Following on from Denbigh Town Council's full meeting...one of the items discussed was the annual Fireworks...and with great disappointment I advise you that this year's event will not be going ahead... The Town Council had to take into consideration the advice received from their Health & Safety Consultant, Fireworks provider, CADW as well as the up-to-date instructions from the Welsh Government...Whilst it is a disappointment to

the residents and visitors to Denbigh, the Town Councillors felt that the safety of the Councillors, Staff and Volunteers was paramount."

c. Beaumaris Town Council - "Unfortunately due to problems concerning crowd management and Covid Regulations the Bonfire Committee has reluctantly decided not to go ahead with the display this year."

d. The RNLI have cancelled the Flint Firework Display - "After great consideration we have had to make the unfortunate decision to cancel Flint RNLI's Fireworks Display this year. This annual event attracts thousands to Flint Castle every year. The current assessment highlights that due to the events complex location we would be unable to put in place the necessary safeguards to ensure the safety of our community, volunteers and supporters, so the decision has been made to cancel the event for this year."

It is acknowledged that the following displays are currently going ahead - Holyhead, Caernarvon, Llandudno and Wrexham, but these are pending any further changes to the Corona virus situation.

For the period 8th – 14th October 2021 there were 661 confirmed cases of Covid 19 in Flintshire an increase of 2.2% over the previous seven day period. Also, there are currently 1 in 55 people suffering from Covid symptoms in Wales and on Thursday 14th October 2021 new cases of Covid 19 reached a three month high (source Department of Health).

It is not for the Town Clerk and Financial Officer as to whether or not the current cancellation of Buckley Town Council's Firework Display is reversed, that it is a matter for the Council. I am therefore arranging an Emergency Meeting of the Council via Zoom conferencing on Wednesday 20th October 2021 at 7pm, a decision can be made at the meeting. However, I would remind Members of the quote from Denbigh Town Council when cancelling its Annual Fireworks Display "Whilst it is a disappointment to the residents and visitors to Denbigh, the Town Councillors felt that the safety of the Councillors, Staff and Volunteers was paramount."

The Council is requested to receive and note the above report and enclosed documentation and to decide whether or not the Firework Display will remain cancelled or go ahead.

**MINUTES of a
SPECIAL MEETING OF THE COUNCIL
held via Zoom
on
Wednesday 20th October 2021**

PRESENT

Councillor V E Blondek (Town Mayor) – in the Chair

Cllr C Cordery	Cllr H D Hutchinson	Cllr C M Preece
Cllr C A Ellis	Cllr J S Jones	Cllr E L Preece
Cllr D Ellis	Cllr R B Jones	Cllr P G Shone
Cllr L G Fox	Cllr M J Peers	Cllr A G Williams
Cllr I D Howes	Cllr I Peters	Cllr A Woolley
Cllr E J Hutchinson	Cllr N Phillips	

IN ATTENDANCE

Mr M B Wright – Town Clerk & Financial Officer
Mrs L George – Personal Assistant
Mrs T J Reece – Personal Assistant
Mr A J White – Town Events Organiser & Town Centre Support Provider (Contractor)
Mr D M Wright – Zoom Meeting Administrator

18413- APOLOGIES

An apology for absence and reason was received and approved from Councillor J F Thornton (unable to join the meeting due to lack of internet).

18414- CANCELLATION OF ANNUAL BONFIRE & FIREWORKS DISPLAY

The Mayor opened the Agenda item by advising that prior to this item being debated she would be reading out a statement in relation to areas of the Agenda that would not be discussed in open session and that Standing Order 33(a) would have to be applied to exclude the press and public if those areas were to be discussed; The Mayor stated that the Agenda requirements should be adhered to. As the Mayor commenced to read the Statement, Councillor C Cordery shouted out “Point of Order”. [Councillor Cordery’s camera was switched off so only a black screen appeared, and this remained the case throughout the meeting]. The Mayor, using Standing Order 10(e)(i) stated that she would not take his Point of Order as she wished to complete her statement. Councillor Cordery again shouted out “Point of Order”, and again the Mayor declined it. Councillor Cordery refused to refrain from speaking, with the Mayor repeatedly asking him to be quiet. Councillor Cordery then said words to the effect: “There’s a cover up going on in the Council in an attempt to protect members of the Council staff by brushing things under the carpet and creating a smoke screen thereby bringing the Council into disrepute”. He then added: “That individual, I will say now, should offer **his** resignation with immediate effect”. [That remark was directed at the Clerk – the Council has only three staff, two of whom are female]. Councillor Cordery only ceased speaking when informed by the Mayor that should he keep talking the Mayor would

seek approval from the Council to remove him from the meeting. No proposition was put forward on this matter. No other Member spoke.

There then followed a lengthy and detailed debate regarding the reinstatement of the Firework Display. The emphasis during the debate was on ensuring the safety of Councillors, staff, volunteers, contractors and the public. Their safety was regarded as paramount.

Councillor R B Jones put forward the motion, which was seconded and it was therefore -

Resolved – that:-

- 1. The annual firework display go ahead as initially planned but without supporting acts, rides, food provision and the bonfire. Thus reducing the risk to councillors, staff, volunteers, contractors and the public based upon the latest advice from the Welsh Government at the time. This would be achieved by utilising all necessary security arrangements that would be necessary whilst ensuring value for money.***
- 2. The resolution 1 (above) was subject to any further adverse advice from the Welsh Government which may cause the event to be cancelled.***
- 3. That Members disassociated themselves from the wording in the Agenda, as they had had no prior knowledge of the wording being used.***

CHAIR

Tracey Reece

From: Tracey Reece
Sent: 20 October 2021 09:06
To: 'Vivienne Blondek'; 'julia jones'; carolynmpreece@ [REDACTED] Richard Jones; 'ianpeters101'; Ian Howes; 'arnold woolley'; Martyn Teire; [REDACTED] llisd889; Peter Shone; Mike Peers; [REDACTED] 'Carol'; 'Emma Preece'; Louis Fox; 'Charles Cordey'
Attachments: 20211020091904969.pdf

Dear Member

In case the matter of the expression "keyboard warriors" is brought up at the Special Meeting of the Council this evening, I would ask you to take cognisance of the following:-

As to my email to [REDACTED] and his response (copies attached):

1. I genuinely believed that the expression was in common parlance;
2. I have heard Members on numerous occasions using the expression when referring to Facebook and other Social Media platform posts; and
3. I meant no disrespect to anyone.

As Members know I am not a Facebook or other Social Media platform user.

I would remind Members that under Standing Order 33 (a) staffing matters and employment issues may not be discussed in public session and as such matters may only be considered after the Council has resolved to remove the press and public. Moreover, it maybe that a particular matter cannot be discussed in Council and has to be referred to the Establishment Sub-Committee which is responsible for employment issues.

Regards

M B Wright
Town Clerk & Financial Officer

Lynne George

From: Lynne George
Sent: 21 October 2021 11:21
To: 

Subject: Statement by the Town Mayor of Buckley Town Council

This email is for information and not comment.

Dear Members,

As the Town Mayor, I together with the Clerk wish to make the following statement in relation to the words “Keyboard Warriors” in the Agenda for the Special Meeting of the Town Council held on 20th October 2021:-

The Town Clerk is not a Facebook user or a user of any other social media platform with the exception of Hotmail.

At no time whatsoever did the Clerk intend to cause offence with the words. He did not believe the words to be derogatory and used them after consulting, and in line with the definition in, the Collins English Dictionary which describes Keyboard Warrior as a person who uses social media to express outrage or criticism.

The Clerk understood that the phrase was common parlance for such social media contributors. The use of the expression was intended to recognise that Facebook contributors had raised legitimate points for the Council to consider with regard to the potential re-instatement of the Fireworks Display – hence the narrative of the remainder of the Agenda.

Subsequently other definitions have been notified to the Clerk, some of which describe the words as derogatory.

At no time was it the Clerk’s intention to make a remark which was or might be (or might be taken to be) derogatory or to cause offence to anyone, and any offence taken by any Facebook user to the use of the words in the Agenda was not intended and is regretted.

The words will not be used again in Council Agendas.

Regards,
Councillor V E Blondek
Town Mayor of Buckley Town Council

Statement by the Town Mayor of Buckley Town Council

As the Town Mayor, I together with the Clerk wish to make the following statement in relation to the words “Keyboard Warriors” in the Agenda for the Special Meeting of the Town Council held on 20th October 2021:-

The Town Clerk is not a Facebook user or a user of any other social media platform with the exception of Hotmail.

At no time whatsoever did the Clerk intend to cause offence with the words. He did not believe the words to be derogatory and used them after consulting, and in line with the definition in, the Collins English Dictionary which describes Keyboard Warrior as a person who uses social media to express outrage or criticism.

The Clerk understood that the phrase was common parlance for such social media contributors. The use of the expression was intended to recognise that Facebook contributors had raised legitimate points for the Council to consider with regard to the potential re-instatement of the Fireworks Display – hence the narrative of the remainder of the Agenda.

Subsequently other definitions have been notified to the Clerk, some of which describe the words as derogatory.

At no time was it the Clerk’s intention to make a remark which was or might be (or might be taken to be) derogatory or to cause offence to anyone, and any offence taken by any Facebook user to the use of the words in the Agenda was not intended and is regretted.

The words will not be used again in Council Agendas.

Councillor V E Blondek
Town Mayor of Buckley Town Council

Tracey Reece

From: carolyn preece <[REDACTED]>
Sent: 21 October 2021 12:44
To: Gareth Legal
Cc: Martin Wright; Vivienne Blondek
Subject: Complaint regarding a Councillor's Behaviour at Buckley Town Council meetings

21/10/2021

Dear All,

I wish to make a formal complaint regarding Cllr Charles Cordery conduct at last night's special emergency meeting regarding the Firework display.

At the beginning of the meeting, it was clearly stated by the Mayor that the council members were only to discuss the agenda item and that if they wanted to discuss other matters that the mayor would speak to them after the meeting, also if it related to staff members that standing orders 33a would need to be adhered to.

Cllr Cordery was very rude; he interrupted the Mayor and would not stop speaking, even when the mayor told him to stop speaking. He told everyone including the residents attending that a staff member was out of order and needed to apologise and needed to hand in their notice tonight, he went on to say that the matter was being swiped under the carpet and it was a cover up and that it had brought the council into disrepute. This was witnessed by the Mayor, full council of councillors, members of the public, staff (the clerk, the clerks two assistants) and our events subcontractor.

I believe that Cllr Cordery has breached our members Code of Conduct and has breached standing orders 10c (iii) (rules of debate), 12a Disorderly conduct, 25a Conduct and interest, 28a Admission of the public and press to a meeting, 33a. Discussion resolutions and handling matters affecting employees of the council

This is not the first time Cllr Cordery has behaved confrontational and disrespectful manner, I refer to the confidential Establishment Sub-committee meetings held on 14th September 2021 and at the face to face meeting on 18th October, where Cllr Cordery was again confrontational, with an aggressive tone and manner and had to be even challenged to wear his face mask to comply with Welsh Government guidelines. He continued to remove his mask from his nose and mouth and had to be asked to put it back, this happened through the meeting.

We have a duty of care to our staff to protect and safeguard them.

I would appreciate it if this matter can be dealt with by the monitoring officer and possibly on to the Local government ombudsman.

I am happy to be a witness as part of any investigation that may take place.

Can you please give me some guidance on what will happen next with this complaint

If you need further information from me, please let me know.

Regards

Cllr Carolyn Preece

Tracey Reece

From: Louis Fox <[REDACTED]>
Sent: 21 October 2021 18:20
To: [REDACTED]
Cc: Martin Wright
Subject: Incident statement - Buckley Town Council Special Meeting Wednesday 20th October 2021

Hi Gareth,

I am emailing with regards to an incident that occurred at the Special meeting of the Town Council yesterday evening. The following statement is my recollection of the comments made by Councillor Charles Cordery during this meeting;

As Mayor Cllr Vivienne Blondak attempted to open the meeting Cllr Cordery rudely interjected, Cllr Cordery made a comment during his speech in which he made reference to a male member of staff (of which there is only one, our Clerk Martin Wright), using the word "his" to make this distinction, stating;

"That individual should tender his resignation this evening with immediate effect".

Cllr Cordery went on to insinuate that there is a "cover up" going on for this particular member of staff and that "certain members of the Town Council are actively protecting him".

Please feel free to get in touch with me if necessary - my mobile number is [REDACTED]

Kind Regards,

Cllr Louis Fox

The information you provide (personal information such as name, address, email address, phone number, organisation) will be processed and stored to enable us to contact you and respond to your correspondence, provide information and/or access our facilities and services. Your personal information will be not shared or provided to any other third party without your consent. We will only keep your data for the purpose it was collected for and only for as long as is necessary, after which it will be deleted. (You may request the deletion of your data held by the council at any time). The council privacy notice can be found on our website www.buckleytc.org.uk.

Tracey Reece

From: Vivienne Blondek [REDACTED]
Sent: 21 October 2021 20:12
To: Carol; Dennis Hutchinson; arnold woolley; Andy Williams; Emma Preece; ellisd889; Louis Fox; Ian Peters; Ian Howes; julia jones; [REDACTED]; Peter Shone; Richard Jones; [REDACTED]; Martyn Teire; Mike Peers; carolyn preece
Subject: Buckley Town Council Staff

Dear All

I have spent the last two mornings in the Council offices and what I have experienced is totally unacceptable. I have serious concerns regarding the mental health of Martin, Tracey and Lynne. For some time they have been feeling undervalued so much so that they dread coming into work. No one should ever be made to feel too stressed to go into work. This stress has escalated over recent weeks. Collectively we are responsible for the health and safety of all staff and we have a "duty of care" for all staff employed by Buckley Town Council. We are all bound by both National and our own BTC Code of Conduct. Please can we all consider how our comments and behaviours can sometimes be perceived and adhere to the Code of Conduct we all signed up to.

Kind regards
Cllr Vivienne Blondek
Buckley Town Mayor

Sent from my iPad

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Tracey Reece

From: Martin Wright [REDACTED]
Sent: 21 October 2021 20:27
To: [REDACTED]
Cc: Tracey Reece; Lynne George
Subject: Actions by Cllr. C Cordery at Buckley Town Council Special Meeting held on 20th October 2021

Gareth

Could I please seek your advice regarding potential action I wish to take in relation to an incident that occurred at the above Meeting:-

The meeting was called as a result of Welsh Government Guidelines introduced on 11th October 2021. Prior to 11th October, I had on the 6th October 2021 asked the Welsh Government's advice re: the advisability of holding the Annual Firework Display in Buckley. The reply from the Welsh Government was merely to advise that it could take 15 days to reply to my query. In conjunction with the Mayor and Standing Committee Chairs, I discussed the potential cancellation of the Fireworks and eventually it was decided by the Mayor and chairs to cancel the event. The Mayor and Chairs were given powers to decided issues that were considered urgent. However, shortly after, the cancellation was posted on our Website; Facebook posts directed the Council to possible exemptions to the Regs. one of which referred to un-ticketed, multiple access points, free Firework Displays on Parkland. I therefore took the decision to call a Special Meeting of allow the full Council to decide whether or not to re-introduce the Firework Display. I will not go into all the factors to be considered as they are irrelevant to this matter. When I issued the Agenda and put it on our Website, social media went in to a frenzy, this was relating to my use of social media users as "Keyboard Warriors". This is a phrase that inflamed a number of the social media users, encouraged by a number of our Councillors, some of whom have used that expression themselves in the Council Chamber and within discussions that included me. When using the expression, they were referring to users of certain Buckley web-based Forums. The messages posted were of an offensive nature and the Administrator of one of the Forums notified her group that she was closing the comment section of the post to any more comments as they were becoming a "Witch Hunt". I was aware that certain Members were "outraged" at my use of the phrase "Keyboard Warriors" and believed that I may have brought the Town Council into disrepute. I robustly contend this is not the case.

Nevertheless, the Special Meeting went ahead at 7.00pm on 20th October 2021 via Zoom Video Conferencing. Prior to the meeting, the Mayor had, in consultation with me, decided to make a statement. The statement would clearly set out that the meeting was open to the public; therefore, the meeting should concentrate on a decision about the Fireworks as a single item agenda. There would be no discussion on the words in the Agenda that had caused offence, if necessary, this could potentially be discussed at the end of the meeting when it would be appropriate to invoke Standing Order 33 (a), or the matter could be referred to a further meeting. The Mayor opened the meeting at 7.00pm and advised the Council that she would be reading out a statement prior to the debate taking place. As she commenced the Statement, Cllr C Cordery shouted out "Point of Order" (it should be noted here that Cllr Cordery had his camera switched off so only a black screen appeared, this remained the same throughout the meeting), the Mayor, using Standing Order 10 (e)(i) stated that she would not hear the point of order as she wished to complete the statement. Cllr. Cordey again shouted out "Point of Order", again the Mayor refused it. Cllr Cordery refused to refrain from speaking, with the Mayor repeatedly asking him to be quiet. Cllr Cordery then said words to the following effect -That there was a cover up going on in the Council in an attempt to protect members of the Council staff by brushing things under the carpet and creating a smoke

screen thereby bringing the Council into disrepute. He also said (these are his words to the best of my memory) "That individual I will say now should offer his resignation with immediate effect". That remark could only have been directed at me as the Council only has three staff, two of whom are female. Cllr Cordery only ceased speaking when the Mayor stated that if he continued, she would seek authority to have him removed from the meeting. No other Member spoke and the debate moved to the Firework display.

Cllr. Cordery did not make another contribution to the meeting throughout the next 1 hour and 45 mins (approx.)

There were four or five members of the public in attendance at the meeting when Cllr. Cordery made his comments; the outburst was so sudden the Mayor was unable to seek a mover and a seconder to propose implementing Standing Order 33(a).

I believe that Members of the Council may be making Official Complaints themselves to you.

Regards

Martin Wright
Town Clerk and Financial Officer
Buckley Town Council

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Tracey Reece

From: Vivienne Blondek [REDACTED]
Sent: 21 October 2021 23:02
To: [REDACTED] Martin Wright
Subject: Buckley Town Council meeting

Dear Gareth

It is with regret that I find myself having to raise this issue but I am supporting our BTC Clerk with what can only be described as unreasonable behaviour by a Councillor against a particular member of Buckley Town Council staff, in a public domain. I had just opened an emergency meeting of Buckley Town Council and was making my statement when I was rudely interrupted by Councillor Charles Cordery calling for a point of order. He was stating a member of staff had brought the council into disrepute and must apologise. He made allegations of a cover up and creating a smokescreen to protect this member and demanded "he resigns with immediate effect". I had immediately told him he was out of order and he had interrupted my statement which referred to Standing Orders 33(a) and does not allow any discussions regarding any member of staff when public and press are present. He continued to talk over me in a loud and aggressive tone. I told him I had ruled, he was in breach of section 33(a) and must please be quiet. He continued. I informed he that if he continued, I would have to seek to have him removed from the meeting. Cllr Cordery then became quiet and the meeting proceeded.

This is not the first unacceptable outburst from Cllr Cordery. I had recently written to him, as instructed by the members of the Establishment Sub-group Committee, regarding his behaviour. To date, he still has not acknowledged receipt of my letter.

Kind regards
Cllr Vivienne Blondek
Buckley Town Mayor

Sent from my iPad

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Lynne George

From: Martin Wright [REDACTED]
Sent: 21 October 2021 23:29
To: Lynne George
Subject: Draft Minutes for Special Council Meeting

Lynne

When you have formatted the draft minutes, I've sent you, can you send a copy to [REDACTED] at [REDACTED] and ask him to send his comments back to my home email address. When he's replied I'll contact you to put them on the website.

Could you also put Vivienne Blondek's statement we sent out to all Members on the website on Friday.

Thanks

Martin

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Statement by the Town Mayor of Buckley Town Council

As the Town Mayor, I together with the Clerk wish to make the following statement in relation to the words “Keyboard Warriors” in the Agenda for the Special Meeting of the Town Council held on 20th October 2021:-

The Town Clerk is not a Facebook user or a user of any other social media platform with the exception of Hotmail.

At no time whatsoever did the Clerk intend to cause offence with the words. He did not believe the words to be derogatory and used them after consulting, and in line with the definition in, the Collins English Dictionary which describes Keyboard Warrior as a person who uses social media to express outrage or criticism.

The Clerk understood that the phrase was common parlance for such social media contributors. The use of the expression was intended to recognise that Facebook contributors had raised legitimate points for the Council to consider with regard to the potential re-instatement of the Fireworks Display – hence the narrative of the remainder of the Agenda.

Subsequently other definitions have been notified to the Clerk, some of which describe the words as derogatory.

At no time was it the Clerk’s intention to make a remark which was or might be (or might be taken to be) derogatory or to cause offence to anyone, and any offence taken by any Facebook user to the use of the words in the Agenda was not intended and is regretted.

The words will not be used again in Council Agendas.

Councillor V E Blondak
Town Mayor of Buckley Town Council

Tracey Reece

From: Gareth Legal <[REDACTED]>
Sent: 22 October 2021 08:26
To: 'Martin Wright'
Cc: Tracey Reece; Lynne George
Subject: RE: Actions by Cllr. C Cordery at Buckley Town Council Special Meeting held on 20th October 2021

Dear Martin

Thank you for the written account of the events we discussed yesterday. I have received a number of accounts of the incident from other councillors. As the principal "injured party" I think it is appropriate that I discuss with you how to handle the matter.

In such circumstances you have a number of options under the ethical regime (in addition to any separate legal options which you might wish to pursue):

- 1) To ask me to mediate informally with your councillor – given your feelings when we spoke, and the impact of the events upon you, I appreciate this might not be adequate to resolve the issue
- 2) To use Buckley TC's local resolution procedure – to undertake this you would need to have confidence that any resolution would have a lasting impact in preventing a recurrence of the behaviour, but this would be the quickest route and would be focussed on trying to repair the relationship between yourself and Cllr Cordery; or
- 3) To complain to the PSOW - Cllr Cordery's actions appear to be in breach of his obligation under the code to treat you with respect and they failed to respect your right as an employee to have matters pertaining to your service discussed in private. Any such complaint would be subject to the 2 stage test of evidence (which is certainly available) and public interest. On the latter point Cllr Cordery will be afforded a measure of leeway to exercise his role (to hold officers to account). The PSOW's guidance for town councillors below does however suggest that his office would investigate the complaint. This may take some months to reach a resolution during which time you will need to continue to work with Cllr Cordery
"I will consider carefully any complaints of alleged inappropriate behaviour by members towards Clerks, and will investigate those complaints which are supported by appropriate evidence that a member has gone beyond what might be regarded as reasonable challenge."

Please consider which option you would wish to take and come back to next week. If you would like to discuss them over the telephone then please feel free to call me.

Regards

Gareth

From: Martin Wright <[REDACTED]>
Sent: 21 October 2021 20:27
To: Gareth Legal <[REDACTED]>
Cc: Tracey Reece <[REDACTED]> Lynne George <[REDACTED]>
Subject: Actions by Cllr. C Cordery at Buckley Town Council Special Meeting held on 20th October 2021

Gareth

Could I please seek your advice regarding potential action I wish to take in relation to an incident that occurred at the above Meeting:-

The meeting was called as a result of Welsh Government Guidelines introduced on 11th October 2021. Prior to 11th October, I had on the 6th October 2021 asked the Welsh Government's advice re: the advisability of holding the Annual Firework Display in Buckley. The reply from the Welsh Government was merely to advise that it could take 15 days to reply to my query. In conjunction with the Mayor and Standing Committee Chairs, I discussed the potential cancellation of the Fireworks and eventually it was decided by the Mayor and chairs to cancel the event. The Mayor and Chairs were given powers to decide issues that were considered urgent. However, shortly after, the cancellation was posted on our Website; Facebook posts directed the Council to possible exemptions to the Regs. one of which referred to un-ticketed, multiple access points, free Firework Displays on Parkland. I therefore took the decision to call a Special Meeting of allow the full Council to decide whether or not to re-introduce the Firework Display. I will not go into all the factors to be considered as they are irrelevant to this matter. When I issued the Agenda and put it on our Website, social media went in to a frenzy, this was relating to my use of social media users as "Keyboard Warriors". This is a phrase that inflamed a number of the social media users, encouraged by a number of our Councillors, some of whom have used that expression themselves in the Council Chamber and within discussions that included me. When using the expression, they were referring to users of certain Buckley web-based Forums. The messages posted were of an offensive nature and the Administrator of one of the Forums notified her group that she was closing the comment section of the post to any more comments as they were becoming a "Witch Hunt". I was aware that certain Members were "outraged" at my use of the phrase "Keyboard Warriors" and believed that I may have brought the Town Council into disrepute. I robustly contend this is not the case.

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Cllr. Cordery did not make another contribution to the meeting throughout the next 1 hour and 45 mins (approx.)

There were four or five members of the public in attendance at the meeting when Cllr. Cordery made his comments; the outburst was so sudden the Mayor was unable to seek a mover and a seconder to propose implementing Standing Order 33(a).

I believe that Members of the Council may be making Official Complaints themselves to you.

Regards

Martin Wright
Town Clerk and Financial Officer
Buckley Town Council

We welcome correspondence in Welsh and English and will respond to correspondence in the same language. Use of either language will not lead to a delay
Opinions advice, conclusions and other information in this message that do not relate to the official business of Flintshire County Council shall be understood as neither given nor endorsed by it or on its behalf, and consequently Flintshire County Council shall bear no responsibility whatsoever in respect thereof.

Croesawn ohebiaeth yn y Gymraeg a'r Saesneg a byddwn yn ymateb i ohebiaeth yn yr un iaith. Ni fydd defnyddio'r naill iaith na'r llall yn arwain at oedi.

Deellir na fydd unrhyw safbwyntiau, na chynghorion, na chasgliadau nac unrhyw wybodaeth arall yn y neges hon, nad ydynt yn berthnasol i waith swyddogol

Cyngor Sir y Fflint, yn cael eu cynnig na'u cadarnhau ganddo nac ar ei ran, ac felly ni fydd Cyngor Sir y Fflint yn derbyn unrhyw gyfrifoldeb am y rhannau hynny o'r neges.

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Tracey Reece

From: Tracey Reece
Sent: 25 October 2021 11:42
To: Vivienne Blondék
Subject: FW: Scrutiny Committee - Friday 29th October 2021 - 10am

Would it be possible please to reply to Cllr Cordery regarding this email.

Regards

Tracey

From: Charles Cordey - [REDACTED]
Sent: 25 October 2021 11:40

[REDACTED]
Subject: Re: Scrutiny Committee - Friday 29th October 2021 - 10am

Dear Tracey,

Thank you for your message in respect of the above committee.

Could you please explain the reasonance for this decision as the Town Council and its Committee's still need to function for the benifit of all.

Kind Regards,

Cllr. Cordery

Sent from Samsung Mobile on O2
Get [Outlook for Android](#)

From: Tracey Reece [REDACTED]
Sent: Monday, 25 October 2021, 11:34
To: Charles Cordey; Louis Fox; Ian Howes; ianpeters101; [carolynmpreece](#) [REDACTED] [elpreece8](#) [REDACTED]
Peter Shone; Martyn Teire
Subject: Scrutiny Committee - Friday 29th October 2021 - 10am

Dear Member

The meeting arranged for the above Committee has been postponed until a later date.

Regards

Cllr V E Blondék
Town Mayor

Tracey Reece

From: Vivienne Blondek [REDACTED]
Sent: 25 October 2021 14:43
To: [REDACTED]
Cc: Tracey Reece; Louis Fox; Ian Howes; ianpeters101; carolyn preece; Emma Preece; Peter Shone; Martyn Teire
Subject: Re: Scrutiny Committee - Friday 29th October 2021 - 10am

Dear Councillor Cordery

As has been previously stated, no meetings of the council can go ahead without the presence of a Proper Officer. This is only postponed and the Scrutiny Committee will meet for their initial meeting as soon as it is possible.

Kind regards
vienne Blondek
Buckley Town Mayor

On 25 Oct 2021, at 11:41, Tracey Reece <[REDACTED]> wrote:

Would it be possible please to reply to Cllr Cordery regarding this email.

Regards

Tracey

From: Charles Cordey [REDACTED]
Sent: 25 October 2021 11:40

[REDACTED]

Subject: Re: Scrutiny Committee - Friday 29th October 2021 - 10am

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Could you please explain the reasonance for this decision as the Town Council and its Committee's still need to function for the benifit of all.

Kind Regards,

Cllr. Cordery

Sent from Samsung Mobile on O2
Get [Outlook for Android](#)

From: Tracey Reece [REDACTED]
Sent: Monday, 25 October 2021, 11:34

To: Charles Cordey; Louis Fox; Ian Howes;
ianpeters101; [carolynmpreece](#) [REDACTED] [elpreece8](#) [REDACTED] Peter Shone; Martyn Teire
Subject: Scrutiny Committee - Friday 29th October 2021 - 10am

Dear Member

The meeting arranged for the above Committee has been postponed until a later date.

Regards

Cllr V E Bloudek
Town Mayor

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Lynne George

From: Vivienne Blondek <[REDACTED]>
Sent: 27 October 2021 01:16
To: Lynne George
Subject: Re: Draft Minutes of Special Meeting - 20th October 2021
Attachments: Minutes of a Special Meeting of the Council - 20.10.21 - Fireworks.docx

Thank you Lynne.

I know this was a difficult meeting for all members of staff. Can I please put forward some amendments to these minutes as I know they will be picked up at the next Council meeting so, In an effort not to re-open this debate, I would like to include these amendments to the draft document please.

Firstly, a proposal was forwarded by Cllr Emma Preece that the Council employ a private company experienced in crowd control to steward the Firework Event therefore increasing the safety that will allow the event to go ahead. This was seconded by Cllr Louis Fox.

Secondly, active debate took place with supportive information from Andy White, BTC Events Organiser. Cllr Richard Jones proposed an amendment which was passed and subsequently became the substantive proposal which passed by a majority vote in favour.

Kind regards
Viv.

Sent from my iPad

On 26 Oct 2021, at 11:58, Lynne George <[REDACTED]> wrote:

Viv,

Please see the draft minutes of the Special Meeting of the Town Council held on 20th October 2021. These draft minutes were posted on the Council's website yesterday.

Regards,
Lynne

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Lynne George

From: Lynne George
Sent: 26 October 2021 11:58
To: Vivienne Blondak
Subject: Draft Minutes of Special Meeting - 20th October 2021
Attachments: Minutes of a Special Meeting of the Council - 20.10.21 - Fireworks.docx

Viv,

Please see the draft minutes of the Special Meeting of the Town Council held on 20th October 2021. These draft minutes were posted on the Council's website yesterday.

Regards,
Lynne

**MINUTES of a
SPECIAL MEETING OF THE COUNCIL
held via Zoom
on
Wednesday 20th October 2021**

PRESENT

Councillor V E Blondek (Town Mayor) – in the Chair

Cllr C Cordery	Cllr H D Hutchinson	Cllr C M Preece
Cllr C A Ellis	Cllr J S Jones	Cllr E L Preece
Cllr D Ellis	Cllr R B Jones	Cllr P G Shone
Cllr L G Fox	Cllr M J Peers	Cllr A G Williams
Cllr I D Howes	Cllr I Peters	Cllr A Woolley
Cllr E J Hutchinson	Cllr N Phillips	

IN ATTENDANCE

Mr M B Wright – Town Clerk & Financial Officer
Mrs L George – Personal Assistant
Mrs T J Reece – Personal Assistant
Mr A J White – Town Events Organiser & Town Centre Support Provider (Contractor)
Mr D M Wright – Zoom Meeting Administrator

18413- APOLOGIES

An apology for absence and reason was received and approved from Councillor J F Thornton (unable to join the meeting due to lack of internet).

18414- CANCELLATION OF ANNUAL BONFIRE & FIREWORKS DISPLAY

The Mayor opened the Agenda item by advising that prior to this item being debated she would be reading out a statement in relation to areas of the Agenda that would not be discussed in open session and that Standing Order 33(a) would have to be applied to exclude the press and public if those areas were to be discussed; The Mayor stated that the Agenda requirements should be adhered to. As the Mayor commenced to read the Statement, Councillor C Cordery shouted out "Point of Order". [Councillor Cordery's camera was switched off so only a black screen appeared, and this remained the case throughout the meeting]. The Mayor, using Standing Order 10(e)(i) stated that she would not take his Point of Order as she wished to complete her statement. Councillor Cordery again shouted out "Point of Order", and again the Mayor declined it. Councillor Cordery refused to refrain from speaking, with the Mayor repeatedly asking him to be quiet. Councillor Cordery then said words to the effect: "There's a cover up going on in the Council in an attempt to protect members of the Council staff by brushing things under the carpet and creating a smoke screen thereby bringing the Council into disrepute". He then added: "That individual, I will say now, should offer **his** resignation with immediate effect". [That remark was directed at the Clerk – the Council has only three staff, two of whom are female]. Councillor Cordery only ceased speaking when informed by the Mayor that should he keep talking the Mayor would

seek approval from the Council to remove him from the meeting. No proposition was put forward on this matter. No other Member spoke.

There then followed a lengthy and detailed debate regarding the reinstatement of the Firework Display. The emphasis during the debate was on ensuring the safety of Councillors, staff, volunteers, contractors and the public. Their safety was regarded as paramount.

Councillor R B Jones put forward the motion, which was seconded and it was therefore -

Resolved – that:-

- 1. The annual firework display go ahead as initially planned but without supporting acts, rides, food provision and the bonfire. Thus reducing the risk to councillors, staff, volunteers, contractors and the public based upon the latest advice from the Welsh Government at the time. This would be achieved by utilising all necessary security arrangements that would be necessary whilst ensuring value for money.***
- 2. The resolution 1 (above) was subject to any further adverse advice from the Welsh Government which may cause the event to be cancelled.***
- 3. That Members disassociated themselves from the wording in the Agenda, as they had had no prior knowledge of the wording being used.***

CHAIR

Tracey Reece

From: ellisd8 [REDACTED]
Sent: 28 November 2021 21:18
To: Tracey Reece
Subject: Photo from Dave Ellis
Attachments: IMG-20211128-WA0010.jpg

Good Evening Tracy,

In the absence of the clerk can you please tell me who ratified the draft minutes and put them on the Council website naming a Councillor in the draft minutes as in my opinion they are incorrect.

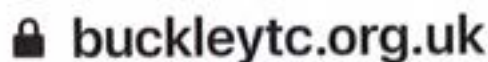
They have not been approved by full council. They have also made their way onto one of the social media sites.

Regards

Councillor David Ellis CMIOSH

Sent from my Galaxy

The information you provide (personal information such as name, address, email address, phone number, organisation) will be processed and stored to enable us to contact you and respond to your correspondence, provide information and/or access our facilities and services. Your personal information will be not shared or provided to any other third party without your consent. We will only keep your data for the purpose it was collected for and only for as long as is necessary, after which it will be deleted. (You may request the deletion of your data held by the council at any time). The council privacy notice can be found on our website www.buckleytc.org.uk.



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held via Zoom
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Wednesday 20th October 2021

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Cllr C A Ellis	Cllr J S Jones	Cllr E L Preece
Cllr D Ellis	Cllr R B Jones	Cllr P G Shone
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Tracey Reece

From: Charles Cordey [REDACTED]
Sent: 28 November 2021 22:06
To: [REDACTED]

Subject: Re: Amended Notice

Dear Ms Reece,

I write in response to the draft minutes of a meeting which took place on the 20th October 2021 being placed on the Council Website.

In furtherance of this I will say that these draft minutes are factual incorrect and should not have been placed on the website without the full town council giving ratification and agreement to them nor without them being circulated for any incorrections to be notified

Sent from Samsung Mobile on O2
[Get Outlook for Android](#)

From: Tracey Reece [REDACTED]
Sent: Saturday, November 27, 2021 10:07:51 AM

[REDACTED]

Subject: Amended Notice

Dear Member

For your information. This has been placed on the Town Council's website this morning.

Regards

Tracey Reece

Personal Assistant to Town Clerk

The information you provide (personal information such as name, address, email address, phone number, organisation) will be processed and stored to enable us to contact you and respond to your correspondence, provide information and/or access our facilities and services. Your personal information will be not shared or provided to any other third party without your consent. We will only keep your data for the purpose it was collected for and only for as long as is necessary, after which it will be deleted. (You may request the deletion of your data held by the council at any time). The council privacy notice can be found on our website www.buckleytc.org.uk.

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Tracey Reece

From: Charles Cordey [REDACTED]
Sent: 28 November 2021 22:11
To: [REDACTED]

Subject: Re: Amended Notice

prior to publication on the council website.

I would also ask as to whom it was that authorised publication of these draft minutes onto the website.

I look forward to your response in these urgent matters.

Kind Regards,

Cllr. Cordery.

Sent from Samsung Mobile on O2
Get [Outlook for Android](#)

From: Charles Cordey [REDACTED]
Sent: Sunday, November 28, 2021 10:06:25 PM

Subject: Re: Amended Notice

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Sent from Samsung Mobile on O2
Get [Outlook for Android](#)

From: Tracey Reece [REDACTED]
Sent: Saturday, November 27, 2021 10:07:51 AM

09:07

4G

4 >



All comments ▾

Might get the keyboard warriors online?

13 h Like Reply

2

I witnessed this meeting, Cllr Cordery was the only member that was appalled by the keyboard warrior statement whilst all other councillors remained silent. Town Mayor wouldn't let Cllr Cordery speak. To be honest it was funny to watch.....like an episode of Vicar of Dibley.

11 h Like Reply

Write a public comment...





Replies

[Redacted]

[Redacted] I'll have to
sign up for the next one
... in all honesty I never
accepted the excuse of
not knowing the meaning
of the term ... you'd have
to live under a rock not to
know that one .. he
meant what he said .. cllr
Cordery was right to call
him
Out on it.

11 h Like Reply

[Redacted]

[Redacted]

absolutely I don't
know the guy but he
is the only one of
them that has shown
any sort of integrity.
Waste of space the

Write a reply...

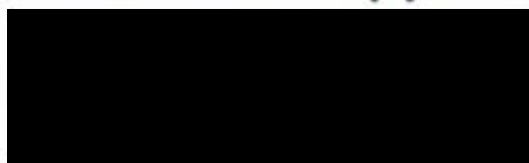




Replies

Out on it.

11 h Like Reply



absolutely I don't
know the guy but he
is the only one of
them that has shown
any sort of integrity.
Waste of space the
lot of them.

11 h Like Reply



It's good to see a
councillor that
questions things and
not roll over into the
old council routine ..

11 h Like Reply



Write a reply...

Write a reply...



Tracey Reece

From: Tracey Reece
Sent: 29 November 2021 09:01
To: Vivienne Blondék; [REDACTED]
Subject: Emails from Cllrs Ellis & Cordery
Attachments: 20211129091930199.pdf

Cllr Blondék & Phillips

Please see attached emails from the above. Would it be possible to arrange for you both to come into the office this morning to discuss with us as feel this situation is unacceptable.

Regards

Tracey & Lynne

Tracey Reece

From: Charles Cordey [REDACTED]
Sent: 29 November 2021 15:33
To: Vivienne Blondek
Cc: [REDACTED]

Subject: Re: Amended Notice

Dear Cllr. Blondek,

Thank you for your response on behalf of Ms Reece.

The draft minutes were posted on the Buckley Town Council and were accessible to the public domain.

These minutes in its phraseology are factually incorrect and name myself which damages my character and reputation.

I ask that these draft minutes are removed from the aforementioned website and an immediate retraction issued from what is ostensibly and could be deemed to be an assassination of character.

I look forward to your response in this urgent matter.

Kind Regards,

Cllr Cordery

Sent from Samsung Mobile on O2
Get [Outlook for Android](#)

From: Vivienne Blondek [REDACTED]
Sent: Monday, November 29, 2021 3:18:02 PM
To: Charles Cordey [REDACTED]

Subject: Re: Amended Notice

Dear Councillor Cordery

In response to your email to Tracey Reece, I will answer your query on Mrs Reece's behalf. The minutes were generated by the clerk the following day after the Special Meeting, as is the normal practice. These are draft minutes and posted on the Buckley Town Council website in line with the requirements Local Government and Elections Act 2021. Please see the notice which I have cut and pasted from the BTC website and which is attached to every post regarding draft minutes of each public Buckley Town Council meeting. Please note the last two sentences.

" The Local Government and Elections (Wales) Act 2021 Section 47 applies to Town and Community Councils. Paragraph 12 of Part 1 of Schedule 4 of the Act requires Town and Community Councils to "As soon as reasonably practicable after a meeting of a Community Council, and in any event before the end of seven working days beginning with the day on which the meeting is held the Council must publish electronically a note setting out – (a) the names of the Members who attended the meeting and any apologies for absence (b) any Declarations of Interest and (c) any decisions taken at the meeting, including the outcome of any votes. Excluded from this requirement is any decision which was taken in relation to a decision relating to business which was transacted in private or where disclosure of the information would be contrary to any enactment. Therefore see attached, the Draft Minutes of the above Meetings. Please note that they are Draft Minutes and may be amended when the Council and its Standing Committees review them at the next Meetings. The resolutions noted should not be regarded as being approved by the Council."

If you feel there are any inaccuracies, you will have the opportunity to raise them when the minutes are presented for approval at the next Council Meeting.

I trust this answers your questions.

Kind regards
Cllr Vivienne Blondek
Buckley Town Mayor.

Sent from my iPad

On 28 Nov 2021, at 22:10, Charles Cordey [REDACTED] wrote:

prior to publication on the council website.

I would also ask as to whom it was that authorised publication of these draft minutes onto the website.

I look forward to your response in these urgent matters.

Kind Regards,

Cllr. Cordery.

Sent from Samsung Mobile on O2
Get [Outlook for Android](#)

From: Charles Cordey [REDACTED]
Sent: Sunday, November 28, 2021 10:06:25 PM

[REDACTED]

[REDACTED]

Subject: Re: Amended Notice

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Sent from Samsung Mobile on O2
Get [Outlook for Android](#)

From: Tracey Reece [REDACTED]
Sent: Saturday, November 27, 2021 10:07:51 AM

[REDACTED]

Subject: Amended Notice

Dear Member

For your information. This has been placed on the Town Council's website this morning.

Regards

Tracey Reece
Personal Assistant to Town Clerk

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Tracey Reece

From: Vivienne Blondek [REDACTED]
Sent: 29 November 2021 16:14
To: Dave Ellis
Cc: Tracey Reece; Lynne George
Subject: Regarding email to Mrs Reece

Dear Councillor Ellis

I am answering your email to Mrs Tracey Reece yesterday on her behalf. Please see the email I have sent to Councillor Cordery (you have been copied into it), which clarifies the requirements to post draft minutes of public Town and Community meetings.

The minutes will be approved by the council at their next public meeting, in line with the requirements of the Act. With regards to them being on social media, BTC website is for public access and we do not have any way of restricting information from the website being posted on local social media groups.

I trust this answers your concerns.

Kind regards
Cllr Vivienne Blondek
Buckley Town Mayor

Sent from my iPad

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Tracey Reece

From: Vivienne Blondek [REDACTED]
Sent: 29 November 2021 16:41
To: Charles Cordey
Cc: [REDACTED]

Subject: Re: Amended Notice

Dear Cllr Cordery

The draft minutes of the meeting of 20th October 2021 has been posted on the BTC website since 25th October 2021, some 5 weeks ago, as per requirement under the Act. As you haven't raised any concerns before, what has changed?

Kind regards
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Sent from my iPad

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[REDACTED]

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Tracey Reece

From: Charles Cordey <[REDACTED]>
Sent: 29 November 2021 17:56
To: Vivienne Blondek
Cc: [REDACTED]

Subject: Re: Amended Notice

Dear Cllr. Blondek,

Thank you for your email communication in response.

The draft minutes may well have been the subject of a posting some weeks ago however I have not seen them and they was brought to my attention by a member of the public I also understand that it is being reported on in the social media channels.

What remains is the justifiable concern that I have that my name has been included in the draft minutes together with falsehoods that are now in the public domain together with what may incur a potential breach of data protection regulations.

Which leads to the only conclusion possible that a character assassination of myself is being undertaken by a person or persons who are unknown.

When this person or individuals are made known or should they have the brevity to do so who are indulging in this whispering campaign of hostility against me for purely representing the views of the residents I shall take action against them.

Should you wish to comment any further I will of course as always be prepared to engage with you in writing but for now I believe that I have made my position quite clear

Kind Regards,

Cllr. Cordery.

Sent from Samsung Mobile on O2
Get [Outlook for Android](#)

From: Vivienne Blondek <[REDACTED]>
Sent: Monday, November 29, 2021 4:41:18 PM

[REDACTED]

[REDACTED]
Subject: Re: Amended Notice

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Sent from Samsung Mobile on O2
Get [Outlook for Android](#)

From: Vivienne Blondak <[REDACTED]>
Sent: Monday, November 29, 2021 3:18:02 PM
To: Charles Cordey <[REDACTED]>
[REDACTED]

Subject: Re: Amended Notice

Dear Councillor Cordery

In response to your email to Tracey Reece, i will answer your query on Mrs Reece's behalf. The minutes were generated by the clerk the following day after the Special Meeting, as is the normal practice. These are draft minutes and posted on the Buckley Town Council website in line with the requirements Local Government and Elections Act 2021. Please see the notice which I have cut and pasted from the BTC website and which is attached to every post regarding draft minutes of each public Buckley Town Council meeting. Please note the last two sentences.

" The Local Government and Elections (Wales) Act 2021 Section 47 applies to Town and Community Councils. Paragraph 12 of Part 1 of Schedule 4 of the Act requires Town and Community Councils to "As soon as reasonably practicable after a meeting of a Community Council, and in any event before the end of seven working days beginning with the day on which the meeting is held the Council must publish electronically a note setting out – (a) the names of the Members who attended the meeting and any apologies for absence (b) any Declarations of Interest and (c) any decisions taken at the meeting, including the outcome of any votes. Excluded from this requirement is any decision which was taken in relation to a decision relating to business which was transacted in private or where disclosure of the information would be contrary to any enactment. Therefore see attached, the Draft Minutes of the above Meetings. Please note that they are Draft Minutes and may be amended when the Council and its Standing Committees review them at the next Meetings. The resolutions noted should not be regarded as being approved by the Council."

If you feel there are any inaccuracies, you will have the opportunity to raise them when the minutes are presented for approval at the next Council Meeting.

I trust this answers your questions.

Kind regards
Cllr Vivienne Blondek
Buckley Town Mayor.

Sent from my iPad

On 28 Nov 2021, at 22:10, Charles Cordey <[REDACTED]> wrote:

prior to publication on the council website.

I would also ask as to whom it was that authorised publication of these draft minutes onto the website.

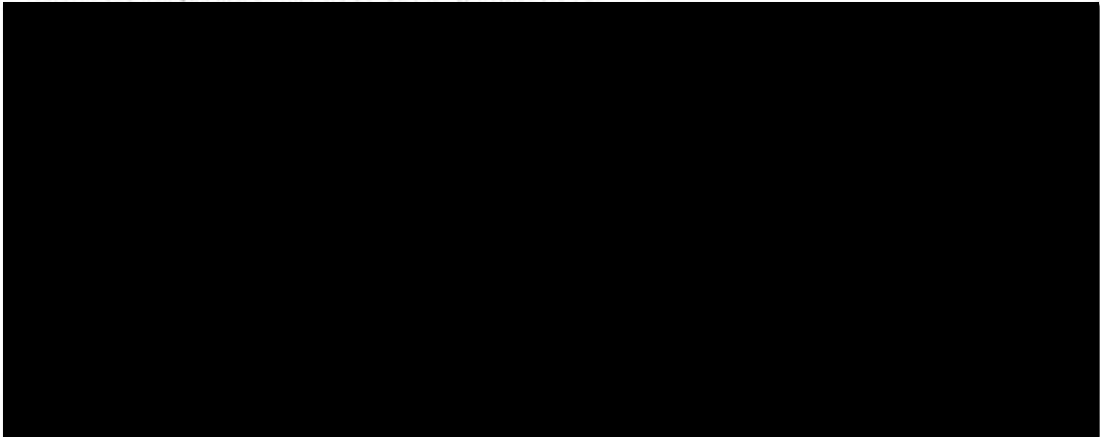
I look forward to your response in these urgent matters.

Kind Regards,

Cllr. Cordery.

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From: Charles Cordey <[REDACTED]>
Sent: Sunday, November 28, 2021 10:06:25 PM



Subject: Re: Amended Notice

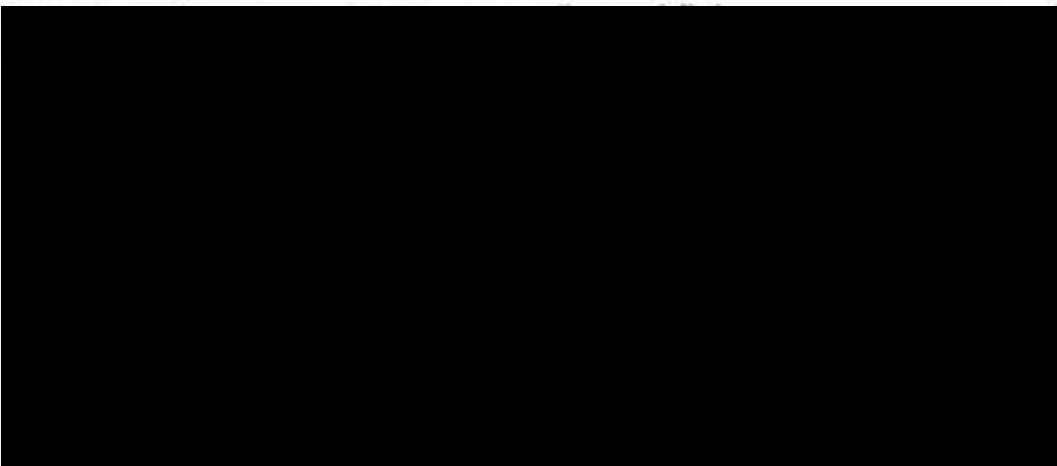
Dear Ms Reece,

I write in response to the draft minutes of a meeting which took place on the 20th October 2021 being placed on the Council Website.

In furtherance of this I will say that these draft minutes are factual incorrect and should not have been placed on the website without the full town council giving ratification and agreement to them nor without them being circulated for any incorrections to be notified

Sent from Samsung Mobile on O2
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From: Tracey Reece <[REDACTED]>
Sent: Saturday, November 27, 2021 10:07:51 AM



Subject: Amended Notice

Dear Member

For your information. This has been placed on the Town Council's website this morning.

Regards

Tracey Reece
Personal Assistant to Town Clerk
The information you provide (personal information such as name, address, email address, phone number, organisation) will be processed and stored to enable us to

contact you and respond to your correspondence, provide information and/or access our facilities and services. Your personal information will be not shared or provided to any other third party without your consent. We will only keep your data for the purpose it was collected for and only for as long as is necessary, after which it will be deleted. (You may request the deletion of your data held by the council at any time). The council privacy notice can be found on our website www.buckleytc.org.uk.

The information you provide (personal information such as name, address, email address, phone number, organisation) will be processed and stored to enable us to contact you and respond to your correspondence, provide information and/or access our facilities and services. Your personal information will be not shared or provided to any other third party without your consent. We will only keep your data for the purpose it was collected for and only for as long as is necessary, after which it will be deleted. (You may request the deletion of your data held by the council at any time). The council privacy notice can be found on our website www.buckleytc.org.uk.

MINUTES of a MEETING (Adjourned)
of the
BUCKLEY TOWN COUNCIL
held in the Council Chamber
on
Wednesday 2nd March 2022

PRESENT

Councillor V E Blondek (Town Mayor) – in the Chair

Cllr C Cordery	Cllr E J Hutchinson	Cllr I Peters
Cllr C A Ellis	Cllr H D Hutchinson	Cllr N Phillips
Cllr D Ellis	Cllr J S Jones	Cllr P G Shone
Cllr L G Fox	Cllr R B Jones	Cllr A G Williams
Cllr I D Howes	Cllr M J Peers	Cllr A Woolley

IN ATTENDANCE

Mr K Glyn-Davies – Locum Town Clerk/Responsible Finance Officer
Mrs T J Reece - Personal Assistant
Mr A J White – Town Events Organiser & Town Centre Support Provider (Contractor)
Inspector I Thomas – North Wales Police
A/PS K Nash – North Wales Police

Prior to the commencement of this meeting, the Mayor called for a 1 minute silence for the current conflict in the Ukraine and for all other conflicts around the world.

In the absence of Rev Canon Martin Bachelor, Mayor's Chaplain, Cllr N Phillips offered prayers.

The Mayor advised Members that all mobile devices should be switched off for the duration of the meeting.

18421- APOLOGIES

Apologies for absence and reasons were received and approved from Councillors C M Preece (family commitments), E L Preece (personal circumstances) and J F Thornton (poor health).

18422- DECLARATIONS OF INTEREST

No Declarations of Interest were made in relation to this Agenda. It was –

Resolved – that no Declarations of Interest were noted.

18423 – PUBLIC QUESTION TIME

The Locum Town Clerk reported that no questions had been received. It was –

6902 J-14
7/6/2022

Resolved that the Locum Town Clerk's report be received and noted.

18424- EXCLUSION OF THE PRESS AND PUBLIC

In view of the confidential financial/Staff procedural nature of the following Agenda items about to be transacted, it was advisable in the public interest that the public and press be temporarily excluded and they be instructed to withdraw. The Committee was, therefore, requested to resolve a period of exempt business to commence after the conclusion of Standing Committees business. It was –

Resolved – that exempt business be taken following the conclusion of the Standing Committees business.

18425- MINUTES

Resolved – that the minutes of a Meeting of the Town Council held via Zoom on 28th September 2021 (6882– 6884), Minutes of a Special meeting of the Town Council held via Zoom on 23rd November 2021 (6899) and Minutes of the Town Council held in the Council Chamber on 31st January 2022 (6900-6901) as now submitted, be approved, adopted and signed as a correct record.

18426- MAYORAL AND COUNCIL ANNOUNCEMENTS

The Mayor advised the Council of the following:-

- (a) The Town Council buildings would be lit outside for seven days until 10pm each evening in the national colours of the Ukraine signifying solidarity and support to the people of Ukraine.
- (b) The Mayor indicated that the Mayor's Parlour would be open to potentially receive any donations to support the people of Ukraine.
- (c) The Mayor had attended Mold Town Council's Charity Ball which was a very successful evening.

18427- MINUTES OF THE GENERAL PURPOSES COMMITTEE

Moved by Cllr H D Hutchinson
Seconded by Cllr D Ellis it was –

Resolved – that the Minutes of the Meeting of the General Purposes Committee held on 28th September 2021, as now submitted, be approved and adopted.

18428- MINUTES OF THE FINANCE & ECONOMIC DEVELOPMENT COMMITTEE

Moved by Cllr N Phillips
Seconded by Cllr P G Shone and it was –

Resolved – that the Minutes of the Meeting of the Finance and Economic Development Committee held on 28th September 2021, as now submitted, be approved and adopted.

18429- MINUTES OF THE PLANNING COMMITTEE

Moved by Cllr M J Peers

Seconded by Cllr R B Jones and it was –

Resolved – that the Minutes of the Meeting of the Planning Committee held on 28th September 2021, as now submitted, be approved and adopted.

18430- MINUTES OF THE HIGHWAYS AND LEISURE COMMITTEE

Moved by Cllr J S Jones

Seconded by Cllr D Ellis and it was -

Resolved – that the Minutes of the Meeting of the Highways and Leisure Committee held on 28th September 2021, as now submitted, be approved and adopted.

**18431- MINUTES OF THE MEETING OF THE ESTABLISHMENT
SUB-COMMITTEE HELD ON 18TH OCTOBER 2021**

Resolved – that the minutes of the Establishment Sub-Committee held on 18th October 2021 were approved as a correct and confidential record by those Members present who had attended the Sub-Committee and the minutes of the Sub-Committee were received and noted by the Council.

**18432- MINUTES OF THE MEETING OF THE ESTABLISHMENT
SUB-COMMITTEE HELD ON 14TH FEBRUARY 2022**

Resolved – that the minutes of the Establishment Sub-Committee held on 14th February 2022 were approved as a correct and confidential record by those Members present who had attended the Sub-Committee and the minutes of the Sub-Committee were received and noted by the Council.

18433- ELECTION OF THE TOWN MAYOR AND DEPUTY TOWN MAYOR

The Council received a report from the Locum Town Clerk which reminded them that at the March meeting of the Council, the Town Mayor elect and Deputy Town Mayor elect for the forthcoming year would need to be nominated and approved. The Mayor, therefore, advised the Council that the matter was included on the Agenda in order that consideration may be given between this meeting and the March meeting for nominations to be prepared for the above posts. It was –

Resolved – that the report from the Locum Town Clerk be received and noted and that nominations should be made available for the posts of Town Mayor elect and Deputy Town Mayor elect for consideration at the meeting of the Council due to be held on 22nd March 2022.

18434- ADJOURNMENT

In light of the previous resolution for a period of exempt business (minute 18424 refers), the Mayor announced that this meeting was being adjourned and would be resumed at the conclusion of the Standing Committees business.

CHAIR

J. F. 7/12/2022

MINUTES of the TOWN COUNCIL (Resumed)
of the
BUCKLEY TOWN COUNCIL
held in the
Council Chamber, BUCKLEY
on
Wednesday 2nd March 2022

PRESENT

Councillor V E Blondek (Town Mayor) - in the Chair

Cllr C Cordery
Cllr C A Ellis
Cllr D Ellis
Cllr L G Fox
Cllr I D Howes

Cllr E J Hutchinson
Cllr H D Hutchinson
Cllr J S Jones
Cllr R B Jones
Cllr M J Peers

Cllr I Peters
Cllr N Phillips
Cllr P G Shone
Cllr A G Williams
Cllr A Woolley

IN ATTENDANCE

Mr K Glyn-Davies – Locum Town Clerk/Responsible Finance Officer
Mrs T J Reece – Personal Assistant

Members resolved to conduct the following business under exempt business as previously resolved (minute no. 18424 refers).

18457- APOLOGIES

Apologies for absence and reasons were received and approved from Councillors E L Preece (personal circumstances), C M Preece (family commitments) and J F Thornton (poor health).

18458 - MINUTES

In consideration of approving and signing as a correct record of the minutes of the Special Meeting of the Town Council held on 20th October 2021 (6897-6898) an amendment to the draft minutes was proposed by Cllr C Cordery and seconded by Cllr D Ellis prior to resolution of these minutes. It was –

Resolved – that the Minutes of the Special Meeting of the Town Council held on 20th October 2021 (6897-6898) be amended to read as follows:-

The Mayor opened the Agenda item by advising that prior to this item being debated she would be reading out a statement in relation to areas of the Agenda that would not be discussed in open session and that Standing Order 33(a) would have to be applied to exclude the press and public if those areas were to be discussed; The Mayor stated that the Agenda requirements should be adhered to. As the Mayor commenced to read the Statement, Councillor C Cordery called for “Point of Order”. The Mayor, using Standing Order 10(e)(i) stated that she would not take his Point of Order as she wished to complete her statement. Councillor Cordery again called for “Point of Order”, and again the Mayor declined it.

6916

J. P.
7/6/22

Councillor Cordery refused to refrain from speaking, with the Mayor repeatedly asking him to be quiet. Councillor Cordery then said words to the effect: "There's a cover up going on in the Council in an attempt to protect members of the Council staff by brushing things under the carpet and creating a smoke screen thereby bringing the Council into disrepute". He then added: "That individual, I will say now, should offer their resignation with immediate effect". Councillor Cordery only ceased speaking when informed by the Mayor that should he keep talking the Mayor would seek approval from the Council to remove him from the meeting. No proposition was put forward on this matter. No other Member spoke.

CHAIR

Buckley Town Council

Council Offices, Buckley, Flintshire CH7 2JB
Telephone: 01244 544540
www.buckleytc.gov.wales



Cyngor Tref Bwcle

Swyddfa'r Cyngor, Bwcle, Sir y Flint CH7 2JB
Rhif Ffon: 01244 544540
www.buckleytc.gov.wales

Town Clerk
Kevin Glyn-Davies BA (Hons) MA
Email: [REDACTED]

Clerc y Dref
Kevin Glyn-Davies BA (Hons) MA
E bost: [REDACTED]

Our Ref/Ein

Cyf Your Ref/ Eich Cyf

Date/Dyddiad

KGD/LG/TJR

25th May 2022

To: All Members

Dear Members,

I enclose Agenda papers for the Annual General Meeting (Resumed) of the Town Council and its Standing Committees Meetings to be held in the Council Chamber on a hybrid basis on Tuesday next the 31st May 2022 commencing at 7pm.

Meetings of the Standing Committees will be held in the order below:-

Planning

Finance and Economic Development

General Purposes

Highways and Leisure

Yours sincerely,

A handwritten signature in black ink that reads "Kevin Glyn-Davies".

Kevin Glyn-Davies BA (Hons), MA
Town Clerk

Enc

BUCKLEY TOWN COUNCIL
(RESUMED) MEETING OF THE COUNCIL
TO BE HELD ON A HYBRID BASIS
ON
TUESDAY
31st MAY 2022
AT 7.00 PM

The public and press are cordially invited to attend the meeting of Buckley Town Council to be held in the Council Chamber on a hybrid basis on the date above.

If you want to attend please forward to townclerk@buckleytc.gov.wales your desire to attend.

You will then receive an email by return with the details to access the meeting. Please be advised that:-

1. The invitations are provided to the person requesting access and should not be shared more widely. Should any person who requests access, require a copy of the backing documents to the Agendas, they should contact the Town Clerk at the email address above to arrange a suitable time to collect them from the Council Offices.
2. The invitation is provisional on the guest having both video and audio turned off on their device. You are attending as a guest not a participant. You can see and hear the meeting but not be seen or heard yourself.
3. Any breaches of these basic rules, or any behaviour considered inappropriate, will result in you being removed immediately from the meeting.

AGENDA

1. APOLOGIES

To receive apologies for absence.

2. DECLARATIONS OF INTEREST

To receive and note any Declarations of Interest made by Members relating to the content of this Council Meeting Agenda.

3. PUBLIC QUESTION TIME

To receive written questions from the public, if any, and for the Mayor and/or relevant Chair to respond to those questions. Please note the questions and answers will be delivered without debate.

4. MINUTES

To approve and to sign as a correct record the Minutes of a Special Meeting (Amended) of the Town Council held on 20th October 2021 (Pages 6897 - 6898), Minutes of a Meeting of the Town Council (Adjourned - Pages 6902 - 6905) and (Resumed - Pages 6916 – 6917) held on 2nd March 2022. Minutes of a Special Meeting of the Town Council held on 2nd March 2022 (Pages 6918 – 6919) and the Minutes of the Annual Meeting (Adjourned) of the Town Council held on 17th May 2022 (Pages 6920 – 6922).

5. MAYORAL AND COUNCIL ANNOUNCEMENTS

To receive any Mayoral and Council Announcements.

6. DESIGNATION OF STANDING COMMITTEES

To designate the Standing Committees of the Town Council for the ensuing municipal year 2022/2023 and to appoint Members to serve on each Standing Committee. By convention, all Members of the Council serve on each Standing Committee.

7. APPOINTMENT OF STANDING COMMITTEE CHAIRS AND VICE CHAIRS

To appoint **Chairs/Vice Chairs** of each designated Standing Committee.
The Standing Committees of the Town Council and the Chairs of those Committees were for the year 2021/22 –

Chair/Vice Chair

Finance and Economic Development -	J F Thornton/N Phillips
General Purposes -	H D Hutchinson/D Ellis

Highways & Leisure	-	J S Jones/C A Ellis
Planning	-	M J Peers/R B Jones

8. **DATES OF MEETINGS**

To approve the dates of Meetings of the Town Council and its Committees for the ensuing year as follows:-

28 th June 2022	24 th January 2023
26 th July 2022	28 th February 2023
27 th September 2022	28 th March 2023
25 th October 2022	25 th April 2023
22 nd November 2022	* 9 th May/23 rd May 2023
13 th December 2022	

* Annual Meeting

9. **SUB-COMMITTEES AND REVIEW GROUPS**

To designate the Sub-Committees and Review Groups of the Town Council and to appoint Members to serve on those Sub-Committees and Review Groups.

See Appendix A for Sub-Committees and Review Groups in 2021/22 and the membership of those Sub-Committees and Review Groups.

10. **OUTSIDE BODIES**

To appoint Members to serve on Outside Bodies.

See Appendix B for membership of Outside Bodies.

11. **AUTHORISED SIGNATORIES**

To authorise the signing of cheques by three of the undermentioned office-holders one of whom must be the Town Clerk and to authorise the signing of other official and legal documents by two of the undermentioned office-holders one of whom must be the Town Clerk:-

Town Clerk
Town Mayor
Deputy Town Mayor
Chair of Finance and Economic Development Committee
Chair of General Purposes Committee

12. **DELEGATED POWERS TO ACT**

To authorise the Town Mayor and Chair of the Finance and Economic Development Committee to act on behalf of the Town Council, in conjunction with the Town Clerk, on any matters arising during the Recess period from 27th July 2022 to 26th September 2022.

13. MINUTES OF COMMITTEES

To approve the Minutes of the meetings of the undermentioned Standing Committees of the Council held on 2nd March 2022.

	<u>Committee</u>	<u>Page Nos.</u>
(i)	General Purposes	6906 - 6907
(ii)	Planning	6908 - 6911
(iii)	Highways and Leisure	6912
(iv)	Finance and Economic Development	6913 – 6915

MINUTES of the TOWN COUNCIL (Resumed)
of the
BUCKLEY TOWN COUNCIL
held in the
Council Chamber, BUCKLEY
on
Wednesday 2nd March 2022

PRESENT

Councillor V E Blondek (Town Mayor) - in the Chair

Cllr C Cordery
Cllr C A Ellis
Cllr D Ellis
Cllr L G Fox
Cllr I D Howes

Cllr E J Hutchinson
Cllr H D Hutchinson
Cllr J S Jones
Cllr R B Jones
Cllr M J Peers

Cllr I Peters
Cllr N Phillips
Cllr P G Shone
Cllr A G Williams
Cllr A Woolley

IN ATTENDANCE

Mr K Glyn-Davies – Locum Town Clerk/Responsible Finance Officer
Mrs T J Reece – Personal Assistant

Members resolved to conduct the following business under exempt business as previously resolved (minute no. 18424 refers).

18457- APOLOGIES

Apologies for absence and reasons were received and approved from Councillors E L Preece (personal circumstances), C M Preece (family commitments) and J F Thornton (poor health).

18458 - MINUTES

In consideration of approving and signing as a correct record of the minutes of the Special Meeting of the Town Council held on 20th October 2021 (6897-6898) an amendment to the draft minutes was proposed by Cllr C Cordery and seconded by Cllr D Ellis prior to resolution of these minutes. It was –

Resolved – that the Minutes of the Special Meeting of the Town Council held on 20th October 2021 (6897-6898) be amended to read as follows:-

The Mayor opened the Agenda item by advising that prior to this item being debated she would be reading out a statement in relation to areas of the Agenda that would not be discussed in open session and that Standing Order 33(a) would have to be applied to exclude the press and public if those areas were to be discussed; The Mayor stated that the Agenda requirements should be adhered to. As the Mayor commenced to read the Statement, Councillor C Cordery called for “Point of Order”. The Mayor, using Standing Order 10(e)(i) stated that she would not take his Point of Order as she wished to complete her statement. Councillor Cordery again called for “Point of Order”, and again the Mayor declined it.

Councillor Cordery refused to refrain from speaking, with the Mayor repeatedly asking him to be quiet. Councillor Cordery then said words to the effect: "There's a cover up going on in the Council in an attempt to protect members of the Council staff by brushing things under the carpet and creating a smoke screen thereby bringing the Council into disrepute". He then added: "That individual, I will say now, should offer their resignation with immediate effect". Councillor Cordery only ceased speaking when informed by the Mayor that should he keep talking the Mayor would seek approval from the Council to remove him from the meeting. No proposition was put forward on this matter. No other Member spoke.

CHAIR

MINUTES of the ANNUAL MEETING (Resumed)
of the
BUCKLEY TOWN COUNCIL
held in the
Council Chamber, BUCKLEY
on a hybrid basis
ON
Tuesday 7th June 2022

PRESENT

Councillor J S Jones (Town Mayor) - in the Chair

Cllr V E Blondek	Cllr H D Hutchinson	Cllr C M Preece
Cllr C Cordery	Cllr R B Jones	Cllr L Rathbone
Cllr A Drury	Cllr D Mackie	Cllr D Rose
Cllr D Ellis	Cllr M J Peers	Cllr R L Stewart
Cllr E J Hutchinson	Cllr I Peters	Cllr A Woolley

IN ATTENDANCE

Mr K Glyn-Davies – Town Clerk
Mrs L George – Personal Assistant
Mrs T J Reece – Personal Assistant
Mr A J White – Town Events Organiser & Town Centre Support Provider
(Contractor)

18471- APOLOGIES

Apologies for absence and reasons were received and approved from Councillors C A Ellis (family emergency), L G Fox (holiday), I D Howes (family commitments) and E L Preece (unable to connect to virtual meeting).

18472- DECLARATIONS OF INTEREST

No Declarations of Interest were made in relation to this Agenda. It was –

Resolved – that no Declarations of Interest were noted.

18473- PUBLIC QUESTION TIME

The Clerk reported that no questions from the public had been received. It was –

Resolved – that the Clerk's report be received and noted.

18474- MINUTES

Resolved - that the Minutes of a Special Meeting (Amended) of the Town Council held on 20th October 2021 (Pages 6897 - 6898), Minutes of a Meeting of the Town Council

(Adjourned - Pages 6902 - 6905) and (Resumed - Pages 6916 – 6917) held on 2nd March 2022. Minutes of a Special Meeting of the Town Council held on 2nd March 2022 (Pages 6918 – 6919) and the Minutes of the Annual Meeting (Adjourned) of the Town Council held on 17th May 2022 (Pages 6920 – 6922), as now submitted, be approved and adopted and signed as a true correct record.

18475- MAYORAL AND COUNCIL ANNOUNCEMENTS

1. The Mayor thanked Reverend Neil Kelly for saying prayers before the commencement of the meeting.
2. The Mayor thanked the Members and Staff for a most enjoyable evening on 17th May 2022.
3. On 23rd and 26th May the Mayor advised that she had attended Drury, Mountain Lane and Southdown Primary Schools and the Elfed High School to present them with Commemorative Coins to celebrate the Queen's Platinum Jubilee.
4. A Commemorative Coin for the Queen's Platinum Jubilee had been placed in the Council Chamber for Members on Tuesday 31st May.
5. The Mayor had attended the Buckley Fun Day on 3rd June and felt it was a tremendous success. The Mayor thanked Andy White for all his efforts to ensure that the day went smoothly and efficiently, a number of Members of the Council echoed the Mayor's appreciation of the efforts of Andy White.
6. The Mayor reminded Members that her Civic Service would be held on Sunday 19th June at 10.30am at St Matthew's Parish Church and that Members were requested to assemble at Mountain Lane CP School in time for the parade to leave for the Church at 10.10am.

18476- DESIGNATION OF STANDING COMMITTEES

Resolved - (i) that the following Standing Committees of the Council be designated for the ensuing municipal year:

*Finance and Economic Development
General Purposes
Highways and Leisure
Planning*

(ii) that all Members of the Council be appointed to serve on each Standing Committee.

18477- APPOINTMENT OF STANDING COMMITTEE CHAIRS AND VICE CHAIRS

Resolved – that for the ensuing municipal year, Chairs and Vice Chairs would be appointed and that the Chairs and Vice Chairs of the Standing Committees be as follows:

Finance and Economic Development

Chair - Cllr A Woolley
Vice Chair - Cllr R B Jones

General Purposes

Chair - Cllr H D Hutchinson
Vice Chair - Cllr A Drury

Highways and Leisure

Chair - Cllr D Ellis
Vice Chair - Cllr V Blondek

Planning

Chair - Cllr M J Peers
Vice Chair - Cllr R B Jones

18478- DATES OF MEETINGS

Resolved – that the meetings of the Town Council and its Committees for the ensuing municipal year be held on the following dates:-

<i>28th June 2022</i>	<i>24th January 2023</i>
<i>26th July 2022</i>	<i>28th February 2023</i>
<i>27th September 2022</i>	<i>28th March 2023</i>
<i>25th October 2022</i>	<i>25th April 2023</i>
<i>22nd November 2022</i>	<i>* 9th May/23rd May 2023</i>
<i>13th December 2022</i>	

** Annual Meeting*

It was also resolved that the Clerk be given delegated powers to change any of the meeting dates above where convenience dictated a change, provided that Statutory Regulations were observed.

18479- SUB-COMMITTEES AND REVIEW GROUPS

Resolved – that for the ensuing municipal year, membership of Sub-Committees and Review Groups would be appointed and that the Membership would be as follows: - Prior to the appointments, Members were reminded that most of the Sub-Committees and Review Groups listed below met in a morning. Members were, therefore, requested to consider carefully being placed on the Sub-Committees and Review Groups below if they were not normally available during the hours of 9.30am to 12.30pm. Members were also reminded that should they be unavailable for meetings it was their responsibility to nominate and arrange a substitute and inform the Clerk accordingly.

Establishment Sub-Committee *

Town Mayor

Deputy Town Mayor
Chair/Vice Chair of Finance and Economic Development Committee
Chair/Vice Chair of General Purposes Committee
Cllr V E Blondek
Cllr D Ellis

*Exceptional Weather Conditions – Contingency Planning Working Group **

Town Mayor
Chair of Highways and Leisure Committee
Cllr H D Hutchinson
Cllr R B Jones
Cllr M J Peers
Cllr I Peters
Cllr C A Ellis
Town Clerk
Mr A J White – Town Events Organiser & Town Centre Support Provider
(Contractor)
Flintshire County Council - Mark Edwards (Area Supervisor)

*Finance Sub-Committee (Bursary Award Panel) **

Cllr V E Blondek
Cllr A Drury
Cllr C A Ellis
Cllr E J Hutchinson
Cllr E L Preece
Cllr R L Stewart

Finance Sub-Committee (Grants)

Town Mayor
Deputy Town Mayor
Chair/Vice Chair of Finance and Economic Development Committee
Cllr V E Blondek
Cllr C A Ellis
Cllr L G Fox
Cllr D Rose
Cllr R L Stewart

Flintshire Local Development Plan – Delivery Agreement
Approval/Call for Candidate Sites – Working Group

Town Mayor
Chair of Planning
Cllr A Drury
Cllr C A Ellis
Cllr E J Hutchinson
Cllr R B Jones
Cllr I Peters
Cllr E L Preece

Highways & Leisure Review Group

Chair/Vice Chair of Highways & Leisure Committee

Cllr L G Fox

Cllr H D Hutchinson

Cllr R B Jones

Cllr A Woolley

Regeneration Working Group

Town Mayor

Deputy Town Mayor

Cllr C A Ellis

Cllr E J Hutchinson

Cllr R B Jones

Cllr M J Peers

Cllr C M Preece

Cllr E L Preece

Cllr R L Stewart

** Powers to act*

18480- OUTSIDE BODIES

Resolved – that for the ensuing municipal year, representatives on Outside Bodies would be appointed and that those representatives would be as follows: -

Community Transport Working Group

Cllr R B Jones

Hanson Cement Liaison Committee

Cllr R B Jones

Cllr C M Preece

Hawkesbury Community Centre Management Committee

Cllr I Peters

North Wales and Mid Wales Association of Local Councils

Cllr V E Blondak (voting)

Cllr A Woolley (voting)

Public Transport Users Forum

Chair/Vice Chair - Highways & Leisure Committee

South Flintshire Police Consultation Meeting

*Cllr C A Ellis
Cllr A Woolley*

Theatr Elfed Arts Centre Management Committee

*Cllr E L Preece
Cllr R B Jones*

18481- AUTHORISED SIGNATORIES

Resolved – that the signing of cheques and the initialing of other paid invoices through direct debits or direct transfers be undertaken by three of the undermentioned office-holders one of whom must normally be the Town Clerk and must, in any event, be a designated officer. For other official and legal documents the signing to be undertaken by two of the undermentioned office-holders one of whom must normally be the Town Clerk and must, in any event, be a designated officer:-

*Town Clerk
Town Mayor
Deputy Town Mayor
Chair of Finance and Economic Development Committee
Chair of General Purposes Committee*

18482- DELEGATED POWERS TO ACT

Resolved – that the Town Mayor and Chair of the Finance and Economic Development Committee be delegated to act on behalf of the Town Council, in conjunction with the Town Clerk, on any matters arising during the Recess period from 27th July 2022 to 26th September 2022.

18483- MINUTES OF THE GENERAL PURPOSES COMMITTEE

Moved by Cllr H D Hutchinson
Seconded by Cllr V Blondek and

Resolved - that the Minutes of the Meeting of the General Purposes Committee held on the 2nd March 2022, as now submitted, be approved and adopted.

18484- MINUTES OF THE PLANNING COMMITTEE

Moved by Cllr M J Peers
Seconded by Cllr R B Jones and

Resolved - that the Minutes of the Meeting of the Planning Committee held on the 2nd March 2022, as now submitted, be approved and adopted.

18485- MINUTES OF THE HIGHWAYS AND LEISURE COMMITTEE

Moved by Cllr J S Jones
Seconded by Cllr D Ellis and

Resolved - that the Minutes of the Meeting of the Highways and Leisure Committee held on the 2nd March 2022, as now submitted, be approved and adopted.

18486- MINUTES OF THE FINANCE AND ECONOMIC DEVELOPMENT COMMITTEE

Moved by Cllr A Woolley
Seconded by Cllr D Ellis and

Resolved - that the Minutes of the Meeting of the Finance and Economic Development Committee held on the 2nd March 2022, as now submitted, be approved and adopted.

18487- EXCLUSION OF THE PRESS AND PUBLIC

In view of the confidential nature of the following Agenda item about to be transacted, it was advisable in the public interest that the public and press be temporarily excluded and they be instructed to withdraw. The Committee was, therefore, requested to resolve a period of exempt business to commence after the conclusion of Standing Committees business. It was –

Resolved – that exempt business be taken following the conclusion of the Standing Committees business.

CHAIR

**MINUTES (Amended) of a
SPECIAL MEETING OF THE COUNCIL
held via Zoom
on
Wednesday 20th October 2021**

PRESENT

Councillor V E Blondak (Town Mayor) – in the Chair

Cllr C Cordery	Cllr H D Hutchinson	Cllr C M Preece
Cllr C A Ellis	Cllr J S Jones	Cllr E L Preece
Cllr D Ellis	Cllr R B Jones	Cllr P G Shone
Cllr L G Fox	Cllr M J Peers	Cllr A G Williams
Cllr I D Howes	Cllr I Peters	Cllr A Woolley
Cllr E J Hutchinson	Cllr N Phillips	

IN ATTENDANCE

Mr M B Wright – Town Clerk & Financial Officer
Mrs L George – Personal Assistant
Mrs T J Reece – Personal Assistant
Mr A J White – Town Events Organiser & Town Centre Support Provider (Contractor)
Mr D M Wright – Zoom Meeting Administrator

18413- APOLOGIES

An apology for absence and reason was received and approved from Councillor J F Thornton (unable to join the meeting due to lack of internet).

18414- CANCELLATION OF ANNUAL BONFIRE & FIREWORKS DISPLAY

The Mayor opened the Agenda item by advising that prior to this item being debated she would be reading out a statement in relation to areas of the Agenda that would not be discussed in open session and that Standing Order 33(a) would have to be applied to exclude the press and public if those areas were to be discussed; The Mayor stated that the Agenda requirements should be adhered to. As the Mayor commenced to read the Statement, Councillor C Cordery called for "Point of Order". The Mayor, using Standing Order 10(e)(i) stated that she would not take his Point of Order as she wished to complete her statement. Councillor Cordery again called for "Point of Order", and again the Mayor declined it. Councillor Cordery refused to refrain from speaking, with the Mayor repeatedly asking him to be quiet. Councillor Cordery then said words to the effect: "There's a cover up going on in the Council in an attempt to protect members of the Council staff by brushing things under the carpet and creating a smoke screen thereby bringing the Council into disrepute". He then added: "That individual, I will say now, should offer their resignation with immediate effect". Councillor Cordery only ceased speaking when informed by the Mayor that should he keep talking the Mayor would seek approval from the Council to remove him from the meeting. No proposition was put forward on this matter. No other Member spoke.

There then followed a lengthy and detailed debate regarding the reinstatement of the Firework Display. The emphasis during the debate was on ensuring the safety of Councillors, staff, volunteers, contractors and the public. Their safety was regarded as paramount.

Councillor R B Jones put forward the motion, which was seconded and it was therefore -

Resolved – that:-

- 1. The annual firework display go ahead as initially planned but without supporting acts, rides, food provision and the bonfire. Thus reducing the risk to councillors, staff, volunteers, contractors and the public based upon the latest advice from the Welsh Government at the time. This would be achieved by utilising all necessary security arrangements that would be necessary whilst ensuring value for money.***
- 2. The resolution 1 (above) was subject to any further adverse advice from the Welsh Government which may cause the event to be cancelled.***
- 3. That Members disassociated themselves from the wording in the Agenda, as they had had no prior knowledge of the wording being used.***

CHAIR

J. Jones
7/6/2022.

From: Town Clerk
Sent: Mon, 18 Jul 2022 11:31:52 +0000
To: Louise Morland
Subject: IN - Clerk - Requested Information (MatEv)

You don't often get email from [REDACTED] [Learn why this is important](#)

Dear Ms Morland

Thank you for your email. I have now had chance to discuss your email with my colleague Tracey Reece. I can confirm that the office holds no receipt that Cllr. Cordery read or opened the email in question.

Mr. Wright went on immediate sick leave following the events of 20 October 2021 and submitted an email on 20 October 2021 at 08.32 (prior to the meeting in the evening) to the then Mayor, Cllr. Viv Blondek advising of his intention to retire with the plan that his last working day at Buckley Town Council would be 30 April 2022. He did not resign and nor did the Town Council terminate his employment.

Mr. Wright submitted a number of criticisms of the Town Council and requested answers to a number of questions that he had. The last we knew of any formal action was Mr. Wright approaching ACAS with a request for Early Conciliation as he believed he had a potential employment tribunal claim. The period of early conciliation was due to end on 10 May 2022.

Regards

Kevin

Kevin Glyn-Davies BA (Hons) MA
Town Clerk
Buckley Town Council
Tel: 01244 544540
E mail: [REDACTED]
Website: www.buckleytc.gov.wales

The information you provide (personal information such as name, address, email address, phone number, organisation) will be processed and stored to enable us to contact you and respond to your correspondence, provide information and/or access our facilities and services. Your personal information will be not shared or provided to any other third party without your consent. We will only keep your data for the purpose it was collected for and only for as long as is necessary, after which it will be deleted. (You may request the deletion of your data held by the council at any time). The council privacy notice can be found on our website <https://buckleytc.gov.wales>

From: [REDACTED] k <[REDACTED]>

Sent: 13 July 2022 16:59

To: Town Clerk [REDACTED]

Subject: Complaint made to the Ombudsman - 202105656 [REF/L0/bn/BX/5d/]

Dear Mr Glyn-Davies

Our reference: 202105656

Further to the dossier of information you provided on 17 February 2022 for this case, which encompassed a 73 page PDF. I note that on page 22 there is a copy of an email sent on 20 October 2021 at 09:06 (in Martin Wright's name from Tracey Reece) to members of the Town Council. Would you or Ms Reece be able to confirm if the Town Council has a record of whether Cllr Cordery read or opened that email, and if so, provide evidence of the date and time it was read or opened by Cllr Cordery?

In addition, I understand that following the meeting on 20 October 2021 Mr Wright went on sick leave and did not return to the Town Council. Please could you confirm if Mr Wright resigned from the Town Council following sick leave, or if his employment was terminated, and when, and also if he took any subsequent action against the Town Council regarding his employment.

Lastly, I understand the draft minutes for the Town Council meeting on 20 October 2021 have now been amended and agreed. Please could you provide a copy of the agreed version of the minutes.

I would be very grateful if you could provide the requested information by 21 July 2022.

Yours sincerely

Louise Morland

Swyddog Ymchwilio/Investigation Officer

[REDACTED]

--

Ombwdsmon Gwasanaethau Cyhoeddus Cymru/ Public Services Ombudsman for Wales

1 Ffordd yr Hen Gae

Pencoed

Pen-y-Bont ar Ogwr/ Bridgend/

CF35 5LJ

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You can write to us in Welsh and we will reply in Welsh. This will not lead to a delay in responding.

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Mae Ombwdsmon Gwasanaethau Cyhoeddus Cymru yn cymryd o ddifrif yr angen i ddiogelu eich data.

Mae ein Hysbysiad Preifatrwydd yn esbonio sut rydym yn defnyddio eich gwybodaeth a sut rydym yn diogelu eich preifatrwydd.

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All calls are recorded for training and reference purposes
Ystyriwch yr amgylchedd – a oes wir angen i chi argraffu'r neges e-bost hon?
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The information you provide (personal information such as name, address, email address, phone number, organisation) will be processed and stored to enable us to contact you and respond to your correspondence, provide information and/or access our facilities and services. Your personal information will be not shared or provided to any other third party without your consent. We will only keep your data for the purpose it was collected for and only for as long as is necessary, after which it will be deleted. (You may request the deletion of your data held by the council at any time). The council privacy notice can be found on our website <https://buckleytc.gov.wales>

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**MINUTES of a
SPECIAL MEETING OF THE COUNCIL
held via Zoom
on
Wednesday 20th October 2021**

PRESENT

Councillor V E Blondek (Town Mayor) – in the Chair

Cllr C Cordery	Cllr H D Hutchinson	Cllr C M Preece
Cllr C A Ellis	Cllr J S Jones	Cllr E L Preece
Cllr D Ellis	Cllr R B Jones	Cllr P G Shone
Cllr L G Fox	Cllr M J Peers	Cllr A G Williams
Cllr I D Howes	Cllr I Peters	Cllr A Woolley
Cllr E J Hutchinson	Cllr N Phillips	

IN ATTENDANCE

Mr M B Wright – Town Clerk & Financial Officer
Mrs L George – Personal Assistant
Mrs T J Reece – Personal Assistant
Mr A J White – Town Events Organiser & Town Centre Support Provider (Contractor)
Mr D M Wright – Zoom Meeting Administrator

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Councillor R B Jones put forward the motion, which was seconded and it was therefore -

Resolved – that:-

- 1. The annual firework display go ahead as initially planned but without supporting acts, rides, food provision and the bonfire. Thus reducing the risk to councillors, staff, volunteers, contractors and the public based upon the latest advice from the Welsh Government at the time. This would be achieved by utilising all necessary security arrangements that would be necessary whilst ensuring value for money.*
- 2. The resolution 1 (above) was subject to any further adverse advice from the Welsh Government which may cause the event to be cancelled.*
- 3. That Members disassociated themselves from the wording in the Agenda, as they had had no prior knowledge of the wording being used.*

CHAIR

Appendix 8

From: [REDACTED] on behalf of [Gareth Legal](#)
To: [Leigh McAndrew](#)
Subject: FW: Complaint made to the Ombudsman - 202105656 [REF/L0/bn/BX/5d/]
Date: 01 June 2022 09:21:54

You don't often get email from [REDACTED]. [Learn why this is important](#)

Leigh

I was informed last night that Martin Wright had passed away suddenly.

I feel it only right to inform you to prevent you from trying to make contact with him regarding the attached complaint.

Can you please share this news with any colleagues involved with the investigation. Louise Morland made contact with me to discuss it - I'm not sure if anyone else has been involved.

Thanks

Gareth

From: [REDACTED].uk [mailto:[REDACTED]] - wales.org.uk]
Sent: 30 November 2021 14:15
To: Gareth Legal <[REDACTED]>
Subject: Complaint made to the Ombudsman - 202105656 [REF/L0/bn/BX/5d/]

This email, created by [REDACTED] has been securely delivered using Egress Switch and was decrypted on 30 November 2021 14:14:46+00:00

Dear Mr Owens

Reference: 202105656

Please find attached my letter of today which is being sent to you **by email only**.

Yours sincerely

Mr Leigh McAndrew
Swyddog Ymchwilio/Investigation Officer
Ffôn/Tel: [REDACTED]

--

Ombudsmon Gwasanaethau Cyhoeddus Cymru/ Public Services Ombudsman for Wales
1 Ffordd yr Hen Gae
Pencoed
Pen-y-Bont ar Ogwr/ Bridgend/
CF35 5LJ
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Mae Ombwdsmon Gwasanaethau Cyhoeddus Cymru yn cymryd o ddifrif yr angen i ddiogelu eich data.

Mae ein [Hysbysiad Preifatrwydd](#) yn esbonio sut rydym yn defnyddio eich gwybodaeth a sut rydym yn diogelu eich preifatrwydd.

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Ystyriwch yr amgylchedd a oes wir angen i chi argraffu'r neges e-bost hon?

Please consider the environment - do you really need to print this email?

We welcome correspondence in Welsh and English and will respond to correspondence in the same language. Use of either language will not lead to a delay

Opinions advice, conclusions and other information in this

message that do not relate to the official business of

Flintshire County Council shall be understood as neither

given nor endorsed by it or on its behalf, and consequently

Flintshire County Council shall bear no responsibility

whatsoever in respect thereof.

Croesawn ohebiaeth yn y Gymraeg a'r Saesneg a byddwn yn ymateb i ohebiaeth yn yr un iaith. Ni fydd defnyddio'r naill iaith na'r llall yn arwain at oedi.

Deallir na fydd unrhyw safbwyntiau, na chynghorion, na

chasgliadau nac unrhyw wybodaeth arall yn y neges hon,

nad ydynt yn berthnasol i waith swyddogol

Cyngor Sir y Fflint, yn cael eu cynnig na'u cadarnhau ganddo

nac ar ei ran, ac felly ni fydd Cyngor Sir y Fflint yn derbyn

unrhyw gyfrifoldeb am y rhannau hynny o'r neges.

Appendix 9

WITNESS STATEMENT

Statement of: Mr Gareth Owens
Address: Flintshire County Council
Age if under 18: Over 18
Occupation/Position: Chief Officer for Governance

1. I, Gareth Owens, of Flintshire County Council, make this statement in connection with a complaint made to the Public Services Ombudsman for Wales that Councillor Charles Cordery of Buckley Town Council ("the Town Council") has breached the Code of Conduct for elected members. The facts in this statement come from my personal knowledge.
2. I am employed as the Chief Officer for Governance at Flintshire County Council ("the Council") which includes the statutory Monitoring Officer role. I have been the Monitoring Officer for the Council since 2012 and Chief Officer since 2014. The Monitoring Officer role encompasses lawful decision making and matters regarding the Code of Conduct for Members.
3. As Monitoring Officer, I provide Code of Conduct training and guidance to members in my area, including Town and Community councillors and Clerks. I train a lot of members and to the best of my recollection Councillor Cordery attended a recent round of training on the Members Code of Conduct following the May 2022 elections.
4. I can confirm that on Monday 18 October 2021 I had a meeting in person with Councillor Cordery. Councillor Cordery had asked for the meeting to discuss an exchange of correspondence he had had with Mr Martin Wright, who was at that time the Clerk to Buckley Town Council ("the Town Council"), over the summer which had escalated into a conflict. We talked about this and the ways both he and Mr Wright could have de-escalated the issue and I made a note of our discussion (Exhibit GO-01). I thought I had got Councillor Cordery to the point where he could see the other perspective and I was fairly confident that I could get Mr Wright to the same point, and that we would then have been able to resolve the dispute. When I suggested to Councillor Cordery that I should ring Mr Wright to have a chat with him about it, Councillor Cordery said to wait until after a forthcoming Town Council

Case reference number: 202105656

meeting on Wednesday 20 October 2021. I had not been aware of that meeting and asked Councillor Cordery what it was for.

5. Councillor Cordery explained that the meeting had been called following concerns about the cancellation of a local Fireworks display and Mr Wright's involvement (as the then Town Clerk) in the way the matter had been handled. Whilst I cannot recall exactly what Councillor Cordery said about the reasons for the meeting, I do recall he talked about criticism of Mr Wright and his actions. From his comments, I could see the potential that the matter had for criticism of Mr Wright as the then Clerk. As I was aware that the Town Council's Standing Orders state that matters relating to personnel issues need to be discussed in closed session and in confidence, (in accordance with employee's rights regarding disciplinary matters) I was concerned that the meeting had the potential to go wrong and to single out an employee in public, without the scope for that employee to be able to defend themselves.
6. Our meeting on 18 October was initially due to last for half an hour however, after I became aware of the pending Town Council meeting, it actually lasted between an hour and an hour and a half. I talked to Councillor Cordery at great length about the Town Council meeting, along with matters concerning the law and employee rights, the need to deal with employee matters in confidence, the Town Council's Standing Orders with regard to this, the importance of using proper processes and treating employees fairly, and the risk to the Town Council of not doing so, which he appeared to acknowledge and understand. I am aware that Councillor Cordery has been a union representative. I tried to engage his experience and empathy by asking him to imagine that Mr Wright was one of his (Cllr Cordery's union members). I tried to encourage him to encourage his fellow councillors to deal with the matter in the right way and in private. Councillor Cordery did not give any indication during our discussion that he intended to act at the meeting in the way that has been described by Mr Wright and other members.
7. I said to Councillor Cordery that hopefully he was now clear where the meeting should be going on 20 October, and I suggested that I call Mr Wright there and then to sort out the issues that had happened over the summer, as I was sure we could clear matters up straight away. However, Councillor Cordery remained adamant and said 2 or 3 times that I should wait to speak to Mr Wright until after the 20 October. Councillor Cordery did not explain why he wanted me to wait, and I did not query it. However, his determination that I should wait struck me as odd at the time because it did not really make sense and I did not understand why he wanted me to do that. My PA subsequently arranged for me to speak to Mr Wright in the morning on Thursday 21 October.
8. I did not speak to Councillor Cordery again or Mr Wright before the Town Council meeting took place, and I was not aware of what had happened at the meeting, or Councillor Cordery's intervention, until I spoke to Mr Wright on 21 October (Exhibit GO-02). I recall that Mr Wright was very distressed about what had happened at the meeting and shared his feelings about it,

Case reference number: 202105656

which I felt was not like him. As far as I recall, he said how upset he was about the things that had been said at the meeting and how he regarded them as being pointedly directed at him and he went on to explain how matters came about regarding the cancellation of the fireworks display. He indicated that he was going to see his doctor and that he was also going to seek legal advice.

9. From Thursday 21 October onwards I had a series of emails from other Town Council members, all wishing to make a complaint about Councillor Cordery's behaviour at the Town Council meeting the evening before. I provided advice and guidance to Mr Wright about his options (informal resolution, using the town council's local resolution procedure or making a formal complaint to the Ombudsman). He felt the matter was too serious for any form of local or informal resolution. I also spoke to the Mayor (Exhibit GO-03). As Mr Wright was on sick leave and to avoid distressing him further, I subsequently forwarded a summary of the incident and its background along with copies of the emails I received from members, and my correspondence with them and Mr Wright, to the Ombudsman's office on 25 October 2021 (Exhibit GO-04).
10. I can confirm that I have not spoken to Councillor Cordery about the incident since it took place. I would like to say that I did wonder after I spoke to Mr Wright on 21 October, whether Councillor Cordery's request for me not to speak to him until after the Town Council meeting on 20 October was because Councillor Cordery had already formed the intention to act in the way described at the Town Council meeting.
11. Mr Wright took sick leave after the meeting and did not return to the Town Council. A locum Clerk was put in place. It is my understanding that Mr Wright resigned and that he intended to bring legal proceedings against the Town Council. However, sadly, since the events took place, he has passed away.

Statement of truth:

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed:



Dated: 25th July 2022

Case reference number: 202105656

21.10.18 BUCKLEY TOWN COUNCIL

Present: Charlie Cordery, Gareth Owens

Friday - was cancelled. CC emailed the clerk who took offence and put the item on the agenda of the Establishment Sub Committee.
 - Martin was present during the meeting as were the other 2 employees. As a result a letter was written by the ^{Mayor on behalf of the} Est. Sub Comm. ~~the~~ to CC. Apparently this letter bears little resemblance to what was discussed.

CC has been nominated a substitute for the Est. Sub Comm. MW saying another clerk might cause a point of order.

I review the email exchange. I discuss with CC how his email would have been perceived + how it could be worded differently.

I likewise point out how MW could have handled the matter differently.

We agree that I will ring MW to see if I can help to de-escalate the issue. CC commented a couple of times that should wait until after Wednesday to do so.

21.10.21 BUCKLEY TC

T/C Martin Wright

MW is very fed up. CC shocked that one member of staff had brought the TC into dispute and should resign ^{with immediate effect} ~~immediately~~. MW is going to send a grievance.

MW feels that someone is stirring anger against him as social media

MW says that this was during the Mayor's opening remarks. MW says that CC really was shocking

T/C Martin Wright

Martin cannot support the first 2 options.

Happy for me to call him or to speak to the Mayor.

T/C Vienne Blundell

she is aware that MW is off sick and has been trying to get him to take time off.

I explain that MW wants to pursue a complaint to the PSCD.

VB has had longstanding concerns about Cllr Gregory's behaviour.



She thinks that a number of councillors are looking to remove the clerk. She knows this is having a negative impact on the clerk.

EXHIBIT GO-04

From: Leigh McAndrew
Sent: Tue, 16 Nov 2021 12:03:02 +0000
To: Work Pro
Subject: FW: CONFIDENTIAL. Complaint in respect of Cllr Charles Cordery, Buckley Town Council

From: Gareth Legal <[REDACTED]>
Sent: 25 October 2021 09:17
To: Sinead Cook <[REDACTED]>
Subject: CONFIDENTIAL. Complaint in respect of Cllr Charles Cordery, Buckley Town Council

Dear Sinead

I have received a number of emails (attached) from Martin Wright (town clerk), Mayor (Cllr Blondek) plus councillors Emma & Carolyn Preece and Louis Fox of Buckley Town Council complaining about events that took place at an extraordinary meeting of Buckley Town Council on 20 October 2021. They have each confirmed to me that they would like their email to be forwarded to you as a complaint in respect of Cllr Charles Cordery. Due to the fact that the clerk has now been signed off sick for 1 month and the multiple complaints I have agreed to collate and forward them to you collectively. I have no fixed view on whether they should be regarded as a complaint from the clerk with 4 witnesses or 5 separate complaints.

I also want to add some context based on my own conversation with Cllr Cordery 2 days before the council meeting took place, and my conversations with the clerk since the meeting.

Background

There has been some local consternation in Buckley about the cancellation of a planned fireworks display on advice from Martin Wright as the town clerk. He had mistakenly believed that the event could not proceed under current covid rules. When challenged about this, he referred to people who had been commenting on social media as “keyboard warriors”, which caused further upset. As you will see from the emails an emergency town council meeting was called for Wednesday night to debate the issue. The meeting was held over Zoom and a number of members of the public were present. Sadly no recording was made.

On the morning of the meeting the clerk sent an email advising members not to discuss staffing issues in open session (Standing order 33) which has been sent to me by Carol Ellis (attached). It is not possible to see who opened it from the copy that I have, but it might be possible to see this from the council’s email system. At the start of the meeting the Mayor also tried to advise the council not to speak about specific employees in open session. Cllr Cordery is alleged to have interrupted her on a “point of order” in which he stated that an employee had brought the council into disrepute and should give his resignation with immediate effect. Martin is the only male employee and so he and others regard the comment as directed at him.

As it happens, I had spoken to Cllr Cordery on Monday 18 October about correspondence between him and Martin over the summer. I had agreed with Cllr Cordery that I would speak to Martin about the correspondence in order to try and de-escalate tension that was arising as a result. Cllr Cordery suggested that I should do so after the forthcoming extraordinary meeting on Wednesday, of which, I

was, at that time, unaware. We then went on to discuss the reasons for the forthcoming council meeting. I was concerned about how such a meeting might turn out given its focus on the actions of one employee. We spoke for 30 minutes or so about the role of councillors as quasi-employers and the need to ensure that any debate about potential disciplinary action should happen in closed session rather than in public, so as not to give the clerk cause to complain under the code or to bring legal action against the council. I appealed to Cllr Cordery's experience as a union representative to consider how he would act if the clerk were a union member who he was representing.

I suggested to Cllr Cordery a number of times that it might be better if I were to speak to the clerk before the meeting. He was emphatic that I should not and on each occasion repeated that I should do so after the meeting. I therefore arranged to speak to the clerk on Thursday. I thought Cllr Cordery's insistence slightly odd at the time but did not ask why he was so determined on this point. I now suspect that it was perhaps because Cllr Cordery had already formed an intention to speak as alleged.

Cllr Cordery is a newly elected councillor having been returned at a by election in May 2021. I am not aware of whether he has undertaken training on the code of conduct with anyone else. I have not provided a training course since that date so he has not been trained by me or my deputy.

Current Position

When I spoke to the clerk on Thursday morning I was initially unaware of what had transpired the previous evening. It soon became apparent that he was very upset by the events. Martin is not normally one to share his feelings but he did so on this occasion. He was and remains distressed by the events and is particularly concerned that these statements were made in an open meeting at which a number of members of the public were present. He has been signed off sick by his doctor for 1 month.

I have nevertheless spoken to him briefly by telephone to understand how he wished to proceed. He did not believe that local resolution was appropriate in the circumstances, and had no confidence that it would produce any change in Cllr Cordery's behaviour. He has also referred to taking legal independent legal advice about his position and has made reference to not being able to carry on working for the council and constructive dismissal.

Code

The complainants have not specified which paragraphs of the code they believe to have been breached. If they took place as described, Cllr Cordery's actions appear to be a potential breach of paragraphs 4(b) and (c) of the code in respect of his behaviour towards the clerk, and paragraph 4(b) in respect of the Mayor. Given the public reaction to events in Handforth Parish Council it might also be possible to argue that such conduct also brings his council and/or office into disrepute (para 6).

There is undoubtedly public interest in councillors being able to challenge the actions of the council's employees, and there is no doubt that Martin's use of the phrase "keyboard warriors" caused public offence (see the email from Carol Ellis). It is quite possible that his comment and/or incorrect advice merit some form of investigation and/or disciplinary action. However, there is of course a time and place for this plus a proper process. As a union rep of over 30 years' experience Cllr Cordery would have known that he should not have publicly called for the clerk to resign. His criticism seems to be in the same mould as a number of other councillors who, whilst possibly having a valid point in relation to the performance of employees, have failed to follow the proper process or have communicated their views in the wrong forum/publicly. That Cllr Cordery had advice from me, the clerk and the Mayor to this

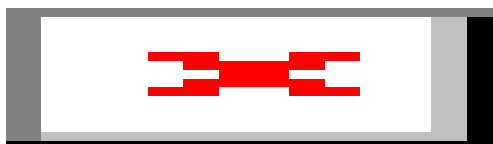
effect would appear to be an aggravating feature. Lastly of course is the possibility that, as early as Monday during his conversation with me, he had formed an intention to make these comments.

Conclusion

The councillors are available to answer questions should you require. I have the clerk's home telephone number and would be happy to contact him if you would like to speak with him.

Regards

Gareth
Gareth Owens
Prif Swyddog Llywodraethu/Chief Officer Governance



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Croesawn ohebiaeth yn y Gymraeg a'r Saesneg a byddwn yn ymateb i ohebiaeth yn yr un iaith. Ni fydd defnyddio'r naill iaith na'r llall yn arwain at oedi.

Deellir na fydd unrhyw safbwyntiau, na chynghorion, na chasgliadau nac unrhyw wybodaeth arall yn y neges hon, nad ydynt yn berthnasol i waith swyddogol

From: Martin Wright
Sent: Thu, 21 Oct 2021 19:27:07 +0000
To: Gareth Legal
Cc: Tracey Reece; Lynne George
Subject: Actions by Cllr. C Cordery at Buckley Town Council Special Meeting held on 20th October 2021

Gareth

Could I please seek your advice regarding potential action I wish to take in relation to an incident that occurred at the above Meeting:-

The meeting was called as a result of Welsh Government Guidelines introduced on 11th October 2021. Prior to 11th October, I had on the 6th October 2021 asked the Welsh Government's advice re: the advisability of holding the Annual Firework Display in Buckley. The reply from the Welsh Government was merely to advise that it could take 15 days to reply to my query. In conjunction with the Mayor and Standing Committee Chairs, I discussed the potential cancellation of the Fireworks and eventually it was decided by the Mayor and chairs to cancel the event. The Mayor and Chairs were given powers to decided issues that were considered urgent. However, shortly after, the cancellation was posted on our Website; Facebook posts directed the Council to possible exemptions to the Regs. one of which referred to un-ticketed, multiple access points, free Firework Displays on Parkland. I therefore took the decision to call a Special Meeting of allow the full Council to decide whether or not to re-introduce the Firework Display. I will not go into all the factors to be considered as they are irrelevant to this matter. When I issued the Agenda and put it on our Website, social media went in to a frenzy, this was relating to my use of social media users as "Keyboard Warriors". This is a phrase that inflamed a number of the social media users, encouraged by a number of our Councillors, some of whom have used that expression themselves in the Council Chamber and within discussions that included me. When using the expression, they were referring to users of certain Buckley web-based Forums. The messages posted were of an offensive nature and the Administrator of one of the Forums notified her group that she was closing the comment section of the post to any more comments as they were becoming a "Witch Hunt". I was aware that certain Members were "outraged" at my use of the phrase "Keyboard Warriors" and believed that I may have brought the Town Council into disrepute. I robustly contend this is not the case.

Nevertheless, the Special Meeting went ahead at 7.00pm on 20th October 2021 via Zoom Video Conferencing. Prior to the meeting, the Mayor had, in consultation with me, decided to make a statement. The statement would clearly set out that the meeting was open to the public; therefore, the meeting should concentrate on a decision about the Fireworks as a single item agenda. There would be no discussion on the words in the Agenda that had caused offence, if necessary, this could potentially be discussed at the end of the meeting when it would be appropriate to invoke Standing Order 33 (a), or the matter could be referred to a further

meeting. The Mayor opened the meeting at 7.00pm and advised the Council that she would be reading out a statement prior to the debate taking place. As she commenced the Statement, Cllr C Cordery shouted out "Point of Order" (it should be noted here that Cllr Cordery had his camera switched off so only a black screen appeared, this remained the same throughout the meeting), the Mayor, using Standing Order 10 (e)(i) stated that she would not hear the point of order as she wished to complete the statement. Cllr. Cordey again shouted out "Point of Order", again the Mayor refused it. Cllr Cordery refused to refrain from speaking, with the Mayor repeatedly asking him to be quiet. Cllr Cordery then said words to the following effect - That there was a cover up going on in the Council in an attempt to protect members of the Council staff by brushing things under the carpet and creating a smoke screen thereby bringing the Council into disrepute. He also said (these are his words to the best of my memory) "That individual I will say now should offer his resignation with immediate effect". That remark could only have been directed at me as the Council only has three staff, two of whom are female. Cllr Cordery only ceased speaking when the Mayor stated that if he continued, she would seek authority to have him removed from the meeting. No other Member spoke and the debate moved to the Firework display.

Cllr. Cordery did not make another contribution to the meeting throughout the next 1 hour and 45 mins (approx.)

There were four or five members of the public in attendance at the meeting when Cllr. Cordery made his comments; the outburst was so sudden the Mayor was unable to seek a mover and a seconder to propose implementing Standing Order 33(a).

I believe that Members of the Council may be making Official Complaints themselves to you.

Regards

Martin Wright
Town Clerk and Financial Officer
Buckley Town Council

From: Martin Wright
Sent: Fri, 22 Oct 2021 11:35:37 +0000
To: Gareth Legal
Subject: Re: Actions by Cllr. C Cordery at Buckley Town Council Special Meeting held on 20th October 2021

Gareth

I am happy that my complaint is forwarded to the Ombudsman.

Regards

Martin

From: Gareth Legal <[REDACTED]>
Sent: 22 October 2021 11:31
To: 'Martin Wright' <[REDACTED]>
Subject: RE: Actions by Cllr. C Cordery at Buckley Town Council Special Meeting held on 20th October 2021

Martin

As discussed I will forward your complaint to the Ombudsman along with those of the councillors . I need your written consent to do so. A reply to this email confirming you are happy with that will be sufficient

Regards

Gareth

From: Martin Wright [mailto:[REDACTED]]
Sent: 22 October 2021 10:09
To: Gareth Legal <[REDACTED]>
Subject: Re: Actions by Cllr. C Cordery at Buckley Town Council Special Meeting held on 20th October 2021

Gareth

Thank you for your reply.

I will seek legal advice on the matter and come back to you.

Regards

Martin

From: Gareth Legal <[REDACTED]>
Sent: 22 October 2021 09:00
To: 'Martin Wright' <[REDACTED]>
Subject: RE: Actions by Cllr. C Cordery at Buckley Town Council Special Meeting held on 20th October 2021

Martin

Thanks, I got the email. I'm sorry to hear that the matter has had this impact on you.

I am concerned that no decision might be taken on this issue for at least a month.

I do not want to make your situation worse. Equally I am reluctant to take decisions about the incident without your input because of the potential impact on you. If it isn't possible to speak to you briefly on the telephone about how we handle this in your absence then I will discuss the matter with the Mayor.

Are you happy for me to speak to Cllr Blondek about how we should proceed?

Gareth

From: Martin Wright [mailto:[REDACTED]]
Sent: 22 October 2021 09:53
To: Gareth Legal [REDACTED]
Subject: Re: Actions by Cllr. C Cordery at Buckley Town Council Special Meeting held on 20th October 2021

Gareth, I tried to send you a response a few minutes ago. Just in case it did not go through, I replied by saying I cannot discuss the matter as the doctor has signed me off work for a month.

Regards

Martin

From: Gareth Legal [REDACTED]
Sent: 22 October 2021 07:25
To: 'Martin Wright' [REDACTED]
Cc: Tracey Reece <[REDACTED]> Lynne George [REDACTED]
Subject: RE: Actions by Cllr. C Cordery at Buckley Town Council Special Meeting held on 20th October 2021

Dear Martin

Thank you for the written account of the events we discussed yesterday. I have received a number of accounts of the incident from other councillors. As the principal "injured party" I think it is appropriate that I discuss with you how to handle the matter.

In such circumstances you have a number of options under the ethical regime (in addition to any separate legal options which you might wish to pursue):

- 1) To ask me to mediate informally with your councillor – given your feelings when we spoke, and the impact of the events upon you, I appreciate this might not be adequate to resolve the issue
- 2) To use Buckley TC's local resolution procedure – to undertake this you would need to have confidence that any resolution would have a lasting impact in preventing a recurrence of the behaviour, but this would be the quickest route and would be focussed on trying to repair the relationship between yourself and Cllr Cordery; or
- 3) To complain to the PSOW - Cllr Cordery's actions appear to be in breach of his obligation under the code to treat you with respect and they failed to respect your right as an employee to have matters pertaining to your service discussed in private. Any such complaint would be subject to the 2 stage test of evidence (which is certainly available) and public interest. On the latter point Cllr Cordery will be afforded a measure of leeway to exercise his role (to hold officers to account). The PSOW's guidance for town councillors below does however suggest that his office would investigate the complaint. This may take some months to reach a resolution during which time you will need to continue to work with Cllr Cordery
"I will consider carefully any complaints of alleged inappropriate behaviour by members towards Clerks, and will investigate those complaints which are supported by appropriate evidence that a member has gone beyond what might be regarded as reasonable challenge."

Please consider which option you would wish to take and come back to next week. If you would like to discuss them over the telephone then please feel free to call me.

Regards

Gareth

From: Martin Wright [REDACTED]
Sent: 21 October 2021 20:27
To: Gareth Legal <[REDACTED]>
Cc: Tracey Reece <[REDACTED]> Lynne George <[REDACTED]>
Subject: Actions by Cllr. C Cordery at Buckley Town Council Special Meeting held on 20th October 2021

Gareth

Could I please seek your advice regarding potential action I wish to take in relation to an incident that occurred at the above Meeting:-

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Cllr. Cordery did not make another contribution to the meeting throughout the next 1 hour and 45 mins (approx.)

There were four or five members of the public in attendance at the meeting when Cllr. Cordery made his comments; the outburst was so sudden the Mayor was unable to seek a mover and a seconder to propose implementing Standing Order 33(a).

I believe that Members of the Council may be making Official Complaints themselves to you.

Regards

Martin Wright
Town Clerk and Financial Officer
Buckley Town Council

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Deallir na fydd unrhyw safbwyntiau, na chynghorion, na chasgliadau nac unrhyw wybodaeth arall yn y neges hon, nad ydynt yn berthnasol i waith swyddogol

Cyngor Sir y Fflint, yn cael eu cynnig na'u cadarnhau ganddo nac ar ei ran, ac felly ni fydd Cyngor Sir y Fflint yn derbyn unrhyw gyfrifoldeb am y rhannau hynny o'r neges.

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Deallir na fydd unrhyw safbwyntiau, na chynghorion, na chasgliadau nac unrhyw wybodaeth arall yn y neges hon, nad ydynt yn berthnasol i waith swyddogol

From: Vivienne Blondek
Sent: Fri, 22 Oct 2021 11:42:07 +0000
To: Gareth Legal
Subject: Re: Buckley Town Council Staff

Dear Gareth

I have just forwarded to you my confirmation to forward my complaint to PSOW but this confirms that I am happy for you to also forward my email to any other body who needs to see it whilst dealing with the complaint.

Kind regards

Cllr Vivienne Blondek

On 22 Oct 2021, at 12:33, Gareth Legal <[REDACTED]> wrote:

Dear Cllr Blondek

Thanks that is helpful. It is also a good email.

Please confirm whether you are happy for me to forward your complaint to the PSOW

Regards

Gareth

From: Vivienne Blondek [REDACTED]
Sent: 22 October 2021 12:28
To: Gareth Legal <[REDACTED]>
Subject: Fwd: Buckley Town Council Staff

Dear Gareth

FYI

Please see the email I sent to all Buckley Town Councillors last night.

Kind regards
Cllr Vivienne Blondek

----- Forwarded message -----

From: Vivienne Blondek <[REDACTED]>
Date: Thu, 21 Oct 2021 at 20:12

Subject: Buckley Town Council Staff

To: Carol <[REDACTED]>, Dennis Hutchinson
<[REDACTED]>, arnold woolley
[REDACTED], Andy Williams <[REDACTED]>
Emma Preece <[REDACTED]>, ellisd889 <[REDACTED]>, Louis
Fox <[REDACTED]>, Ian Peters <[REDACTED]>, Ian
Howes <[REDACTED]>, julia jones <[REDACTED]>
[REDACTED], Peter Shone <[REDACTED]>
Richard Jones <[REDACTED]>, <[REDACTED]>, Martyn
Teire <[REDACTED]>, Mike Peers <[REDACTED]>
carolyn preece <[REDACTED]>

Dear All

I have spent the last two mornings in the Council offices and what I have experienced is totally unacceptable. I have serious concerns regarding the mental health of Martin, Tracey and Lynne. For some time they have been feeling undervalued so much so that they dread coming into work. No one should ever be made to feel too stressed to go into work. This stress has escalated over recent weeks. Collectively we are responsible for the health and safety of all staff and we have a “duty of care” for all staff employed by Buckley Town Council. We are all bound by both National and our own BTC Code of Conduct. Please can we all consider how our comments and behaviours can sometimes be perceived and adhere to the Code of Conduct we all signed up to.

Kind regards
Cllr Vivienne Blondek
Buckley Town Mayor

Sent from my iPad

--

Vivienne Blondek

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whatsoever in respect thereof.

From: Vivienne Blondek
Sent: Thu, 21 Oct 2021 22:01:41 +0000
To: [REDACTED] Martin
Subject: Buckley Town Council meeting

Dear Gareth

It is with regret that I find myself having to raise this issue but I am supporting our BTC Clerk with what can only be described as unreasonable behaviour by a Councillor against a particular member of Buckley Town Council staff, in a public domain. I had just opened an emergency meeting of Buckley Town Council and was making my statement when I was rudely interrupted by Councillor Charles Cordery calling for a point of order. He was stating a member of staff had brought the council into disrepute and must apologise. He made allegations of a cover up and creating a smokescreen to protect this member and demanded "he resigns with immediate effect". I had immediately told him he was out of order and he had interrupted my statement which referred to Standing Orders 33(a) and does not allow any discussions regarding any member of staff when public and press are present. He continued to talk over me in a loud and aggressive tone. I told him I had ruled, he was in breach of section 33(a) and must please be quiet. He continued. I informed he that if he continued, I would have to seek to have him removed from the meeting. Cllr Cordery then became quiet and the meeting proceeded.

This is not the first unacceptable outburst from Cllr Cordery. I had recently written to him, as instructed by the members of the Establishment Sub-group Committee, regarding his behaviour. To date, he still has not acknowledged receipt of my letter.

Kind regards
Cllr Vivienne Blondek
Buckley Town Mayor

Sent from my iPad

From: carolyn preece
Sent: Thu, 21 Oct 2021 11:44:13 +0000
To: Gareth Legal
Cc: Martin Wright; Vivienne Blondek
Subject: Complaint regarding a Councillor's Behaviour at Buckley Town Council meetings

21/10/2021

Dear All,

I wish to make a formal complaint regarding Cllr Charles Cordery conduct at last night's special emergency meeting regarding the Firework display.

At the beginning of the meeting,

It was clearly stated by the Mayor that the council members were only to discuss the agenda item and that if they wanted to discuss other matters that the mayor would speak to them after the meeting, also if it related to staff members that standing orders 33a would need to be adhered to.

Cllr Cordery was very rude; he

interrupted the Mayor and would not stop speaking, even when the mayor told him to stop speaking. He told everyone including the residents attending that a staff member was out of order and needed to apologise and needed to hand in their notice tonight, he went on to say that the matter was being swiped under the carpet and it was a cover up and that it had brought the council into disrepute. This was witnessed by the Mayor, full council of councillors, members of the public, staff (the clerk, the clerks two assistants) and our events subcontractor.

I believe that Cllr Cordery has

breached our members Code of Conduct and has breached standing orders 10c (iii) (rules of debate), 12a Disorderly conduct, 25a Conduct and interest, 28a Admission of the public and press to a meeting, 33a. Discussion resolutions and handling matters affecting employees of the council

This is not the first time Cllr

Cordery has behaved confrontational and disrespectful manner, I refer to the confidential Establishment Sub-committee meetings held on 14th September 2021 and at the face to face meeting on 18th

October, where Cllr Cordery was again confrontational, with an aggressive tone and manner and had to be even challenged to wear his face mask to comply with Welsh Government guidelines. He continued to remove his mask from his nose and mouth and had to be asked to put it back, this happened through the meeting.

We have a duty of care to our staff to protect and safeguard them.

I would appreciate it if this matter
can be dealt the monitoring officer and possibly on to the Local government ombudsman.

I am happy to be a witness as part of any investigation that may take place.

Can you please give me some guidance
on what will happen next with this complaint

If you need further information
from me, please let me know.

Regards

Cllr Carolyn Preece

From: carolyn preece
Sent: Fri, 22 Oct 2021 10:25:42 +0000
To: Gareth Legal;Gareth Legal
Cc: 'Emma Preece';'Louis Fox';'Vivienne Blondak'
Subject: Re: Buckley Town Council Meeting 20 October 2021

Hi Gareth

I can confirm that I give my permission for my email to be forwarded to the Ombudsman.

Kind Regards

Carolyn Preece

On Friday, 22 October 2021, 10:55:40 BST, Gareth Legal <[REDACTED]> wrote:

Dear Councillor

I have spoken to Martin privately so that the decision on how to handle this situation is not delayed until his return to work.

He has indicated that he would like to make formal complaint to the Ombudsman. Given his absence from work, and the multiple complaints, I will actually make that referral on his behalf. I will collate the complaints and provide some context for the ombudsman's officers to consider when deciding whether or not to investigate.

I intend to include your email to me as part of that referral. In order to do so I need written confirmation that you are happy for me to send that email to the Ombudsman's office (they will ask me for this). A simple reply to this email expressing your agreement will be sufficient.

If you would like to discuss what the referral process might involve then please see the guidance on the ombudsman's website ([here](#)) or feel free to call me on the number below

I look forward to hearing from you

Regards

Gareth

From: Gareth Legal
Sent: 22 October 2021 09:17
To: Gareth Legal <[REDACTED]>
Subject: Buckley Town Council Meeting 20 October 2021

Dear Councillor

Thank you for your email regarding events at the town council meeting on 20 October. I have received a number of similar complaints including one from the clerk. On their face (and without further investigation at this stage) they do appear to describe actions that amount to a breach of the code, which the ombudsman's office would be likely to investigate if reported.

As the principal injured party I have outlined to Martin a number of options for how this matter might proceed. I will be led by his choice as to whether he would prefer to pursue the town council's local resolution procedure or whether it should be reported to the Ombudsman's office. I would urge you to do the same though it is, of course, your choice whether to do so.

I will let you know when I have heard from him

Regards

Gareth

Gareth Owens

Prif Swyddog Llywodraethu/Chief Officer Governance

[REDACTED]

From: Emma Preece
Sent: Fri, 22 Oct 2021 10:21:45 +0000
To: Gareth Legal
Cc: carolyn preece;Louis Fox;Vivienne Blonddek
Subject: Re: Buckley Town Council Meeting 20 October 2021

Hi Gareth,

I give permission for my correspondence to be used in a referral forwarded to the Ombudsman.

Kind Regards,

Emma Preece

On Fri, 22 Oct 2021, 10:55 Gareth Legal, <[REDACTED]> wrote:

Dear Councillor

I have spoken to Martin privately so that the decision on how to handle this situation is not delayed until his return to work.

He has indicated that he would like to make formal complaint to the Ombudsman. Given his absence from work, and the multiple complaints, I will actually make that referral on his behalf. I will collate the complaints and provide some context for the ombudsman's officers to consider when deciding whether or not to investigate.

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From: Gareth Legal
Sent: 22 October 2021 09:17
To: Gareth Legal <[REDACTED]>
Subject: Buckley Town Council Meeting 20 October 2021

Dear Councillor

Thank you for your email regarding events at the town council meeting on 20 October. I have received a number of similar complaints including one from the clerk. On their face (and without further investigation at this stage) they do appear to describe actions that amount to a breach of the code, which the ombudsman's office would be likely to investigate if reported.

As the principal injured party I have outlined to Martin a number of options for how this matter might proceed. I will be led by his choice as to whether he would prefer to pursue the town council's local resolution procedure or whether it should be reported to the Ombudsman's office. I would urge you to do the same though it is, of course, your choice whether to do so.

I will let you know when I have heard from him

Regards

Gareth

From: Emma Preece
Sent: Thu, 21 Oct 2021 11:17:58 +0000
To: [REDACTED]
Cc: Vivienne Blondek; Martin Wright
Subject: Councillor Behaviour at Buckley Town Council

Hi All,

I write this email to lodge a complaint about the behaviour and statement made by Councillor Charles Cordery at our emergency meeting yesterday evening.

At the beginning of the meeting, the Mayor started the second agenda item with a statement; the purpose of which, in my opinion, was to advise the council not to deviate from the agenda item being discussed and remind councillors of the Standing Orders they may be breaching by bringing other issues up during the course of the meeting. Just for some background information, the meeting was called to discuss our firework display and whether we should make the decision to go ahead. Previously, the Mayor and Chairs of committees had taken the decision to cancel the event due to other events being cancelled locally and the new regulations from the Welsh Government. The public had expressed their feelings about this on Facebook and other social media outlets so we were going to review the decision. In the agenda item, people who made the comments were referred to as "keyboard warriors". The use of this term has been completely blown up out of all proportions by some councillors and members of the public. I have heard the term be used in the chamber numerous times to discuss the same Facebook groups etc and in the same manner it was used in the agenda item. It was clear from the beginning of the statement that the Mayor wanted us to just get on and discuss the matter in hand.

The Mayor hardly spoke a sentence when Councillor Cordery called for a "point of order", when asked to be silent by the Mayor he repeated himself and continued and stated, words to the effect of: there is a cover up to protect some members of staff, they have brought the council into disrepute and I call for the immediate resignation of the member of staff involved. Again, the Mayor tried to silence the member and advised him of the Standing Orders.

His behaviour was completely out of order, we cannot discuss members of staff, their roles or anything else relating to the staff without first excluding the press and public as is stated in our Standing Orders. It was completely out of order to call for the resignation of a member of staff in front of several members of the public. This is not the first time this member has breached the Code of Conduct/Standing Orders and has been advised of his breach by our Establishment Committee.

I would like some guidance as to what will happen next with this complaint.

Kind Regards,

Emma Preece

From: Louis Fox
Sent: Thu, 21 Oct 2021 17:14:23 +0000
To: [REDACTED]
Cc: Vivienne Blondak
Subject: Formal complaint

Hi Gareth,

Following a Special Meeting of Buckley Town Council yesterday evening I wish to make a formal complaint against Councillor Charles Cordery for his abhorrent actions in which he tried to humiliate a member of our staff in demanding they tender their resignation.

Kind Regards,

Cllr Louis Fox

From: Louis Fox
Sent: Thu, 21 Oct 2021 17:20:01 +0000
To: [REDACTED]
Cc: Martin Wright
Subject: Incident statement - Buckley Town Council Special Meeting Wednesday 20th October 2021

Hi Gareth,

I am emailing with regards to an incident that occurred at the Special meeting of the Town Council yesterday evening. The following statement is my recollection of the comments made by Councillor Charles Cordery during this meeting;

As Mayor Cllr Vivienne Blondek attempted to open the meeting Cllr Cordery rudely interjected, Cllr Cordery made a comment during his speech in which he made reference to a male member of staff (of which there is only one, our Clerk Martin Wright), using the word "his" to make this distinction, stating;

"That individual should tender his resignation this evening with immediate effect".

Cllr Cordery went on to insinuate that there is a "cover up" going on for this particular member of staff and that "certain members of the Town Council are actively protecting him".

Please feel free to get in touch with me if necessary - my mobile number is

[REDACTED]

Kind Regards,

Cllr Louis Fox

From: Louis Fox
Sent: Fri, 22 Oct 2021 10:07:41 +0000
To: Gareth Legal
Cc: 'Emma Preece'; 'carolyn preece'; 'Vivienne Blondek'
Subject: Re: Buckley Town Council Meeting 20 October 2021

Hi Gareth,

I give written permission for my email to you to be sent to the Ombudsman's office.

Kind Regards,
Cllr Louis Fox

[Sent from Yahoo Mail for iPhone](#)

On Friday, October 22, 2021, 10:55 am, Gareth Legal <[REDACTED]> wrote:

Dear Councillor

I have spoken to Martin privately so that the decision on how to handle this situation is not delayed until his return to work.

He has indicated that he would like to make formal complaint to the Ombudsman. Given his absence from work, and the multiple complaints, I will actually make that referral on his behalf. I will collate the complaints and provide some context for the ombudsman's officers to consider when deciding whether or not to investigate.

I intend to include your email to me as part of that referral. In order to do so I need written confirmation that you are happy for me to send that email to the Ombudsman's office (they will ask me for this). A simple reply to this email expressing your agreement will be sufficient.

If you would like to discuss what the referral process might involve then please see the guidance on the ombudsman's website (here) or feel free to call me on the number below

I look forward to hearing from you

Regards

Gareth

From: Gareth Legal
Sent: 22 October 2021 09:17
To: Gareth Legal <[REDACTED]>
Subject: Buckley Town Council Meeting 20 October 2021

Dear Councillor

Thank you for your email regarding events at the town council meeting on 20 October. I have received a number of similar complaints including one from the clerk. On their face (and without further investigation at this stage) they do appear to describe actions that amount to a breach of the code, which the ombudsman's office would be likely to investigate if reported.

As the principal injured party I have outlined to Martin a number of options for how this matter might proceed. I will be led by his choice as to whether he would prefer to pursue the town council's local resolution procedure or whether it should be reported to the Ombudsman's office. I would urge you to do the same though it is, of course, your choice whether to do so.

I will let you know when I have heard from him

Regards

Gareth

From: Carol Ellis
Sent: Fri, 22 Oct 2021 08:42:49 +0000
To: Gareth Legal
Cc: Matthew Georgiou
Subject: FW: Buckley ToWn Council

Hello Gareth

I am sending you this email for information. I am sure it has been brought to your attention that the Firework display at Buckley was cancelled and all the back lash that came with the announcement . This was on Facebook and residents were posting how they couldn't understand the cancellation as reading Welsh Government guidance it appeared the event met the guidelines. There then was a notice on Buckley Town Council Website that a special meeting would take place about this and on the Agenda residents who had made comment were referred to as Key Board Warriors, this then fuelled the situation and I received many complaints about the phase as most comments made appeared to be asking questions.

One the day of the meeting Councillors received the enclosed email to which I responded.

There has been a under lying current in the Council for sometime starting some years ago when staff were present when a Establishment Committee was held discuss a second pay increase in the same financial year. The atmosphere has been unpleasant to say the least. I have in the past had advice from yourself and Matt so I thought I should take the time to make you aware of the current unpleasant situation.

Regards

Carol Ellis

Sent with BlackBerry Work
(www.blackberry.com)

From: [REDACTED] <[REDACTED]>
Date: Friday, 22 Oct 2021, 7:52 am
To: Carol Ellis <[REDACTED]>
Subject: Fw:

Sent from my Huawei phone

----- Original message -----

From [REDACTED]
Date: Wed, 20 Oct 2021, 14:08
To: Tracey Reece <[REDACTED]>, Vivienne Blondek <[REDACTED]>, julia jones <[REDACTED]>, [REDACTED], Richard Jones [REDACTED], ianpeters101 [REDACTED], Ian Howes

<[REDACTED], arnold woolley <[REDACTED], Martyn Teire
<[REDACTED]>, d[REDACTED] ellisd889
<[REDACTED]>, Peter Shone <p[REDACTED] Mike Peers
<[REDACTED]>, [REDACTED],
[REDACTED] Emma Preece <e[REDACTED], Louis Fox
<l[REDACTED]>, Charles Cordey <[REDACTED]

Subject: Re:

Thank you for your email I note that you mention Members have in the past used the Phase" Keyboard Warriors." It is my understanding that when this word was used Members were in fact referring to Facebook users who were concealing their true identity not Facebook users who are asking questions or expressing a opinion in their own name. Also that Members have directley challenged the person (using a made up identity not a real name) making a comment at the time. I do not believe that the comparison made in this email regarding Members comments in the past is relevant in my opinion o this Agenda.

Regards
Carol Ellis

Sent from my Huawei phone

----- Original message -----

From: Tracey Reece <[REDACTED]>
Date: Wed, 20 Oct 2021, 09:05
To: Vivienne Blondek <b[REDACTED]>, julia jones
[REDACTED]>, c[REDACTED], Richard Jones
[REDACTED], ianpeters101 <[REDACTED] Ian
Howes <[REDACTED], arnold woolley [REDACTED],
Martyn Teire [REDACTED], [REDACTED]
ellisd889 <[REDACTED]>, Peter Shone <[REDACTED],
Mike Peers [REDACTED]>, [REDACTED],
[REDACTED], 'Carol' <[REDACTED]>, Emma
Preece <[REDACTED], Louis Fox [REDACTED]>, Charles

Cordey <C[REDACTED]>

Subject:

Dear Member

In case the matter of the expression "keyboard warriors" is brought up at the Special Meeting of the Council this evening, I would ask you to take cognisance of the following:-

As to my email to [REDACTED] and his response (copies attached):

1. I genuinely believed that the expression was in common parlance;
2. I have heard Members on numerous occasions using the expression when referring to Facebook and other Social Media platform posts; and
3. I meant no disrespect to anyone.

As Members know I am not a Facebook or other Social Media platform user.

I would remind Members that under Standing Order 33 (a) staffing matters and employment issues may not be discussed in public session and as such matters may only be considered after the Council has resolved to remove the press and public. Moreover, it maybe that a particular matter cannot be discussed in Council and has to be referred to the Establishment Sub-Committee which is responsible for employment issues.

Regards

M B Wright

Town Clerk & Financial Officer

The information you provide (personal information such as name, address, email address, phone number, organisation) will be processed and stored to enable us to contact you and respond to your correspondence, provide information and/or access our facilities and services. Your personal information will be not shared or provided to any other third party without your consent. We will only keep your data for the purpose it was collected for and only for as long as is necessary, after which it will be deleted. (You may request the deletion of your data held by the council at any time). The council privacy notice can be found on our website www.buckleytc.org.uk.

From: Gareth Legal
Sent: Mon, 22 Nov 2021 13:56:21 +0000
To: Leigh McAndrew
Cc: Sinead Cook
Subject: RE: Complaint in respect of Buckley Town Council

Leigh

I had an email from a Cllr Shone complaining about the same issues. He is a JP and was seeking advice on whether he could become involved. He has only just consented to my forwarding it on to you.

The email chain attached contains both his complaint and consent

Regards

Gareth

From: Leigh McAndrew [mailto: [REDACTED]]
Sent: 16 November 2021 11:43
To: Gareth Legal < [REDACTED] >
Cc: Sinead Cook < [REDACTED] >
Subject: RE: Complaint in respect of Buckley Town Council

This email, created by [REDACTED] has been securely delivered using Egress Switch and was decrypted on 16 November 2021 11:43:12+00:00

Dear Mr Owens

Further to Ms Cook's email below, I have spoken to the Clerk and he is happy to act as the complainant. [REDACTED]

I will update you once I have received the necessary declarations.

Yours sincerely



Mr Leigh McAndrew
Swyddog Ymchwilio / Investigation Officer
Ffôn / Tel: [REDACTED]

[REDACTED]

From: Peter Shone
Sent: Mon, 22 Nov 2021 12:22:06 +0000
To: Gareth Legal
Subject: Re: Concern

Hi Gareth,

I have not heard any potential issues that may arise and as such, I am happy for you to forward my letter along with the others you have recieved.

Many thanks for your patience.

Regards

Peter

> On 15 Nov 2021, at 11:00, Peter Shone [REDACTED] > wrote:

>

> Hi Gareth,

>

> I must apologise for not getting back to you regarding the below.

>

> I am a Magistrate, and mindful of potential press coverage and the potential of bring the bench into the spotlight, through a process I am not fully aware of. To his end I requested guidance from My bench. What I thought would be a simple Yes / No has not turned out to be so simple and the guidance I am seeking is taking far longer than I ever envisaged

>

> As soon as I hear anything I will let you know.

>

> Regards

>

> Peter

>

>> On 26 Oct 2021, at 08:56, .

>

>> Legal <[REDACTED]> wrote:

>>

>> Dear Cllr Shone

>>

>> Thank you for your email.

>>

>> A number of people have already contacted me about the incident. There are a number of options for how this might be resolved and I have indicated to the other complainants that I would be led by the clerk as to which option to take forward

>>

>> If the matter is referred to the Ombudsman I would need your consent to pass your complaint on to them. Are you happy for me to send your email to them?

>>

>> Regards

>>

>> Gareth

>> -----Original Message-----

>> From: Peter Shone [REDACTED]

>> Sent: 25 October 2021 21:58

>> To: Gareth Legal <[REDACTED]>
>> Subject: Concern
>>
>> Dear Sir,
>>
>> It is with regret that I write to advise you of what I consider to be unacceptable behaviour exhibited at the recent meeting of the Buckley Town Council.
>>
>> The meet was called as a Special Meeting to discuss the reassessment of a decision regarding the firework display, traditionally held in Buckley, in the light of new information made available to the council.
>>
>> The meeting was Chaired and opened by the current Mayoress of Buckley, who, in her opening statement clearly identified the need to maintain focus in the agenda item and would not allow the meeting to digress into areas concerned with recent social media posts. As I understand, the meeting was observed by members of the community.
>> As I recall, before the Mayor was able to complete her opening remarks, Councillor Cordery raised a point of order which he persisted in pressing forward, even though the Mayor and Chair of the meeting had on several occasions requested Councillor Cordery to stand down, culminating in his demand for the Clerk to resign, suggesting the actions of the Clerk had brought Buckley Town Council into disrepute. All this was being witnessed by the observing members of the public.
>>
>> Through the behaviour I witnessed, I believe the reputation and integrity of Buckley Town Council has been brought into disrepute and further exhibitions of such behaviour should not be tolerated.
>>
>> Yours Faithfully
>>
>> Councillor Peter Shone
>>
>>
>>
>>
>>
>> *****
>> We welcome correspondence in Welsh and English and will respond to correspondence in the same language. Use of either language will not lead to a delay
>> Opinions, advice, conclusions and other information in this
>> message that do not relate to the official business of
>> Flintshire County Council shall be understood as neither
>> given nor endorsed by it or on its behalf, and consequently
>> Flintshire County Council shall bear no responsibility
>> whatsoever in respect thereof.
>> Croesawn ohebiaeth yn y Gymraeg a'r Saesneg a byddwn yn ymateb i ohebiaeth yn yr un iaith. Ni fydd defnyddio'r naill iaith na'r llall yn arwain at oedi.
>> Deallir na fydd unrhyw safbwyntiau, na chynghorion, na
>> chasgliadau nac unrhyw wybodaeth arall yn y neges hon,
>> nad ydynt yn berthnasol i waith swyddogol
>> Cyngor Sir y Fflint, yn cael eu cynnig na'u cadarnhau ganddo
>> nac ar ei ran, ac felly ni fydd Cyngor Sir y Fflint yn derbyn
>> unrhyw gyfrifoldeb am y rhannau hynny o'r neges.
>> *****
>>
>

To whom it may concern,

I would like it known that the incident I reported about Cllr Cordery was not an isolated occurrence. He has been antagonistic since he joined the council; his choice of words in emails and in meetings have certainly rubbed people up the wrong way and the volume of emails sent.

One such string of emails had him referred to the Establishment committee to investigate his actions. He would not explain his actions when asked several times to explain what he meant by his choice of words. I can forward these emails if necessary. From the start, it seemed he did not try to have a good relationship with our Clerk or other staff.

He continued to be antagonistic in face to face small committee meetings that were started again a couple of months ago after the council had taken all precautions for it to be safe to meet. He had to be continually reminded to put his mask back on when he kept taking it off and using the excuse that he had a drink in front of him. One member warned that they would have to leave if this behaviour continued due to having someone at home with a weakened immune system that they were trying to protect.

As previously stated, if needed I can provide the emails I refer to. I was only in attendance at the Establishment Committee as an observer so I am not privy to what they sent to Cllr Cordery about his behaviour.

Kind Regards,

Emma Preece



Appendix 10

WITNESS STATEMENT

Statement of: Councillor Emma Preece
Address: Buckley Town Council
Age if under 18: Over 18
Occupation/Position: Member of Buckley Town Council

1. I, Councillor Emma Preece, of Buckley Town Council ("the Town Council") make this statement in connection with a complaint made to the Public Services Ombudsman for Wales that Councillor Charles Cordery of Buckley Town Council has breached the Code of Conduct for elected members. The facts in this statement come from my personal knowledge.
2. On the evening of Wednesday 20 October 2021, I attended a Special Meeting of the Town Council held via Zoom, to discuss the cancellation of the annual bonfire and fireworks display. The meeting was attended by members of the Town Council, the Clerk, other Town Council staff, and members of the general public.
3. At the beginning of the meeting, the Mayor attempted to make a statement about not deviating from the agenda item being discussed and reminded members of Standing Orders which could be breached by bringing up other issues. Councillor Cordery then called for a point of order and stated words to the effect that there was a cover up to protect some members of staff who had brought the Town Council into disrepute, and he called for the immediate resignation of the member of staff involved.
4. I felt it was completely out of order to call for the resignation of a member of staff in front of several members of the public, as we cannot discuss these matters without first excluding the press and public as is stated in our Standing Orders.
5. Following the meeting I sent an email to Flintshire County Council's Monitoring Officer on 21 October 2021 (Exhibit EP01) about Councillor Cordery's behaviour during the incident.
6. I would like to be clear that where I have stated in that email that Councillor Cordery called "for the immediate resignation of the member of staff involved", my recollection is that Councillor Cordery stated "he" with reference to the member of staff and as we only had member of staff that identified as male at the time it was definitely aimed at the Former Clerk.

7. At that time, I felt that Councillor Cordery's behaviour was not an isolated occurrence and, as such, I sent further information to the Ombudsman's office towards the end of November 2021 which outlined my concerns (Exhibit EP02).
-

Statement of truth:

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed: *Freddie*

Dated: *29/9/22*

Case reference number: 202105656

From: [Emma Preece](#)
To: [REDACTED]
Cc: [Vivienne Blondel](#); [Martin Wright](#)
Subject: Councillor Behaviour at Buckley Town Council
Date: 21 October 2021 12:18:12

Hi All,

I write this email to lodge a complaint about the behaviour and statement made by Councillor Charles Cordery at our emergency meeting yesterday evening.

At the beginning of the meeting, the Mayor started the second agenda item with a statement; the purpose of which, in my opinion, was to advise the council not to deviate from the agenda item being discussed and remind councillors of the Standing Orders they may be breaching by bringing other issues up during the course of the meeting. Just for some background information, the meeting was called to discuss our firework display and whether we should make the decision to go ahead. Previously, the Mayor and Chairs of committees had taken the decision to cancel the event due to other events being cancelled locally and the new regulations from the Welsh Government. The public had expressed their feelings about this on Facebook and other social media outlets so we were going to review the decision. In the agenda item, people who made the comments were referred to as "keyboard warriors". The use of this term has been completely blown up out of all proportions by some councillors and members of the public. I have heard the term be used in the chamber numerous times to discuss the same Facebook groups etc and in the same manner it was used in the agenda item. It was clear from the beginning of the statement that the Mayor wanted us to just get on and discuss the matter in hand.

The Mayor hardly spoke a sentence when Councillor Cordery called for a "point of order", when asked to be silent by the Mayor he repeated himself and continued and stated, words to the effect of: there is a cover up to protect some members of staff, they have brought the council into disrepute and I call for the immediate resignation of the member of staff involved. Again, the Mayor tried to silence the member and advised him of the Standing Orders.

His behaviour was completely out of order, we cannot discuss members of staff, their roles or anything else relating to the staff without first excluding the press and public as is stated in our Standing Orders. It was completely out of order to call for the resignation of a member of staff in front of several members of the public. This is not the first time this member has breached the Code of Conduct/Standing Orders and has been advised of his breach by our Establishment Committee.

I would like some guidance as to what will happen next with this complaint.

Kind Regards,

Emma Preece

EXHIBIT EP02

To whom it may concern,

I would like it known that the incident I reported about Cllr Cordery was not an isolated occurrence. He has been antagonistic since he joined the council; his choice of words in emails and in meetings have certainly rubbed people up the wrong way and the volume of emails sent.

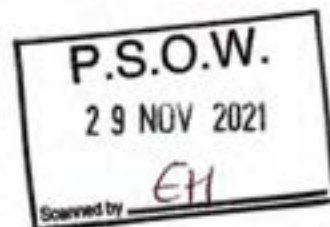
One such string of emails had him referred to the Establishment committee to investigate his actions. He would not explain his actions when asked several times to explain what he meant by his choice of words. I can forward these emails if necessary. From the start, it seemed he did not try to have a good relationship with our Clerk or other staff.

He continued to be antagonistic in face to face small committee meetings that were started again a couple of months ago after the council had taken all precautions for it to be safe to meet. He had to be continually reminded to put his mask back on when he kept taking it off and using the excuse that he had a drink in front of him. One member warned that they would have to leave if this behaviour continued due to having someone at home with a weakened immune system that they were trying to protect.

As previously stated, if needed I can provide the emails I refer to. I was only in attendance at the Establishment Committee as an observer so I am not privy to what they sent to Cllr Cordery about his behaviour.

Kind Regards,

Emma Preece



Appendix 11

WITNESS STATEMENT

Statement of: Councillor Carolyn Preece
Address: Buckley Town Council
Age if under 18: Over 18
Occupation/Position: Member of Buckley Town Council



1. I, Councillor Carolyn Preece, of Buckley Town Council ("the Town Council") make this statement in connection with a complaint made to the Public Services Ombudsman for Wales that Councillor Charles Cordery of Buckley Town Council has breached the Code of Conduct for elected members. The facts in this statement come from my personal knowledge.
2. On the evening of Wednesday 20 October 2021, I attended a Special Meeting of the Town Council held via Zoom, to discuss the cancellation of the annual bonfire and fireworks display. The meeting was attended by members of the Town Council, the Clerk, other Town Council staff, and members of the general public.
3. At the beginning of the meeting, the Mayor stated that members were only to discuss the agenda item and that Standing Orders 33a would need to be adhered to. Councillor Cordery interrupted the Mayor and would not stop speaking. He told everyone, including the residents, that a member of staff was out of order and needed to apologise and hand in ~~their~~ notice that ~~the~~ ^{this} evening. He went on to say that the matter was being swept under the carpet and had brought the Town Council into disrepute. This was witnessed by the Mayor, the full Town Council, members of the public, the Clerk, the Clerk's assistants and our events subcontractor.
4. Following the meeting I sent an email to Flintshire County Council's Monitoring Officer on 21 October 2021 about the incident (Exhibit CP01). I can confirm that the email is my recollection of Councillor Cordery's behaviour and comments during the incident.

Statement of truth:

Case reference number: 202105656

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed:

A handwritten signature in dark ink, appearing to be 'A. Khan' or similar, written over a horizontal line.

Dated:

8.8.22

Case reference number: 202105656

From: [carolyn preece](#)
To: [Gareth Legal](#)
Cc: [Martin Wright](#); [Vivienne Blondek](#)
Subject: Complaint regarding a Councillor's Behaviour at Buckley Town Council meetings
Date: 21 October 2021 12:44:19

21/10/2021

Dear All,

I wish to make a formal complaint regarding Cllr Charles Cordery conduct at last night's special emergency meeting regarding the Firework display.

At the beginning of the meeting, It was clearly stated by the Mayor that the council members were only to discuss the agenda item and that if they wanted to discuss other matters that the mayor would speak to them after the meeting, also if it related to staff members that standing orders 33a would need to be adhered to.

Cllr Cordery was very rude; he interrupted the Mayor and would not stop speaking, even when the mayor told him to stop speaking. He told everyone including the residents attending that a staff member was out of order and needed to apologies and needed to hand in their notice tonight, he went on to say that the matter was being swiped under the carpet and it was a cover up and that it had brought the council into disrepute. This was witnessed by the Mayor, full council of councillors, members of the public, staff (the clerk, the clerks two assistants) and our events subcontractor.

I believe that Cllr Cordery has breached our members Code of Conduct and has breached standing orders 10c (iii) (rules of debate) , 12a Disorderly conduct, 25a Conduct and interest, 28a Admission of the public and press to a meeting, 33a. Discussion resolutions and handling matters affecting employees of the council

This is not the first time Cllr Cordery has behaved confrontational and disrespectful manner, I refer to the confidential Establishment Sub-committee meetings held on 14th September 2021 and at the face to face meeting on 18th October, where Cllr Cordery was again confrontational, with an aggressive tone and manner and had to be even challenged to wear his face mask to comply with Welsh Government guidelines. He continued to remove his mask from his nose and mouth and had to be asked to put it back, this happened through the meeting.

We have a duty of care to our staff to protect and safeguard them.

I would appreciate it if this matter can be dealt the monitoring officer and possibly on to the Local government ombudsman.

I am happy to be a witness as part of any investigation that may take place.

Can you please give me some guidance on what will happen next with this complaint

If you need further information from me, please let me know.

Regards

Cllr Carolyn Preece



WITNESS STATEMENT

Statement of: Councillor Carolyn Preece
Address: Buckley Town Council
Age if under 18: Over 18
Occupation/Position: Member of Buckley Town Council

1. I, Councillor Carolyn Preece, of Buckley Town Council ("the Town Council") make this statement in connection with a complaint made to the Public Services Ombudsman for Wales that Councillor Charles Cordery of Buckley Town Council has breached the Code of Conduct for elected members. The facts in this statement come from my personal knowledge, and I make this statement as an addendum to my previous statement dated 8 August 2022.
2. With regard to my email to Flintshire County Council's Monitoring Officer dated 21 October 2021 (detailed as Exhibit CP01 in my previous statement), which stated that at the previous night's meeting Councillor Cordery "told everyone including the residents attending that a staff member was out of order and needed to apologies [sic] and needed to hand in their notice tonight," I would like to explain that I have amended my statement dated 8 August 2022 to change the word "their" to "his". This is because I felt my email was not very clear about who Councillor Cordery's comments were directed at.
3. I would like to say that before the meeting on 20 October 2021 I was aware there had been previous email correspondence between Councillor Cordery and the Former Clerk on various occasions. There had also been a number of issues about Councillor Cordery's behaviour, and I think his whole demeanour towards other members and staff is aggressive.
4. At the meeting, the whole item was aimed at the Former Clerk, rather than any other member of staff or contractor. It was all about the use of the wording "keyboard warriors," that is what Councillor Cordery was referring to and nobody else other than the Former Clerk had written those words. It seemed obvious to me that Councillor Cordery's comments were aimed directly at the Former Clerk and my recollection is that he said "his" notice rather than "their" notice when referring to handing notice in.
5. I would also like to say that the original minutes for the 20 October 2021 meeting have now been changed. I was not able to attend the Town Council meeting in person to discuss the proposed amendments to those minutes, and a hybrid (Zoom option) meeting was not offered to me, or another member who could not attend, although we would have been available online. The wording on the original minutes was changed and voted through in my absence and I feel I was denied access to the meeting and an opportunity to speak about the proposed changes to the minutes.

Statement of truth:

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

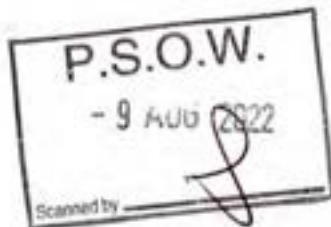
Signed:



Dated:

12.09.22

Appendix 12



WITNESS STATEMENT

Statement of: Councillor Louis Fox
Address: Buckley Town Council
Age if under 18: Over 18
Occupation/Position: Member of Buckley Town Council

-
1. I, Councillor Louis Fox, of Buckley Town Council ("the Town Council") make this statement in connection with a complaint made to the Public Services Ombudsman for Wales that Councillor Charles Cordery of Buckley Town Council has breached the Code of Conduct for elected members. The facts in this statement come from my personal knowledge.
 2. On the evening of Wednesday 20 October 2021, I attended a Special Meeting of the Town Council held via Zoom, to discuss the cancellation of the annual bonfire and fireworks display. The meeting was attended by members of the Town Council, the Clerk, other Town Council staff, and members of the general public.
 3. I can confirm that as the Mayor, Councillor Blondek, attempted to open the meeting Councillor Cordery interjected and made comments about a male member of staff in which he demanded that that individual should tender his resignation with immediate effect. Councillor Cordery went on to say that there was a cover up going on for this member of staff and members of the Town Council were protecting him.
 4. Following the meeting I sent 2 emails to Flintshire County Council's Monitoring Officer on 21 October 2021 about the incident (Exhibit LF01). I can confirm that the emails are my recollection of Councillor Cordery's comments during the incident.

Statement of truth:

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or

Case reference number: 202105656

causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed: *L. Arfax.*

Dated: *28/7/22*

Case reference number: 202105656

EXHIBIT LF01

From: [Louis Fox](#)
To: [REDACTED]
Cc: [Vivienne Bloudek](#)
Subject: Formal complaint
Date: 21 October 2021 18:14:26

Hi Gareth,

Following a Special Meeting of Buckley Town Council yesterday evening I wish to make a formal complaint against Councillor Charles Cordery for his abhorrent actions in which he tried to humiliate a member of our staff in demanding they tender their resignation.

Kind Regards,

Cllr Louis Fox

From: [Louis Fox](#)
To: [REDACTED]
Cc: [Louis Fox](#)
Subject: Incident statement - Buckley Town Council Special Meeting Wednesday 20th October 2021
Date: 21 October 2021 18:20:41

Hi Gareth,

I am emailing with regards to an incident that occurred at the Special meeting of the Town Council yesterday evening. The following statement is my recollection of the comments made by Councillor Charles Cordery during this meeting;

As Mayor Cllr Vivienne Blondek attempted to open the meeting Cllr Cordery rudely interjected, Cllr Cordery made a comment during his speech in which he made reference to a male member of staff (of which there is only one, our Clerk Martin Wright), using the word "his" to make this distinction, stating;

"That individual should tender his resignation this evening with immediate effect".

Cllr Cordery went on to insinuate that there is a "cover up" going on for this particular member of staff and that "certain members of the Town Council are actively protecting him".

Please feel free to get in touch with me if necessary - my mobile number is [REDACTED]

Kind Regards,

Cllr Louis Fox

Appendix 13



WITNESS STATEMENT

Statement of: Councillor Vivienne Blondek
Address: Buckley Town Council
Age if under 18: Over 18
Occupation/Position: Member of Buckley Town Council

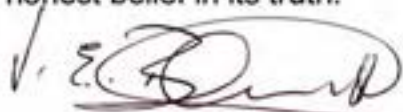
-
1. I, Councillor Vivienne Blondek, of Buckley Town Council ("the Town Council") make this statement in connection with a complaint made to the Public Services Ombudsman for Wales that Councillor Charles Cordery of Buckley Town Council has breached the Code of Conduct for elected members. The facts in this statement come from my personal knowledge.
 2. On the evening of Wednesday 20 October 2021, I attended a Special Meeting of the Town Council held via Zoom, to discuss the cancellation of the annual bonfire and fireworks display. The meeting was attended by members of the Town Council, the Clerk, other Town Council staff, and members of the general public.
 3. I can confirm that, as Mayor of the Town Council at that time, I had just opened the meeting and was making my statement and referring to the Town Council's Standing Orders 33(a), when Councillor Cordery interrupted and called for a point of order. He stated that a member of staff had brought the Town Council into disrepute and must apologise. Councillor Cordery made allegations of a cover up and smokecreen to protect this member and demanded that he resigns with immediate effect. I told him he was out of order and referred to Standing Order 33(a). Councillor Cordery continued to talk over me in a loud and aggressive tone, until I informed him that he would be removed from the meeting if he did not stop.
 4. Following the meeting I sent an email to Flintshire County Council's Monitoring Officer on 21 October 2021 about the incident (Exhibit VB01). I can confirm that the email is my recollection of Councillor Cordery's behaviour and comments during the incident.

Statement of truth:

Case reference number: 202105656

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed:



Dated:

30/7/22.

Case reference number: 202105656

From: Vivienne Blondek
To: [REDACTED] Martin
Subject: Buckley Town Council meeting
Date: 21 October 2021 23:01:57

Dear Gareth

It is with regret that I find myself having to raise this issue but I am supporting our BTC Clerk with what can only be described as unreasonable behaviour by a Councillor against a particular member of Buckley Town Council staff, in a public domain. I had just opened an emergency meeting of Buckley Town Council and was making my statement when I was rudely interrupted by Councillor Charles Cordery calling for a point of order. He was stating a member of staff had brought the council into disrepute and must apologise. He made allegations of a cover up and creating a smokescreen to protect this member and demanded "he resigns with immediate effect". I had immediately told him he was out of order and he had interrupted my statement which referred to Standing Orders 33(a) and does not allow any discussions regarding any member of staff when public and press are present. He continued to talk over me in a loud and aggressive tone. I told him I had ruled, he was in breach of section 33(a) and must please be quiet. He continued. I informed he that if he continued, I would have to seek to have him removed from the meeting. Cllr Cordery then became quiet and the meeting proceeded.

This is not the first unacceptable outburst from Cllr Cordery. I had recently written to him, as instructed by the members of the Establishment Sub-group Committee, regarding his behaviour. To date, he still has not acknowledged receipt of my letter.

Kind regards
Cllr Vivienne Blondek
Buckley Town Mayor

Sent from my iPad

Appendix 14

WITNESS STATEMENT

Statement of: Mr Peter Shone JP
Address: Buckley
Age if under 18: Over 18
Occupation/Position: Former Member of Buckley Town Council



-
1. I, Peter Shone, Former Member of Buckley Town Council ("the Town Council") make this statement in connection with a complaint made to the Public Services Ombudsman for Wales that Councillor Charles Cordery of Buckley Town Council has breached the Code of Conduct for elected members. The facts in this statement come from my personal knowledge.
 2. On the evening of Wednesday 20 October 2021, I attended a Special Meeting of the Town Council held via Zoom, to discuss the cancellation of the annual bonfire and fireworks display. The meeting was attended by members of the Town Council, the Clerk, other Town Council staff, and members of the general public.
 3. I can confirm that as the Mayor attempted to open the meeting Councillor Cordery raised a point of order, which he persisted in pressing forward and which culminated in him demanding that the Clerk should resign as his actions had brought the Town Council into disrepute. This was witnessed by members of the public.
 4. Following the meeting I sent an email to Flintshire County Council's Monitoring Officer on 25 October 2021 about the incident (Exhibit PS01). I can confirm that the email is my recollection of Councillor Cordery's behaviour and comments during the incident.
-

Case reference number: 202105656

Statement of truth:

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed: *P. J. Shone*

Dated: *28th July 2022*

Case reference number: 202105656

>> -----Original Message-----

>> From: Peter Shone [REDACTED]

>> Sent: 25 October 2021 21:58

>> To: Gareth Legal <[REDACTED]>

>> Subject: Concern

>>

>> Dear Sir,

>>

>> It is with regret that I write to advise you of what I consider to be unacceptable behaviour exhibited at the recent meeting of the Buckley Town Council.

>>

>> The meet was called as a Special Meeting to discuss the reassessment of a decision regarding the firework display, traditionally held in Buckley, in the light of new information made available to the council.

>>

>> The meeting was Chaired and opened by the current Mayoress of Buckley, who, in her opening statement clearly identified the need to maintain focus in the agenda item and would not allow the meeting to digress into areas concerned with recent social media posts. As I understand, the meeting was observed by members of the community.

>> As I recall, before the Mayor was able to complete her opening remarks, Councillor Cordery raised a point of order which he persisted in pressing forward, even though the Mayor and Chair of the meeting had on several occasions requested Councillor Cordery to stand down, culminating in his demand for the Clerk to resign, suggesting the actions of the Clerk had brought Buckley Town Council into disrepute. All this was being witnessed by the observing members of the public.

>>

>> Through the behaviour I witnessed, I believe the reputation and integrity of Buckley Town Council has been brought into disrepute and further exhibitions of such behaviour should not be tolerated.

>>

>> Yours Faithfully

>>

>> Councillor Peter Shone

>>

>>

>>

>>

>>

>>

>> *****

>> * We welcome correspondence in Welsh and English and will respond to

>> correspondence in the same language. Use of either language will not

>> lead to a delay. Opinions, advice, conclusions and other information in

>> this message that do not relate to the official business of

>> Flintshire County Council shall be understood as neither given nor

>> endorsed by it or on its behalf, and consequently Flintshire County

>> Council shall bear no responsibility whatsoever in respect thereof.

>> Croesawn ohebiaeth yn y Gymraeg a'r Saesneg a byddwn yn ymateb i ohebiaeth yn yr un iaith. Ni fydd defnyddio'r naill iaith na'r llall yn arwain at oedi.

>> Deellir na fydd unrhyw safbwyntiau, na chynghorion, na chasgliadau

>> nac unrhyw wybodaeth arall yn y neges hon, nad ydynt yn berthnasol i

>> waith swyddogol Cyngor Sir y Flint, yn cael eu cynnig na'u cadarnhau

>> ganddo nac ar ei ran, ac felly ni fydd Cyngor Sir y Flint yn derbyn

>> unrhyw gyfrifoldeb am y rhannau hynny o'r neges.

>> *****

>> *

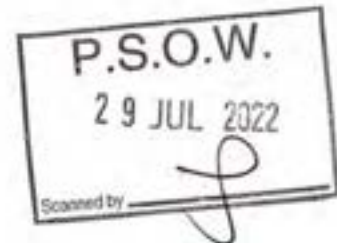
>>

>>

Appendix 15

WITNESS STATEMENT

Statement of: Councillor David Ellis
Address: Buckley Town Council
Age if under 18: Over 18
Occupation/Position: Member of Buckley Town Council



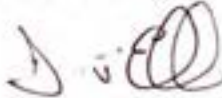
1. I, Councillor David Ellis, of Buckley Town Council ("the Town Council") make this statement in connection with a complaint made to the Public Services Ombudsman for Wales that Councillor Charles Cordery of Buckley Town Council has breached the Code of Conduct for elected members. The facts in this statement come from my personal knowledge.
2. On the evening of Wednesday 20 October 2021, I attended a Special Meeting of the Town Council held via Zoom, to discuss the cancellation of the annual bonfire and fireworks display. The meeting was attended by members of the Town Council, the Clerk, other Town Council staff, and members of the general public.
3. The Mayor, Councillor Blondek, stated in her introduction that there would be no discussion on words in the agenda that had caused offence. Councillor Cordery then raised a point of order and stated it was shameful that it was not going to be subject to debate and that the person who had made comments regarding "Keyboard Warriors" should consider their position and offer their resignation with immediate effect. At no point did Councillor Cordery mention anyone by name or gender.
4. I can confirm that Councillor Cordery asked me to give my account of his comments at the meeting to the Ombudsman. My email and response to your office dated 5 January 2022 (Exhibit DE01) is my recollection of the event and Councillor Cordery's behaviour and comments during the incident.

Case reference number: 202105656

Statement of truth:

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed:



Dated:

28.7.22

Case reference number: 202105656

EXHIBIT DE01

From: [DAVID ELLIS](#)
To: [Louise Morland](#)
Cc: [REDACTED]
Subject: Charles Cordery Case no 202105656
Date: 05 January 2022 19:03:07

Dear Louise,

Please find attached a response regarding Councillor Charles Cordery.

Regards

Councillor David Ellis CMIOSH

Dear Miss/Mrs Morland

I have been contacted by Councillor Cordery a fellow Councillor to give my truthful recollection of his comments at an Extraordinary Meeting of Buckley Town Council held on October 20th 2021 which commenced at 7pm. The principle reason for the meeting was to debate and discuss the cancellation of the Towns fireworks event previously planned by the Town Council and to look at current guidance around Public Events and to debate that issue.

Councillor Cordery like myself and other Councillors had received many complaints from the public over a statement made by the Council Clerk calling genuine people on Social Media Keyboard warriors!

After hearing the announcement by the Council they had the point through many sources that the event could go ahead under new guidance introduced by Welsh Government on Monday 11th October

At the meeting on the 20th October the current Mayor Councilor Vivienne Blondek opened the meeting in an unusual and unprofessional manner which in my opinion stifled debate on comments made by the Council, which people had posted and viewed on social media and also complaints made directly to the Council directly which was not handled well.

The Mayor Councilor Blondek stated in her introduction that there would be no discussion on the words in the agenda that had caused offence. This is when Councilor Cordery raised a point of order immediately, over what he believed would stifle debate, and stated that it was shameful that it was not going to be the subject of debate and the response from Buckley Town Council to the public of Buckley was a disgrace and also added that we had a duty to respect the people of Buckley and to respond accordingly. He believed that the person who had made the comments regarding “**Keyboard Warriors**” should consider their position and offer their resignation with immediate effect.

Councillor Blondek tried to interrupt many times to stop Councillor Cordery speaking but she had allowed the point of order to be heard, the fault in my view lies with the way the Mayor introduced the meeting and handled it! As a previous Mayor in 2018/19 and an experienced Councillor of 12 years and held many positions as a Chair and Vice Chair of many Committees, I know from experience it is critical that you plan your introduction to the meeting, which Councillor Blondek clearly did not! As it was open to a point of order being raised and if Councillor Cordery would have not

raised a point of order I or other members would have raised the issue, as we have to have openness and accountability for our actions as a Council.

Please note; for clarity at no time did Councillor Cordery name anyone by name or by their gender. I made notes regarding what was said as I always do, due to my past experiences in the Council. I thought Councillor Cordery's comments and behavior reasonable as he has the right to put forward the views of his constituents, he also is very passionate about the people and Town he represents which some people might view differently but at no time during his speech did the Mayor class it as disorderly conduct under Section 12 (b) of Standing Orders the Chair has Powers to act. The Mayor continued the meeting after Councillor Cordery had finished speaking.

The Council sent an e-mail on the day of the meeting, stating that any discussions regarding employees of the Council would be held under Standing Order 33 (a) which excludes the Public and Press. I never read this e mail until the next day which is insufficient notice for such a meeting.

I was always under the impression that Buckley Town Councils Zoom Meetings are recorded to help with the factual minutes of our meetings? This is something that you should request as this will support my statement. Also members of the public who attended the meeting via zoom made comments on social media which I will include with this e mail.

The resolution of the Council was to go ahead with the firework display, and the decision was subject to any further advice from Welsh Government. I spoke at the meeting and informed the Council that the guidance had changed some time ago and was easily accessible on the internet also as a Council we are members of Flintshire Local Voluntary Council (FLVC) who keep abreast of changes in Legislation and they would have given the relevant advice that the fireworks display could go ahead under the current Guidance, as I regularly meet with them and AVOW at least once a month as I am Chairman of a Community Centre and responsible for the Health and Safety of the Building and the people who use the Centre, and keep abreast of changing guidance through FLVC.

Please note it was also the Council's decision to distance themselves from the wording on the Council website which the Clerk categorized local Facebook users as Keyboard Warriors, as the full Council had no prior knowledge of the wording being used by the clerk, which was supported unanimously by Councillors.

Background

Councillor Cordery was elected in May 2021 to Buckley Town Council and is as new Councillor, and whatever issues he has raised to date at Council he has been berated by a political faction of Councillors, and the clerk.

Councillor Cordery was previously a Labour Member and stood as a candidate in a bi-election in 2019 against Louis Fox on Buckley Mountain Ward at that time a *Conservative Candidate*. The Conservative Candidate Louis Fox was elected and a year later joined the Labour Party in Buckley which Councillor Cordery then left the Labour Party and stood as an Independent Councillor in another Bi Election in 2021 on the same Ward in which he stood against Labour!

His candidature was challenged by a Labour Councillor then (Deputy Mayor) Vivienne Blondek who phoned Buckley Councillor Mike Peers Leader of the Independent Alliance at Flintshire County Council and Chairman of Planning at Buckley Town Council and asked Councillor Peers to deselect Councillor Cordery as an Independent Candidate as he is trouble and an unsuitable Candidate in her opinion (even though she supported him when he stood as Labour). Councillor Peers phoned both myself and my wife Councillor Carol Ellis as we both represent the ward that the Bi- Election was being held and told us both of Councillor Blondeks request. Councillor Peers, an Independent Councillor himself, advised Councillor Blondeck that he was in no position to de-select anyone standing as an Independent in the by-election. Councillor Peers felt the approach by Councillor Blondeck was unusual and he wouldn't be party to agreeing to act as Councillor Blondeck wanted.

I phoned the then Mayor Councillor Arnold Woolley of Councillor Bondeks actions and asked that he have a strong word with Councillor Blondek (Deputy Mayor) **as I believed she had breached the Councils Code of Conduct 4. (b) Show respect and consideration for others; also 4 (c) not use bullying behavior or harass any person also 6.(1) You must – (a) not conduct yourself in a manner which could reasonably be regarded as bringing your Office or Authority into disrepute.**

Councillor Woolley never called back, so I presumed that he had spoken to Councillor Blondek, and warned her of her actions. I also informed Councillor Cordery of her comments which I only thought fair in the circumstances. Since being elected as Mayor, Councillor Blondeks approach to Councillor Cordery at meetings has not been one of respect, neither has the clerk who has been very abrupt and intolerant towards him when he has raised issues on behalf of residents.

Councillor Cordery has complained to Council about the induction process for new Councillors, as he was just given the Councillors Code of Conduct/Standing Orders and asked to sign for them by the clerk and told this information was bedtime reading, which is not classed a suitable training in my professional opinion. He also informed me recently to date he has not received or been offered any Code of Conduct training by Flintshire County Council as a new Councillor. This lack of formal training has been confirmed by the County Councils Monitoring Officer, Mr. Gareth Owens.

Summary

I have been a Buckley Town Councillor now for 12 years, and the Clerk during that time has reported 3 County Councillors/Town Councillors to the Ombudsman with support from a minority group of Councillors and failed every time. The Clerk's actions have brought a undercurrent of disharmony at the Council as he does not like challenge, something unfortunately we all have to put up with in life. I never have supported any of his actions by taking any Councillor to the Ombudsman, as this type of action as I have stated is unhealthy for the Council and a last resort, and should be discussed by the Establishment Committee which deals with staff employment issues (which I am a Committee Member) before this type of action is taken. The Council to my knowledge have received no grievance from the Clerk as per his terms and conditions of his employment, if the Clerk has an issue, to raise regarding his employment.

Councillor Cordery like many Councillors before him who have been subject of an Ombudsman's complaint by the Clerk, is of good character and only acts in the interests of the residents who elected him. Due to the issues that have happened at Buckley Town Council there has been a request from 6 Councillors myself included for a special meeting to deal with the ongoing issues this was lodged with the Mayor about 6 weeks ago, to date she has failed to action this meeting during this time citing the lack of a proper officer, despite Councillors calling for a locum clerk to progress meetings of the Council.

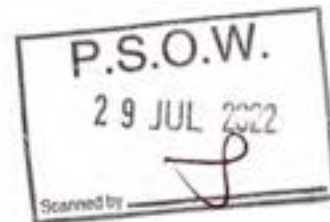
Regards

Councillor David Ellis FdSc CMIOSH

Appendix 16

WITNESS STATEMENT

Statement of: Councillor Carol Ellis
Address: Buckley Town Council
Age if under 18: Over 18
Occupation/Position: Member of Buckley Town Council



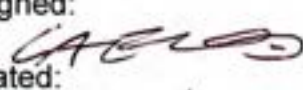
1. I, Councillor Carol Ellis, of Buckley Town Council ("the Town Council") make this statement in connection with a complaint made to the Public Services Ombudsman for Wales that Councillor Charles Cordery of Buckley Town Council has breached the Code of Conduct for elected members. The facts in this statement come from my personal knowledge.
2. On the evening of Wednesday 20 October 2021, I attended a Special Meeting of the Town Council held via Zoom, to discuss the cancellation of the annual bonfire and fireworks display. The meeting was attended by members of the Town Council, the Clerk, other Town Council staff, and members of the general public.
3. I can confirm that as the Mayor opened the meeting Councillor Cordery raised a point of order and said that it was shameful that the use of the term "Keyboard Warriors" in the Agenda item was not going to be a subject of debate. He said that the person who made that comment should consider their position and offer their resignation with immediate effect. At no time did Councillor Cordery mention anyone by name or gender. In my opinion Councillor Cordery's comments were criticism of the comments made by the Town Council in the agenda about "Keyboard Warriors".
4. Following the meeting I sent an email to Flintshire County Council's Monitoring Officer on 22 October 2021 about the incident (Exhibit CE01).
5. I can confirm that Councillor Cordery asked me to give my account of his comments at the meeting to the Ombudsman, and that my email to your office dated 7 January 2022 (Exhibit CE02) is my recollection of Councillor Cordery's comments during the incident.

Case reference number: 202105656

Statement of truth:

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed:

 (CAROL ANN ELLIS)
Dated: 28/7/22

Case reference number: 202105656

From: [Carol Ellis](#)
To: [Gareth Legal](#)
Cc: [Matthew Georgiou](#)
Subject: FW: Buckley ToWn Council
Date: 22 October 2021 09:42:50

Hello Gareth

I am sending you this email for information. I am sure it's been brought to your attention that the Firework display at Buckley was cancelled and all the back lash that came with the announcement . This was on Facebook and residents were posting how they couldn't understand the cancellation as reading Welsh Government guidance it appeared the event met the guidelines. There then was a notice on Buckley Town Council Website that a special meeting would take place about this and on the Agenda residents who had made comment where referred to as Key Board Warriors, this then fuelled the situation and I received many complaints about the phase as most comments made appeared to be asking questions.

One the day of the meeting Councillors received the enclosed email to which I responded. There has been a under lying current in the Council for sometime starting some years ago when staff were present when a Establishment Committee was held discuss a second pay increase in the same financial year. The atmosphere has been unpleasant to say the least. I have in the past had advice from yourself and Matt so I thought I should take the time to make you aware of the current unpleasant situation.

Regards

Carol Ellis

Sent with BlackBerry Work
(www.blackberry.com)

From: Carolann.ellis@[REDACTED]
Date: Friday, 22 Oct 2021, 7:52 am
To: Carol Ellis [REDACTED]
Subject: Fw:

Sent from my Huawei phone

----- Original message -----

From: Carolann.ellis@[REDACTED]
Date: Wed, 20 Oct 2021, 14:08
To: Tracey Reece [REDACTED], Vivienne Blondek [REDACTED], julia jones [REDACTED], carolynmpreece [REDACTED], Richard Jones [REDACTED], ianpeters101 [REDACTED], Ian Howes [REDACTED], arnold woolley [REDACTED], Martyn Teire [REDACTED], dennis.hutchinson [REDACTED], ellisd889 [REDACTED], Peter Shone [REDACTED]

[REDACTED], Mike Peers [REDACTED],
willwilliams05 [REDACTED] neville.phillips [REDACTED] Emma Preece
[REDACTED] Louis Fox [REDACTED], Charles Cordey
[REDACTED]

Subject: Re:

Thank you for your email I note that you mention Members have in the past used the Phase " Keyboard Warriors." It is my understanding that when this word was used Members were in fact referring to Facebook users who were concealing their true identity not Facebook users who are asking questions or expressing a opinion in their own name. Also that Members have directly challenged the person (using a made up identity not a real name) making a comment at the time. I do not believe that the comparison made in this email regarding Members comments in the past is relevant in my opinion o this Agenda.

Regards
Carol Ellis

Sent from my Huawei phone

----- Original message -----

From: Tracey Reece [REDACTED]
Date: Wed, 20 Oct 2021, 09:05
To: Vivienne Blondek [REDACTED] julia jones
[REDACTED], carolynmpreece [REDACTED], Richard Jones
[REDACTED], ianpeters101 [REDACTED],
Ian Howes [REDACTED], arnold woolley
[REDACTED], Martyn Teire [REDACTED],
dennis.hutchinson [REDACTED] ellisd889 [REDACTED]
Peter Shone [REDACTED], Mike Peers
[REDACTED], willwilliams05 [REDACTED]
neville.phillips [REDACTED], 'Carol' <carolann.ellis [REDACTED],
Emma Preece [REDACTED] Louis Fox
[REDACTED] Charles Cordey
[REDACTED]
Subject:

Dear Member

In case the matter of the expression "keyboard warriors" is brought up at the Special Meeting of the Council this evening, I would ask you to take cognisance of the following:-

As to my email to [REDACTED] and his response (copies attached):

1. I genuinely believed that the expression was in common parlance;
2. I have heard Members on numerous occasions using the expression when referring to Facebook and other Social Media platform posts; and
3. I meant no disrespect to anyone.

As Members know I am not a Facebook or other Social Media platform user.

I would remind Members that under Standing Order 33 (a) staffing matters and employment issues may not be discussed in public session and as such matters may only be considered after the Council has resolved to remove the press and public. Moreover, it maybe that a particular matter cannot be discussed in Council and has to be referred to the Establishment Sub-Committee which is responsible for employment issues.

Regards

M B Wright

Town Clerk & Financial Officer

The information you provide (personal information such as name, address, email address, phone number, organisation) will be processed and stored to enable us to contact you and respond to your correspondence, provide information and/or access our facilities and services. Your personal information will be not shared or provided to any other third party without your consent. We will only keep your data for the purpose it was collected for and only for as long as is necessary, after which it will be deleted. (You may request the deletion of your data held by the council at any time). The council privacy notice can be found on our website www.buckleytc.org.uk.

From: Carol Ellis
To: Louise Morland
Subject: BN - Witness C Ellis - Supporting Statement
Date: 07 January 2022 13:47:55

Sent with BlackBerry Work
(www.blackberry.com)

From: DAVID ELLIS [REDACTED]
Date: Thursday, 06 Jan 2022, 8:37 pm
To: Carol Ellis [REDACTED]
Subject: Ombudsman Ref Charles Cordery

Dear Mrs. Morland

I have been contacted by Councillor Cordery a fellow Councillor to give my account of his comments at an Extraordinary Meeting of Buckley Town Council on October 20th 2021; the Agenda item was to discuss the cancellation of the fireworks. Councillor Cordery like me and many other councillors had received complaints by residents over a statement made by Buckley Town Council calling people on Social Media Keyboard warriors.

An announcement that was posted on Facebook taken from Buckley Town Councils Website that the fireworks event was cancelled due to the Welsh Government Guidance on Public Events which required covid vaccination passports for the firework display.

People raised the issue through Buckley Residents Facebook Page that the event could go ahead under new guidance introduced by Welsh Government which did not require covid passports.

Complaints were made directly to the Council by residents who took offence to being called Keyboard Warriors, Members of the Public were Highlighting new Welsh Government Guidance. Members of the Public were in attendance via Zoom at this meeting, such was the feeling and interest in the Agenda item.

Councillor Cordery raised a point of order over a comment made by the Mayor that he believed would stifle debate and stated that it was shameful that the subject of Keyboard Warriors not going to be the subject of debate. The statement from Buckley Town Council to the Public of Buckley was a disgrace and also added that Buckley Town Council had a duty to respect the people of Buckley and he believed that the comments made regarding Keyboard Warriors that the person who made that comment should consider their position and offer their resignation with immediate effect. At no time during his statement did Councillor Cordery mention anyone by name or gender.

Councillor Cordery is a new Councillor and so far has not attended a full Council meeting in the Chamber (Apart From Zoom Meetings). Every time he has raised questions from residents he has been chastised by the Clerk and some members from his previous political group.

Councillor Corderys comments in my opinion were criticism of the comments made by the Council regarding the statement Keyboard Warriors. His Comments caused no

offence to me, as I have been a County Councillor and Town Councillor for over 20 years and have heard many passionate statements made in the heat of debate, without those present taking personal offence.

Regards

Councillor Carol Ellis

We welcome correspondence in Welsh and English and will respond to correspondence in the same language. Use of either language will not lead to a delay

Opinions advice, conclusions and other information in this message that do not relate to the official business of

Flintshire County Council shall be understood as neither given nor endorsed by it or on its behalf, and consequently Flintshire County Council shall bear no responsibility whatsoever in respect thereof.

Croesawn ohebiaeth yn y Gymraeg a'r Saesneg a byddwn yn ymateb i ohebiaeth yn yr un iaith. Ni fydd defnyddio'r naill iaith na'r llall yn arwain at oedi.

Deellir na fydd unrhyw safbwyntiau, na chynghorion, na chasgliadau nac unrhyw wybodaeth arall yn y neges hon, nad ydynt yn berthnasol i waith swyddogol

Cyngor Sir y Fflint, yn cael eu cynnig na'u cadarnhau ganddo nac ar ei ran, ac felly ni fydd Cyngor Sir y Fflint yn derbyn unrhyw gyfrifoldeb am y rhannau hynny o'r neges.

Appendix 17

From: [REDACTED]
To: [REDACTED]
Subject: Complaint made to the Ombudsman - 202105656 [REF/L0/bn/BX/5d/]
Date: 07 December 2021 17:24:09

Dear Councillor Cordery

Our reference: 202105656

Further to our telephone conversation yesterday, and as outlined in my colleague's letter dated 30 November 2021, the Ombudsman will consider any comments or additional information you want to provide as part of his initial consideration of this matter.

It may also be helpful if I explain that in determining whether to investigate a breach of the Code of Conduct, the Ombudsman initially applies a two-stage test. At the first stage, he will aim to establish whether there is direct evidence that a breach of the Code has occurred. At the second stage the Ombudsman considers whether an investigation is required in the public interest. As I explained this complaint is still at the initial consideration stage. It has not been decided if it should be investigated. I should also make it clear that if the case did progress to investigation, letters of support or witness evidence could be provided at that stage and you would be given the option to review evidence obtained and comment fully then as part of that process.

I note you have said that other members may wish to write letters of support now. These can be emailed to me at [REDACTED] or posted (marked for my attention) to Public Services Ombudsman for Wales, Ffordd yr Hen Gae, Pencoed CF35 5LJ. As I also explained we aim to complete our initial assessment of the complaint promptly and it would be helpful if any comments or further information could be provided as soon as possible. I should remind you that the Ombudsman's investigations are conducted in private and you are therefore asked not to discuss the details of the complaint with any potential witnesses or persons who may be involved in the matter, whether directly or indirectly, to avoid any prejudice to the investigation. Conduct of this kind may amount to a breach of the Code of Conduct.

I am also including a link to the Ombudsman's website which includes helpful guidance on complaints [Public Services Ombudsman for Wales](#) and information about using our Egress facility.

Yours sincerely

Louise Morland
Swyddog Ymchwilio/Investigation Officer
Ffôn/Tel [REDACTED]

From: [REDACTED]
To: [REDACTED]
Subject: Complaint made to the Ombudsman - 202105656 [REF/L0/bn/BX/5d/]
Date: 05 August 2022 15:59:00

Dear Councillor Cordery

Our reference: 202105656

Further to our telephone conversation on 29 July 2022 and the update on the investigation. As I explained although you notified us on 8 February of 3 witnesses who wished to give statements on your behalf, it does not appear to date that we have received any information from them.

A senior colleague has advised that whilst you would need to bear in mind confidentiality, as they are your witnesses it would be best for you to ensure they provide a statement if they wish to do so. I would suggest that if they do wish to provide a statement that it is provided by 19 August 2022. I should also explain that if you do have any queries I will be away from the office between 8 and 12 August 2022.

Yours sincerely

Louise Morland
Swyddog Ymchwilio/Investigation Officer
Ffôn/Tel: [REDACTED]

From: [Charles Cordery](#)
To: [Caroline Haram](#)
Cc: [Louise Morland](#)
Subject: IN - Acc Member - Email
Date: 05 August 2022 17:42:11

Dear Ms Haram,

I am in receipt of an email communication which was sent by Ms Louise Moreland earlier this afternoon which details the belief that no witness statements on my behalf have been received by the office of the local government ombudsman.

I cannot find resonance in this as two of my witnesses have already received acknowledgement from you as to their arrival at office of the ombudsman there is also a third statement from a named witness in support of myself who has also deposited a statement with the Ombudsman's office.

As I feel for the security of these quite salient pieces of documentation, I would now ask you to review all of the relevant documentation as pertaining to the complaint that has been lodged against me to ensure that nothing has been mislaid and that all the documentation that has been asked for in my defence is available for scrutiny on investigation.

I look forward to your cooperation and assistance in this urgent matter.

Kind Regards,

Cllr. Charles Cordery.
Deputy Mayor,
Buckley Town Council.
Flintshire.

Sent from Samsung Mobile on O2
Get [Outlook for Android](#)

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: Complaint made to the Ombudsman - 202105656 [REF/L0/bn/BX/5d/]
Date: 05 August 2022 18:37:56

Dear Councillor Cordery

Our reference: 202105656

Thank you for your further email dated 5 August 2022.

I can confirm that we have received supporting statements on your behalf from 2 witnesses, which have been acknowledged. As set out in my earlier email of today's date, you also advised details on 8 February 2022 for 3 further witnesses who wished to give statements on your behalf, which we do not appear to have received.

I note you say that a third named witness has deposited a statement with our office. I would be very grateful if you could provide details for the named witness you refer to and also confirm when the statement was provided and how. I will then look into the matter and respond to you in due course.

Whilst I have copied Ms Haram in to this message (so that she is aware that I am responding to you) I should explain that any correspondence should be sent to me in the first instance as the Investigating Officer and there is no requirement to send it to Ms Haram.

Yours sincerely

Louise Morland
Swyddog Ymchwilio/Investigation Officer
Ffôn/Tel: [REDACTED]

From: [Charles Cordery](#)
To: [Louise Morland](#)
Cc: [Caroline Haram](#)
Subject: Re: Complaint made to the Ombudsman - 202105656 [REF/L0/bn/BX/5d/]
Date: 05 August 2022 18:56:05

You don't often get email from [REDACTED]. [Learn why this is important](#)

Dear Ms Moreland,

Thank you for your reply to my message.

The other named witness who is in support of myself is Cllr Julia Jones who has sent in her statement earlier in the year presumably by email?

it would greatly assist me in my defence if you could supply me with the other three names who were given to the Ombudsman's office in February 2022 as I cannot at this moment in time recall them.

I look forward to your assistance in this matter.

Kind Regards

Cllr Charles Cordery
Deputy Mayor,
Buckley Town Council.

Sent from Samsung Mobile on O2
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From: [REDACTED] <[REDACTED]>
[REDACTED]
Sent: Friday, 5 August 2022, 18:37
To: [REDACTED]
Cc: C [REDACTED] s <[REDACTED]>
Subject: Complaint made to the Ombudsman - 202105656 [REF/L0/bn/BX/5d/]

Dear Councillor Cordery

Our reference: 202105656

Thank you for your further email dated 5 August 2022.

I can confirm that we have received supporting statements on your behalf from 2 witnesses, which have been acknowledged. As set out in my earlier email of today's date, you also advised details on 8 February 2022 for 3 further witnesses who wished to give statements on your behalf, which we do not appear to have received.

I note you say that a third named witness has deposited a statement with our office. I would be very grateful if you could provide details for the named witness you refer to and also confirm when the statement was provided and how. I will then look into the matter and respond to you in due course.

Whilst I have copied Ms Haram in to this message (so that she is aware that I am

responding to you) I should explain that any correspondence should be sent to me in the first instance as the Investigating Officer and there is no requirement to send it to Ms Haram.

Yours sincerely

Louise Morland

Swyddog Ymchwilio/Investigation Officer

Ffôn/Tel: [REDACTED]

--

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Gallwch ysgrifennu atom yn Gymraeg a byddwn yn ymateb yn Gymraeg. Ni fydd hyn yn arwain at oedi cyn ymateb.

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You can write to us in Welsh and we will reply in Welsh. This will not lead to a delay in responding.

Sganiwyd y neges hon am bob feirws hysbys wrth iddi adael Ombwdsmon Gwasanaethau Cyhoeddus Cymru.

Mae Ombwdsmon Gwasanaethau Cyhoeddus Cymru yn cymryd o ddifrif yr angen i ddiogelu eich data.

Mae ein Hysbysiad Preifatrwydd yn esbonio sut rydym yn defnyddio eich gwybodaeth a sut rydym yn diogelu eich preifatrwydd.

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All calls are recorded for training and reference purposes

Ystyriwch yr amgylchedd – a oes wir angen i chi argraffu'r neges e-bost hon?

Please consider the environment - do you really need to print this email?

From: [Charles Cordery](#)
To: [Louise Morland](#)
Subject: IN - Acc Member - Acknowledgement
Date: 16 August 2022 14:17:37

Dear Ms Moreland,

Thank you for your message.

I can confirm that Cllr Ian Peters and Cllr Mike Peers will send in witness statements on my behalf to the email address as indicated.

In respect of Cllr. Julia Jones who is also the elected Mayor she confirms that a statement has previously been sent to the office of the Ombudsman

She also makes a request for yourself as the investigating officer could you please contact her on the details as given below.

email: juliajones31 [REDACTED]
[REDACTED]

I have also reason to believe that as the meeting was entirely conducted by Zoom a recording of this will be in existence it would be of great benefit if this recording could be found.

I look forward to your assistance in this matter.

Kind Regards,

Cllr Charles Cordery,
Deputy Mayor
Buckley Town Council.

Sent from Samsung Mobile on O2
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From: [REDACTED] <[REDACTED]>
Sent: Tuesday, August 16, 2022 11:30:26 AM
To: [REDACTED]
Subject: RE: IN - Acc Member - Acknowledgement [REF/L0/bn/BX/5d/]

Dear Councillor Cordery

Our reference: 202105656

Further to the emails below, our IT department have advised they are only able to check the spam filter from the beginning of August onwards. As such, I would be grateful if Cllr Jones could send her statement to my email address (copied to caseinfo@ombudsman.wales) by 30 August 2022, using the above reference number.

Yours sincerely

Louise Morland
Swyddog Ymchwilio/Investigation Officer

Ffôn/Tel: [REDACTED]

From: "Charles Cordery" [REDACTED]

Sent: 15 August 2022 18:01

To: "Louise Morland" <[REDACTED]>

Subject: IN - Acc Member - Acknowledgement

Dear Ms Moreland,

Thank you for your message I will endeavour to provide the witness statements as required.

Kind Regards,

Cllr.Charles Cordery

Deputy Mayor,

Buckley Town Council.

Sent from Samsung Mobile on O2

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From: [REDACTED] <[REDACTED]>

Sent: Monday, August 15, 2022 5:52:42 PM

To: [REDACTED]

Subject: Complaint made to the Ombudsman - 202105656 [REF/LO/bn/BX/5d/]

Dear Councillor Cordery

Our reference: 202105656

Further to your email dated 5 August 2022 and our telephone conversation today. You have advised that Cllr Peers, Cllr Jones and Cllr Peters wished to provide statements on your behalf, however, as discussed, we do not appear to have received these to date. I note you said that Cllr Jones may have sent a supporting statement via email earlier this year and I will check with our IT department to see if anything could possibly have got caught in a spam filter.

In the meantime, and bearing in mind confidentiality, you will ensure that any supporting statements to be provided are sent to me via my email address (and copied to caseinfo@ombudsman.wales) using the above reference number. As such, I would be very grateful if any information could be provided by 30 August 2022.

Yours sincerely

Louise Morland

Swyddog Ymchwilio/Investigation Officer

Ffôn/Tel: [REDACTED]

--

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Welsh Language Promotion
You can write to us in Welsh and we will reply in Welsh. This will not lead to a delay in responding.
Sganiwyd y neges hon am bob feirws hysbys wrth iddi adael Ombwdsmon Gwasanaethau Cyhoeddus Cymru.
Mae Ombwdsmon Gwasanaethau Cyhoeddus Cymru yn cymryd o ddifrif yr angen i ddiogelu eich data.
Mae ein Hysbysiad Preifatrwydd yn esbonio sut rydym yn defnyddio eich gwybodaeth a sut rydym yn diogelu eich preifatrwydd.
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All calls are recorded for training and reference purposes
Ystyriwch yr amgylchedd – a oes wir angen i chi argraffu'r neges e-bost hon?
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Hybu'r Gymraeg

Gallwch ysgrifennu atom yn Gymraeg a byddwn yn ymateb yn Gymraeg. Ni fydd hyn yn arwain at oedi cyn ymateb.
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Sganiwyd y neges hon am bob feirws hysbys wrth iddi adael Ombwdsmon Gwasanaethau Cyhoeddus Cymru.
Mae Ombwdsmon Gwasanaethau Cyhoeddus Cymru yn cymryd o ddifrif yr angen i ddiogelu eich data.
Mae ein Hysbysiad Preifatrwydd yn esbonio sut rydym yn defnyddio eich gwybodaeth a sut rydym yn diogelu eich preifatrwydd.
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Ystyriwch yr amgylchedd – a oes wir angen i chi argraffu'r neges e-bost hon?
Please consider the environment - do you really need to print this email?

Appendix 18

From: [julia jones](#)
To: [REDACTED]
Cc: [caseinfo](#)
Subject: IN - Witness Cllr Jones - Response
Date: 16 August 2022 14:29:55

You don't often get email from [REDACTED] [why this is important](#)

Sent from Samsung Mobile on O2
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06/01/2022

Reference 202105656

Dear Miss/ Mrs Morland

I am writing to you in response to a letter that has been received by Councillor Cordery regarding his comments made at an extraordinary Meeting of Buckley Town Council on October 20th, 2021. The agenda for this meeting was to discuss the cancellation of the Towns fireworks.

We as councillors along with Councillor Cordery had received a lot of complaints form the public regarding this issue.

On the night the meeting was opened by the Mayor Councillor Vivienne Blondek, we were then told that there would be no discussion on the wording of the agenda this is when Councillor Cordery raised a point of order.

The wording in the agenda referred to the public as "Key Board Warriors" which has upset a lot of the public. While Councillor Cordery was speaking the mayor kept interrupting, but at no point did Councillor Cordery refer to anyone by name or gender, he was merely stating what had been said to him by the pubic of Buckley when airing their disbelief at the comments made on the Buckley Town Council's Webpage.

As a council it was our decision to distance ourselves from the wording on the council webpage which referred to Facebook users as "Keyboard Warriors".

Kind Regards

Councillor Julia Jones
Deputy Town Mayor of Buckley

From: [REDACTED]
To: [REDACTED]
Subject: Complaint to the Ombudsman [REF/L0/bn/BX/5d/]
Date: 10 October 2022 14:42:45

Dear Councillor Jones

Our reference: 202105656

Further to my email below, I note that to date we do not appear to have received your response. I would be very grateful if you could return the information as soon as possible and no later than 14 October 2022. If I do not hear from you by that time, I will assume that you do not intend to respond.

If you have any queries in relation to the letter and enclosure, please contact me directly either by telephone on [REDACTED] or by email at [REDACTED]

Yours sincerely

Louise Morland
Swyddog Ymchwilio/Investigation Officer
Ffôn/Tel: [REDACTED]

From: "[REDACTED]" <[REDACTED]>
[REDACTED]

Sent: 20 September 2022 14:46
To: [REDACTED]
Subject: Complaint made to the Ombudsman - 202105656 [REF/L0/bn/BX/5d/]

Dear Councillor Jones

Our reference: 202105656

Further to my letter (with enclosures) dated 7 September 2022, I note that to date we do not appear to have received your response. I would be very grateful if you could return the information as soon as possible and no later than 27 September 2022.

Yours sincerely

Louise Morland
Swyddog Ymchwilio/Investigation Officer
Ffôn/Tel: [REDACTED]

Appendix 19

TRANSCRIPT

FOR: Public Services Ombudsman for Wales
PN No: PN8629
TITLE: Councillor Charles Cordery Interview
TYPE: Interview
CONVENTION: Verbatim
AUDIO LENGTH: 100 minutes
TRANSCRIBER: EST/HW1
AT: ESSENTIAL SECRETARY LTD
COMPLETION DATE: 05.12.2022

TRANSCRIBER'S NOTES:

Any difficulties experienced, accents and general comments

NUMBER OF UNCLEARs	3	NUMBER OF INAUDIBLES	1
SPELL CHECK PERFORMED	Yes	PROOFING PERFORMED	Yes
WORD COUNT	16316	PAGES	64
AUDIO QUALITY	Fair but some background noise at times (papers shuffling)		
SPEAKER RELATED ISSUES			
EQUIPMENT RELATED ISSUES			
TERMINOLOGY ISSUES			
OTHER COMMENTS			

Please find attached your completed transcript.

Whilst every effort is made to ensure that the attached transcript is an accurate record of your audio recording, sometimes difficulties are encountered in understanding technical words, people speaking with a foreign accent and in some cases when somebody is speaking from a crowded room with a lot of background noise and from mobile phones.

Where we have had difficulty understanding words we have indicated this as [unclear] with the appropriate time stamp, or simply attempted to spell the word phonetically but followed it with [ph].

Councillors Name: Charles Cordery

Public Services Ombudsman Wales
Interview Record

Date: 30.11.2022 Venue: MS Teams.....

Interviewing Officer(s): Louise Morland - Investigator.....

Others Present: Matthew Phelps - Support for Louise Morland
Jane Spencer – Support for Councillor Cordery

LM: Okay the date is Wednesday the 30th of November 2022. The time is 13:58 by the timer on the machine. And this is an interview in relation to a complaint made by Mr Martin Wright, former Clerk to Buckley Town Council, now deceased, against Councillor Charles Cordery which alleges breaches of the Code of Conduct for members of Buckley Town Council. So, I'm Louise Morland. I am an Investigator for the Public Services Ombudsman for Wales. Also here today as support and who may be taking notes for me is my colleague.

MP Matthew Phelps.

LM: Okay. And being interviewed today is.

CC: Councillor Charles Cordery from Buckley Town Council.

LM: Thank you. And you have someone here with you today for support. And that's.

JS: Jane Spencer.

LM: Thank you. So, I must make it clear to Councillor Cordery that although Miss, is it Mrs, Miss Spencer.

JS: Yes.

LM: Miss?

JS: Yes.

LM: Miss Spencer is here as support for you. The interview is directed to you as the elected member and therefore the answers must be your own and Miss Spencer may not provide answers on your behalf. Okay. Right, okay. Right, so the interview is being simultaneously recorded on two CDs. One CD will be sealed in your presence and will be kept securely in

Case Reference:

Councillors Name: Charles Cordery

case it's needed by an Adjudication Tribunal or a Standards Committee Hearing. And the other will be a working copy to which the Ombudsman or her staff may listen and from which further copies can be made. And both CDs are protected against tampering and before making final recommendations the Ombudsman will provide you with a written transcript of the interview. Okay, before making final recommendations, the Ombudsman, oh I've just said, can provide you with a written transcript and if you have a legal representative or a friend acting for you, who requires an additional copy of the transcript, it may be provided, although the Ombudsman does reserve the right to charge, okay. And requests for an additional copy should be made to the Ombudsman's Information Governance Manager, okay. The interview is anticipated to last between one and two hours. So, can you confirm that you've allowed enough time to complete the interview?

CC: Absolutely, yes.

LM: Yeah. And can you confirm that you're well enough to answer questions today?

CC: Yes, I am.

LM: And can you confirm that you have everything with you that you might need, during the course of the interview, such as reading glasses, medication or anything else that you might need?

CC: I have everything.

LM: Great. And can I ask that any mobile phones or other electronic devices which might interrupt us are either switched off or turned to silent.

CC: I don't have one.

CC: Mine's in the car.

LM: Yeah.

JS: Yeah.

LM: Great, thank you. And in the event that you need a comfort break or a break for any other reason at any stage, just let me know and we can pause the recording and then carry on. And for the benefit of the recording, can you please confirm that prior to the recording being switched on, we've not discussed the case or any other matter subject to this interview in any way.

CC: I can confirm that.

Case Reference:

LM: Yeah, great, thank you. And can you confirm that you've received the Evidence file which was sent to you via Recorded Delivery on 2nd November 2022 which comprised 381 pages of documents?

CC: I can but however, in the evidence file, there doesn't appear to be Witness statements that were compiled on my behalf by Councillor Julie Jones.

LM: Okay, what I would say about that, is that obviously you alerted me to the fact that Julie Jones would provide a witness statement.

CC: Yeah.

LM: She did provide an email, okay and I did draft a witness statement for her. And asked her to return it and nothing was returned and I did pursue that with her several times but we didn't get anything returned to us, so has she, has she said that she's done one for you?

CC: She said she spoke to you. She, she contacted, she'd actually.

LM: I did speak to her on the telephone and we emailed.

CC: Yeah, okay. Councillor Mike Peers?

LM: Mike Peers, I haven't received anything from Mike Peers.

CC: Okay. Carol Ellis?

LM: Yes.

CC: Okay. That's not in the pack. Unless I've missed it; it may, may be in the pack but.

LM: It should be in the pack.

CC: Okay.

LM: Okay?

CC: Yeah.

LM: Great, okay. So, as I say, the interview is directed to you as the elected member and it's expected the answers will be your own. So, I'll tell you a little bit about the allegation which has been made against you and then I'll go through some questions relating to that and I would ask that you listen to the questions carefully and answer them as fully as you can. Okay, the questions are my opportunity to cover the issues I need to and your

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answers are your opportunity to respond to the allegation and provide the Ombudsman with any information which may assist with us in reaching our conclusions.

CC: Yeah, just for clarification.

LM: Yes.

CC: From, from the pack.

LM: Yes.

CC: From the bundle, I have a number of observations to make.

LM: That's fine.

CC: Can they be made at the end or as we go through?

LM: You can do it however it seems appropriate to you to do it. If you want to talk about them as we go through, that might make the most sense. Or we can do it at the end. It's completely up to you.

CC: Yeah, perhaps it may be best left to the end. And there are also Minutes from the Buckley Town Council.

LM: Yes.

CC: Which may well, will be beneficial.

LM: Yes. Yeah, that's fine.

CC: Okay.

LM: Anything like that, yeah. It's your interview; it's your opportunity to say what you want to say.

CC: Okay.

LM: Okay. So, please be aware that any information or evidence that you do give to me today is likely to be detailed in or appended to any Report that the Ombudsman may produce on her findings. And any such Report may, depending on the finding made by the Ombudsman, be shared with the Standards Committee of the local authority or the Adjudication Panel for Wales, who may hold any Hearing in public and may also publish a Report and Appendices in the public domain.

CC: Okay.

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LM: Okay. So, you've been asked to undertake an interview today because it's been alleged that at a public Town Council meeting on 20th of October 2021 you made comments about Mr Wright who, the former Clerk and called for him to resign. Do you understand the allegations that have been made?

CC: I do, yeah.

LM: Okay. The Ombudsman is investigating whether your conduct may have breached the following paragraphs of the Code. And we have

4b which is 'Members must show respect and consideration for others'.

6.1a which is 'Members must not conduct themselves in a manner which could reasonably be regarded as bringing their office or Authority into disrepute'.

7a which is 'Members must not in their official capacity or otherwise, use or attempt to use their position improperly, to confer on or secure for themselves or any other person an advantage or create or avoid for themselves or any other person, a disadvantage'.

and

8a iii Members must when participating in meetings or reaching decisions, regard the business of their Authority, regarding the business of their Authority, do so on the basis of the merits of the circumstances involved and in the public interest, having regard to any relevant advice provided by their Authority's Officers, in particular by the Authority's Monitoring Officer'.

Okay, so what, what I'm going to do then is I'm going to carry on with some questions now. But before I do that, is there anything, do you have any question for me or is there anything you want to say before we carry on with my questions?

CC: No, I'm quite happy to continue.

LM: Great, okay. So, if you're ready then, let's turn to Appendix 3 which should be page 102 of your pack. So go to page 102 of your bundle.

CC: Page.

LM: 102. Okay. Okay, so on page 102, we have a Declaration of Acceptance of Office. And what I need you to do is confirm for me that it contains a copy of a form which confirms your acceptance of the office of Member

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and the undertaking to observe the Code and that bears your signature.
And it's dated 13th of May 2021.

CC: That is correct.

LM: That's your signature, great. So, on what date did you, I appreciate you've signed that on the 13th of May, but when did you actually become a member of the Council?

CC: Well there was, there was a By-election.

LM: Yeah.

CC: There were two, one I wasn't successful in.

LM: Yeah.

CC: And the second one was some time after, in which I was successful.

LM: Okay.

CC: But it was sometime before I was asked to meet with the Clerk.

LM: Okay.

CC: And sign the certificate, which is in the bundle.

LM: Okay. So, would you say it was May, May?

CC: It, it, it could well have been, it's, it's a long-time ago.

LM: It's a long-time ago, but we're talking 20, 2021.

CC: Yeah.

LM: And this is the first declaration that you've signed.

CC: Yeah.

LM: Okay, that's fine.

CC: Yeah.

LM: Okay, so we're talking about events that happened on the 20th of October 2021 and I appreciate you were elected in May, around about May 2021, the beginning of May 2021. So, between those two periods, did you undertake any training on the Code of Conduct?

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CC: None whatsoever.

LM: No, okay. And have you undertaken any training since?

CC: Yes, Gareth, I think, Gareth Owens, the Legal Officer for Flintshire County Council.

LM: Yeah.

CC: Organised, it was done by Zoom.

LM: Okay.

CC: And that was, that was just a couple of months ago.

LM: Okay.

CC: But it was organised, there were quite a few, quite a few slots on there.

LM: Okay.

CC: But it was mandatory, you had to.

LM: Yeah.

CC: You had to take it and it was all done by Zoom.

LM: So, where are we now, we're, we're in November, end of November aren't we, so a couple of months ago, you're talking?

CC: Yeah. Yeah.

LM: August, September? Do you remember?

CC: August, no, or September, it would be, August, September, way before August.

LM: Oh before August.

CC: Yeah, before August yeah.

LM: Okay. Okay. And that's the first training you were offered in, since then, okay. So, when you were elected, did you receive things like the Council's Standing Orders, financial regulations to look at?

CC: On the day that I signed this document.

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LM: Yeah.

CC: I met the Clerk for the first time.

LM: Yeah.

CC: I believed that I was going in there for induction.

LM: Yes.

CC: A purposeful induction.

LM: Yeah.

CC: What I received was a tour of the building.

LM: Yeah.

CC: He pointed out something that had come from South Africa, that was, it was a statue of some sort that was, and he gave me a bundle and he said that was 'bed-time reading'.

LM: Okay. But did that contain those things like Stand, Standing Orders.

CC: Yeah, there was, there was everything in there.

LM: Everything was in there.

CC: But what it meant to me was, I really expected to have a comprehensive induction.

LM: Yeah.

CC: On, on, on the documentation that had been given to me.

LM: Yeah.

CC: And it wasn't there.

LM: Okay.

CC: It was just, the comment was 'This is bed-time reading'.

LM: Okay. So, would, would you say that, I mean did you look at those documents then, did you assimilate them or?

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CC: I, I attempted to.

LM: Yeah.

CC: But, but when, it, it's like you've just described the allegations against me.

LM: Yeah.

CC: Paragraph A, paragraph, section 13, paragraph A, paragraph B.

LM: Yeah.

CC: As a new Councillor.

LM: Yeah.

CC: That, to me, is, I'm, I'm more concerned with dealing with what's, what the people ask me to do.

LM: Okay, yeah.

CC: What the residents are asking me to do.

LM: Yeah.

CC: At the time, it seemed like a bundle of documents.

LM: Okay.

CC: And I was expecting somebody really, to come to me later on and sit down and say 'Well this is, this is how it all works'.

LM: Yeah.

CC: And nobody did.

LM: And, and that didn't happen. You didn't have any training on those things?

CC: None at all.

LM: Okay. Alright, that's fine. Alright then, so tell me a bit about your experience in the Council then, as a Member. I appreciate what you're saying is that you were elected at the beginning of May. Have you ever been a Councillor before that?

CC: No.

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LM: So, so at that time, you didn't have any experience of being a Councillor?

CC: No experience whatsoever.

LM: Okay. Okay. So, when, when you were elected and you were a new Member, did you belong to any committees? Were you the Chair of anything or?

CC: No. I've since been elected Deputy Mayor.

LM: Okay.

CC: Of, of the town.

LM: And that's this year is it?

CC: That was this year, yeah.

LM: That's, and is that the first time you've held that sort of role?

CC: Yeah, the civic role, yeah.

LM: Okay. So, you're, you're Deputy Mayor for this year.

CC: Yeah.

LM: Yeah, does that run from May to May.

CC: Yeah, May, yeah.

LM: Yeah. So, we're talking May 2022 to May 2023.

CC: Yeah.

LM: Yeah, great okay. Okay, right, so, okay, I appreciate what you said, that you know, you, at the time you were, you were not an experienced Councillor. Okay, would you now describe yourself as an experienced Councillor or?

CC: Experience is, how would you describe experience? I mean do you ever stop; I mean every day is a challenge.

LM: Yeah.

CC: And you learn things, every day.

LM: Yeah.

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CC: So, I mean there's people that's been on that, on Buckley Town Council for many, many years.

LM: Yeah.

CC: I wouldn't class myself as on, on, there's County Councillors on there.

LM: Yeah.

CC: With far more experience than I.

LM: Yeah.

CC: So, I wouldn't really class myself as.

LM: No.

CC: I'm still finding my.

LM: Yeah.

CC: Still finding my feet.

LM: Yeah, okay. Alright. Alright then, so I'm going to, I mentioned the paragraphs of the Code, okay, earlier so I'm going to go over those again now. And I'm going to ask you to explain, it's your opportunity to just to explain, in your words, what you feel your understanding of the paragraphs, of those paragraphs is. So, if we talked about 4b. That's 'Members must show respect and consideration for others'. What's your understanding of that?

CC: I, in, in every meeting.

LM: Yes.

CC: That, that I attend, I'm inquisitive.

LM: Yeah.

CC: That's as I should be.

LM: Yeah.

CC: I ask, I ask questions, which I'm allowed to do.

LM: Yeah.

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CC I never step across any kind of boundary that could be described as inappropriate. I'm always respectful of other people. You, you might not, that might not be reciprocal. But I always endeavour to do it the, the right way, the fair way, the reasonable way.

LM: Yeah.

CC: And as, as a Councillor, that's what I aspire to.

LM: Okay.

CC: I, I became a Councillor to help people.

LM: Yeah.

CC: To, you know, to try and make, make things better for people. Not for myself.

LM: No.

CC: Because it's an unpaid position.

LM: Yeah.

CC: It's a voluntary position but I've always striven, well striven to do the best I can for people.

LM: Yeah.

CC: That's the, the, the best way.

LM: Okay.

CC: I can describe at the meetings, Buckley Town Council can be, there are individuals on there from a, a certain political persuasion that, that can, that can and will make it quite difficult, quite tenuous, but for myself, I've always striven to be reasonable.

LM: Mm.

CC: And ask, and ask questions, which I'm entitled to do.

LM: Yeah. Okay. That's, that's helpful. Thank you. So, if we talk about 6.1a then, which is 'Members must not conduct themselves in a manner which could reasonably be regarded as bringing their office or Authority into disrepute'. What, what's your understanding of that?

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CC: Conduct, if, in order to draw things out.

LM: Mm.

CC: As I'm entitled to do.

LM: Mm.

CC: You can, as we all know, raise a Point of Order. Now, to me, that's, if it's relevant.

LM: Mm.

CC: To what's, to what's being discussed, then it should be allowed.

LM: Okay.

CC: Again, there's no histrionics, there's, there's no shouting, there's, if, if it's not allowed, it's not allowed. But sometimes you do have to press the point. If I'm asked by the residents to make a point, and find out what is, then that's all I can do.

LM: Mhm.

CC: I'd be letting the people that voted for me down, if I didn't do that.

LM: Okay.

CC: If I was to go in there and just say nothing.

LM: Mm.

CC: Then I would fail everybody; not just myself but the people that voted for me.

LM: Okay.

CC: I'm not prepared to do that.

LM: No, okay. That's fine. And 7a and that's 'Members must not in their official capacity or otherwise use or attempt to use their position improperly, to confer on or secure for themselves or any other person, an advantage, or create or avoid for themselves or any other person, a disadvantage'.

CC: I've never sought to create an advantage or a disadvantage. I expect a level playing field.

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LM: Okay.

CC: I expect reasonable dialogue.

LM: Yeah.

CC: I expect commitment and I expect reasonability. To gain an advantage, I've never done that.

LM: No, okay. Okay. And 8a which is 'Members must when participating in meetings or reaching decisions regarding the business of their Authority, do so on the basis of the merits of the circumstances involved and in the public interest, having regard to any relevant advice provided by their Authority's Officers, in particular by the Authority's Monitoring Officer'.

CC: In respect of the Monitoring Officer, did he disclose a conflict of interests? Because from, from a lay-person, reading the documentation, it seems that it's all been driven by Gareth Owens.

LM: Okay.

CC: Now, as a Trade Union representative.

LM: Mhm.

CC: With many members in Flintshire County Council, I've, I've come into contact with Gareth, on one particular incident. When one of my members was, I supported, I supported her for over 12 months in an issue with Flintshire County Council. Now, Gareth became involved in that.

LM: Mhm.

CC: Now, he may have derived an opinion of me.

LM: Mhm.

CC: From that.

LM: Okay.

CC: Now I really do think that he should have disclosed a conflict of interests because there's things that I will like to mention after.

LM: Mhm.

CC: Which, which to me, are quite wrong.

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LM: Mhm.

CC: In the way that, the way this has all developed.

LM: Okay, so you mention a conflict of interests. Is that.

CC: Well he.

LM: Just expand on that a little bit for me to what you, what you mean?

CC: Yeah. As, as a Trade Union representative.

LM: Yeah.

CC: For the GMB.

LM: Yeah.

CC: We have many members in Flintshire County Council.

LM: Yeah.

CC: Now, one of them in particular, a lady, I supported for 12 months, over 12 months and it, it, at times it was a difficult situation because it, it was her job.

LM: Okay.

CC: It was her employment on, on the line.

LM: Yeah.

CC: Now, eventually Gareth became involved. Now he may have gained an opinion of me.

LM: Mhm.

CC: Which he, you know, he wasn't quite happy with. I mean lawyers, barristers don't like to be challenged. Now, I, all the issues.

LM: So, you think it might be because of that situation?

CC: It's, it's possible.

LM: Okay. Okay.

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CC: It's quite, I don't know for sure.

LM: No.

CC: But it's quite possible. But I have to mention it.

LM: Yeah.

CC: Because it's all being driven by the Monitoring Officer.

LM: Okay. Okay. Right, okay. Alright, so let's, let's talk about, let's talk about the events and what happened. Now, I understand obviously there's a, there's a lot of information that you've, you've been given to look at. A lot of it has been provided by Mr Wright. And it's clear, obviously there was, there were, you joined the Council in the May and there were some issues over the summer with Mr Wright. Is, is that correct? Do you want to talk about what has, a bit of the background to that?

CC: Yeah, I mean there was, there was an exchange of emails, quite a long exchange of emails.

LM: Yeah.

CC: Which has been exacerbated out of all proportion.

LM: Yeah, okay.

CC: That, that's, I, the emails that, the communications between Mr Wright and myself.

LM: Yeah.

CC: Were shown to a retired Human Resource Officer of good standing. She said that they were, they got to a point where they were bullying and they, they virtually bordered on harassment. But that's what you found with Mr Wright.

LM: Okay.

CC: I know, it's difficult for me to talk about Mr Wright because he's deceased.

LM: Okay, yes.

CC: But I would much rather he be sitting there.

LM: Yeah.

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CC: So we could have a free-flow discussion.

LM: Yeah.

CC: But he was known to be aggressive.

LM: Yeah.

CC: He was known to be a person that you could not challenge.

LM: Okay.

CC: Unfortunately, I've, I've come along and there was, we were coming out of the lockdown.

LM: Yeah.

CC: And there were some smaller community councils, the locals, you know, to, to Buckley Town Council.

LM: Yeah.

CC: They, they put on events. They were quite big events; one lasted for three days. And I'm around town, I mean I'm semi-retired.

LM: Mm.

CC: So, I'm around the town every day and people, I talk to everybody. And they, the views of the residents over what's happening right now, we have [unclear 22:32].

LM: Mm.

CC: So, this is where, there, there was, there was a couple of, the Buckley Jubilee was cancelled.

LM: Yeah.

CC: Which had to be cancelled.

LM: Yeah.

CC: But my, my comments around what wasn't being provided were built on the fact that lesser councils, of a lesser status, not, I wouldn't say 'less' but other smaller, but were putting things on for their community.

LM: Mhm.

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CC: And Buckley Town Council was left on the outside.

LM: Mm.

CC: There was a fireworks display.

LM: Mm.

CC: Which was cancelled by the Town Clerk.

LM: Mm.

CC: Which he shouldn't have done.

LM: Mm.

CC: He should have gone to the Town Council and then cancelled it.

LM: Mhm.

CC: But he had a habit of doing things on his own.

LM: Yes.

CC: Without telling anybody. And that led to a bit of confusion and a bit of annoyance with the, with the community.

LM: Yes.

CC: And that's where the, the email trail started from.

LM: Okay.

CC: Now, along with that, as an employee, and I'm right that ostensibly, I was, as a Councillor, I was his employer.

LM: Yeah.

CC: Now he made a comment. There was a lot, there was Facebook, I mean I, I avoid Facebook like the plague.

LM: Mm.

CC: But there was a lot of comments on Facebook.

LM: Mhm.

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CC: Which unfortunately he responded to, in a negative way.

LM: Yes.

CC: Now, that caused a lot of anger in the town. I mean the, the phrase, is it, the phrase, what's it, 'voyeurism', he called it something.

LM: I think, I think the issue was over the use of the words 'keyboard warriors'.

CC: Keyboard warriors.

LM: Yeah.

CC: Well that, that found its way onto Facebook.

LM: Yeah.

CC: And the community reacted to that.

LM: Yeah.

CC: Reacted in quite a, quite a strong way.

LM: Yeah.

CC: That's probably all I can say about that.

LM: Okay. That's fine. So, from, obviously we've got the, the email exchanges and the information in the pack.

CC: Yeah.

LM: And you know, from what you're saying, your relationship with Mr Wright, from early days, from when you're being a Councillor, it was difficult. Was that fair to say, was it?

CC: I wouldn't, difficult is quite a descriptive word.

LM: Yeah.

CC: He was difficult with everybody.

LM: Okay.

CC: Not just myself.

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LM: Yeah.

CC: But he couldn't be challenged.

LM: No.

CC: And I'm sure that the, the emails that I've sent, I mean they were assertive.

LM: Yeah.

CC: I don't think they crossed any boundaries on anything else.

LM: No, okay.

CC: But he saw it as a challenge.

LM: Yeah.

CC: And, and took it on as, as that.

LM: Okay. Okay, so, so then though, the nature of the relationship between the two of you was a bit.

CC: We, we, we hardly, we, we never met.

LM: No, okay.

CC: We communicated by email.

LM: Yeah, okay.

CC: But we never met. I mean I did attend a few meetings, where he was, as the Clerk he was in attendance.

LM: Yeah.

CC: But yeah, we never communicated directly.

LM: Okay. Okay. So, so tell me, tell me about the, the meeting then with the Monitoring Officer, which I think took place on the 18th of October.

CC: Yeah. I understand that, that Gareth, Gareth Owens is, is friendly, or was friendly, I mean Martin Wright worked in Flintshire County Council.

LM: Okay.

CC: The, the two would have known each other.

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LM: Yeah.

CC: In that meeting in, in Shire Hall, he did say, Gareth, that he was difficult to get on with, that Martin was difficult to get on with. He was, he could, I know if you rub him up the wrong way, he could, you know it could go, it could go quite badly.

LM: Yeah.

CC: We talked, we, we talked about a number, a lot of things.

LM: Yeah.

CC: I've, in his, in his statement he says that I'm, I asked him to, to not speak to Martin 'til after but that's not the case.

LM: Okay.

CC: I would have expected him to, after meeting with myself, I would have expected him to go, to go and talk to Martin, again I can't tell the Legal Governance Officer for Flintshire County Council what to do.

LM: No.

CC: Or how to go about things. And to say that, my comment to him was 'Well leave it 'til after the meeting', quite wrong.

LM: Okay. We'll, we'll explore that a bit more then, okay.

CC: Yeah.

LM: So, so the meeting with the Monitoring Officer, did you ask for that?

CC: I, I'm almost, yeah I think I did, yeah.

LM: Okay.

CC: Yeah.

LM And, and why did you ask for that?

CC: I was concerned with the way things were going.

LM: With, about?

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CC: Things, everything, yeah, I mean to me, the, the Council had its challenges.

LM: Okay.

CC: I, I wanted to speak to the Legal Officer.

LM: Yeah.

CC: To, to find out where, you know, the, the, you know, the, the real bottom line was.

LM: Okay.

CC: And where we were going with it.

LM: Okay.

CC: Because we'd had this email exchange. I mean, I'm the fourth Councillor that's, Martin Wright has taken to the Office of the Ombudsman.

LM: Yeah.

CC: Why he would do that, I, I really don't know but.

LM: Yeah, okay. No, that, that's fine. So, you asked for the meeting?

CC: Yeah.

LM: And you asked for the meeting because you had concerns about, as you say, the way things were going. So, are you talking about the way things were in the Council? Or the contact with the Clerk or Mr Wright or? Did you, did you want to talk about those things or?

CC: It's a long, long time ago.

LM: Yeah.

CC: When I met, when I met Gareth. We talked about various things.

LM: Yeah.

CC: We talked about the role; well we talked about the council.

LM: Yeah.

CC: The challenges that were in the council, that still are.

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LM: Yeah. Yeah.

CC: At the time, and still are. We talked about Martin.

LM: Yeah.

CC: How he could be.

LM: Yeah.

CC: And that was, just a general conversation really.

LM: Okay, that's fine. Well let's, let's look at the Monitoring Officer's statements. So, that's Appendix 11, that's page 302.

CC: Appendix 11.

LM: I've got that down as Appendix 11 and it should be page 302.

CC: 302.

LM: 302. I think you might have that there. That should be that one there.

CC: I mean there's these statements and then there's the one at the front.

LM: Yeah.

CC: Yeah. And it's the one at the front that I've annotated. I've also done annotations on this one.

LM: No, that's.

CC: So we, we may need to, we may need to go back.

LM: Yeah, that's fine. That's, that, that's absolutely fine. So, let's talk about, let's talk about this statement then, okay. So, yeah, he's confirming that you had the meeting and that you'd asked for the meeting. And he's saying it was to discuss an exchange of correspondence that you'd had with Mr Wright, okay, which had, over the summer, which had escalated into a conflict, okay. And he's saying, we talked about that and the ways both he and Mr Wright could have de-escalated the issue. Does that sound familiar to you? Is that correct?

CC: Yeah.

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LM: Yeah, yeah okay. And he was hoping that you'd be able to resolve the dispute. And he's saying, 'When he said, when I suggested to Councillor Cordery that I should ring Mr Wright to have a chat with him about it, Councillor Cordery said to wait until after a forthcoming Town Council meeting on Wednesday 20th of October'. So, does that ring a bell?

CC: I, as I said before, in his statements, it quite clearly says that.

LM: Yeah.

CC: But I do not recall.

LM: Okay.

CC: Saying that.

LM: Okay. Do you remember talking about the meeting that the Town Council was going to be having?

CC: We, we broadly touched on the meeting and its, its need for confidentiality.

LM: Yeah.

CC: And that was, that was all.

LM: Okay. So, he, he says, so, he, he, you explained that the meeting had been called following the concerns about the cancellation of a Fireworks display; Mr Wright's involvement as the Town Clerk and the way the matter had been handled, because I think you mentioned there'd been use in, there'd been use of this phrase 'keyboard warriors' which is what, you know, and sort of predicated a lot of concern amongst the residents etc. So, there was going to be a meeting to talk about the cancellation, is that right? Do I understand that right?

CC: That's, that's, yeah.

LM: Yeah, yeah, okay. So, okay, so, so Mr Owens is saying 'Whilst I cannot recall exactly what Councillor Cordery said about the reasons for the meeting, as in, the Town Council meeting that was going to happen. I do recall he talked about criticism of Mr Wright and his actions and from his comments, I could see the potential that the matter had for criticism of Mr Wright as the then Clerk. And as I was aware that the Town Council's Standing Orders state that matters relating to personal issues need to be discussed in a closed session and in confidence, I was concerned that the meeting had the potential to go wrong and to single out the employee in public'. So, he said, the meeting that you had together actually lasted longer than he'd anticipated and he talked to you at great length about the

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Town Council meeting along with matters concerning the law and employee rights and the need to deal with employee matters in confidence. And the Town Council's Standing Orders with regard to this, the importance of using proper processes and treating employees fairly. And the risk to the Council of not doing so, which, which he is saying, you appeared to acknowledge and understand. Does that ring a bell with you, those topics?

CC: Yeah. So there was reference to potential disciplinary action against Mr Wright.

LM: Yeah.

CC: For what had been said.

LM: Yeah.

CC: That's for the Council to decide, not for me.

LM: Yeah.

CC: I, we, we had a few words.

LM: Yeah.

CC: But as I've said, we, it's not for me to, to raise any comments on that, it's for the full Council.

LM: Yeah.

CC: To decide.

LM: Okay. So, do you think that's an accurate reflection of what you talked about together?

CC: Yeah, I mean, if we look at this Witness statement and we go to paragraph 4.

LM: Yeah.

CC: Of the Witness statement, it mentions email communications which escalated into a conflict.

LM: Mhm.

CC: Those are his words, not mine.

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LM: Okay.

CC: I didn't see any kind of conflict.

LM: Okay. Yeah.

CC: I've not, as I've said before, all my communication with Mr Wright was by email.

LM: Yeah.

CC: I, I didn't see any kind of, I mean it's an emotive word, conflict.

LM: Yeah.

CC: It means a lot more than what's on paper.

LM: Mm. Yeah.

CC: It's quite a strong word.

LM: Okay.

CC: And I would object to that.

LM: Yeah.

CC: Because that's not the way.

LM: So, I think you said earlier yourself, didn't you, you know, in, in terms of your com, email communications with Mr Wright, that, and the way you deal with things, you could be challenging, is that a fair thing to say, in those email communications with him?

CC: That they, yeah, that they were, that they could be seen as assertive.

LM: Yeah, assertive, yeah.

CC: Assertive but you can write an assertive letter every day.

LM: Yeah.

CC: I was not in any way abusive.

LM: No.

CC: I was not manipulative.

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LM: No.

CC: And I certainly was, I didn't harass or anything in those emails.

LM: No, okay.

CC: But when the, the Monitoring Officer that sent me, that's put me in this position, talked about escalated conflict, I think that's quite, I don't agree with it.

LM: Okay. No, no. Okay.

CC: It's quite emotive wording.

LM: Yeah. Yeah, yeah, okay. Yeah, okay. But you had asked for that meeting with the Monitoring Officer?

CC: Yeah.

LM: Because of your concerns about the way things were going with the Council?

CC: Yeah, I thought it was the best, the, the best way forward.

LM: Yeah.

CC: There's, as, as we move on we will, we may see a different picture.

LM: Yes, sure. Okay. So, he's saying that he, he was, he said to you that, that hopefully you were now clear how the meeting should go, on the 20th of October. So, you've had a talk about this issue with Mr Wright and what he'd said and the pending meeting, Council meeting. So what, did you have an understanding of, of the way you should talk about Mr Wright at that meeting?

CC: I, I left that meeting with the, with the clear impression that as a Councillor, I could ask a question.

LM: Okay.

CC: And that was, that was the position I left that meeting in.

LM: Yeah. Okay. Okay. And did, did you, did you talk to the Monitoring Officer then about the sort of things that you might say, at the meeting, Council meeting?

Case Reference:

Councillors Name: Charles Cordery

CC: No, because there was, there was nothing that I had, at that point, there was, there was nothing that I had to say.

LM: No.

CC: I mean I; my view is to approach the meeting and see, see how it moves forward.

LM: Okay. Okay. Alright then. Alright, so, okay, just bear with me a second. So, okay if we look at paragraph 7 then, he's saying that he was hoping that you were now clear on how the meeting should go, the Council meeting on the 20th of October. And he suggested that he should call Mr Wright there and then, to sort out the issues that had happened over the summer as he was sure that you could clear the matters up. But you remained adamant and said two or three times that he should wait to speak to Mr Wright until after the 20th of October.

CC: I, I do not recall that.

LM: Okay. Okay. Okay. Okay.

CC: But, but again, in this paragraph, paragraph 7, the Monitoring Officer says 'However, his determination that I should wait struck me as odd'. I mean he's making assumptions all the time, you know, why would he, why would he put that into print? It's.

LM: Do you recall, do you, you're saying you don't recall saying, asking him to wait.

CC: Well but.

LM: 'Til after the meeting.

CC: Yeah, but, but the Monitoring Officer, he's making the statement there, based on assumption. It's, it's, it shouldn't be in there.

LM: No. Do you recall him saying that he should call Mr Wright there and then?

CC: No.

LM: No.

CC: I would have expected him to. I mean I, I asked for the meeting.

LM: Yeah.

Case Reference:

Councillors Name: Charles Cordery

CC: What the Monitoring Officer does after I've left is up to the Monitoring Officer.

LM: Mm.

CC: I cannot tell him what to do and I've no intention of doing that.

LM: Mm. No.

CC: I went there to, to gain an understanding of, of the way forward.

LM: Yeah.

CC: And to leave it at that.

LM: Yeah. So, okay, but what you're saying is you don't recall that, that aspect of that, that meeting, okay. Okay. Okay. Alright, so if we then go on to, so, that was the 18th of October. So, if we then go on to the day of the 20th of October, okay. So, if we go to, it's Appendix 3 but it's page 104.

CC: Appendix 3.

LM: Appendix 3 and it's page 104.

CC: 150.

LM: 100, sorry, 154. Appendix 3, page 154. And this is, this is, it's emails. You're on page.

CC: 154.

LM: 154.

CC: Yeah.

LM: Yeah, great, okay. So, if we look at that, that, it's got Appendix L written above it.

CC: Yeah.

LM: Okay, there, alright. And it's, it's been signed by Mr Wright and it's dated Wednesday the 20th of October at 09:05. And he's saying, it's been sent to all the Members and he's saying, 'In case the matter of the expression of 'keyboard warriors' is brought up at the Special meeting of the Council this evening, I would ask you to take cognisance of the following, as to my email to Mr Allen and his response, copies attached'. And he's explaining why he had used that, that phrase and that he didn't mean any disrespect

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to anybody. He genuinely thought it was an expression in common parlance. He'd heard Members on numerous occasions use the expression, when referring to Facebook and other social media platforms. And he wasn't a Facebook or social media platform user himself. And he says 'I would remind Members that under Standing Order 33a, staffing matters and employment issues may not be discussed in public session and as such matters may only be considered after Councillors resolve to remove the press and public. Moreover it may be that a particular matter cannot be discussed in Council and has to be referred to the establishment Sub-Committee, which is responsible for Employment issues'. Now, I think that went to all Councillors and, and I can see that you were copied into that. Do you recall receiving that?

CC: I may have received it.

LM: Okay.

CC: Whether I read it, it can, I, I understand it can be seen.

LM: Yeah.

CC: Whether it's been opened.

LM: Yeah.

CC: But I may have, but that email from, from Mr Wright.

LM: Yeah.

CC: Is an excuse. I was asked by members of the community to raise it as an issue.

LM: Okay.

CC: What Mr Wright sends out to the Councillors, to try and excuse his behaviour is nothing that I can qualify.

LM: No.

CC: But as a Town Councillor, I was asked by members of the community to raise it. And that's what I attempted to do.

LM: Okay. That's, that's, that, that's fine. But you don't, you don't recollect whether you received, you read that, that morning?

CC: If, if, it's, it's a long time ago.

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LM: Yes, yeah.

CC: I may, I may not have done.

LM: Okay.

CC: But I also have a duty to the people that elected me.

LM: Yeah.

CC: And I cannot ignore that.

LM: No, okay.

CC: And that's what I've tried to do.

LM: Okay, that's fine, okay. Okay. Okay, so tell me a little bit about the meeting then. What happened from, in your own words, what happened?

CC: The, this is the meeting where I was alleged to identify him in person?

LM: Yeah.

CC: Yeah. The, the meeting commenced. I couldn't get a video picture. I was using a cam, a laptop, Dell, that was supplied by Buckley Town Council and supplied by his son.

LM: Yeah.

CC: Martin Wright's son, who was the IT provider.

LM: Yeah.

CC: When I logged on to the meeting through Zoom, I couldn't get a picture. I, I've put two, two work cards in for it, and it's still not working now.

LM: Okay.

CC: But in, in Mr Wright's statements, he tries to, well he tries to draw inference that something sinister is going on because my screen was black. Always, it was, it was that way, because the video application wasn't working so I couldn't get a picture.

LM: Okay.

CC: So, I was on sound only.

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LM: Okay.

CC: The, the meeting opened. It was clear that Councillor Vivienne Blondek, who was Chairperson at that meeting, was not going to talk about things that affected the community. That was obvious. As a Councillor, I have a right to raise a Point of Order, which I did.

LM: Mm.

CC: It was ignored.

LM: Mm.

CC: I raised the Point of Order again and it was ignored. And I think on the third time, I was allowed to speak.

LM: Mhm.

CC: I spoke about [Unclear 44:16] then.

LM: Mm.

CC: As I said, but at no, at no point in my dialogue, in my Point of Order, did I mention Mr Wright by name.

LM: Mhm.

CC: By gender, by job title or definition.

LM: Mhm.

CC: And later on, if, if I can show you those.

LM: Mhm.

CC: That will confirm what I've said.

LM: Mhm.

CC: Because it was confirmed at a full Council meeting. And full Council accepted the way that it was said.

LM: So, I, sorry, just for the benefit of the recording, you're referring to a copy of, if I could just have a look at them and then I can.

CC: Those are the, look, that, that was, they were voting on an amendment.

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Councillors Name: Charles Cordery

LM: Yes.

CC: That, that was one meeting.

LM: Okay.

CC: And on the back is the other meeting but all, the Councillors that attended, some of those actually gave statements against me, but they've accepted, but they have accepted that what was alleged to have happened didn't happen.

LM: Okay so, what, for the benefit of the recording then, what, what Councillor Cordery has passed to me are Minutes of the Town Council meeting and I think it's dated the 2nd of March 2022. And it's Minutes in which amendment to the draft minutes of the meeting on the 20th of October 2021 were proposed by Councillor Cordery and seconded by Councillor Ellis and a resolution by the Council to agree the amendments. Okay, I, that's, that's fine, we can talk about those in, in more depth in a minute.

CC: Yeah.

LM: And then this one is.

CC: This, this goes to the nub of it really.

LM: Yeah.

CC: And what I will say at the end.

LM: Yeah.

CC: But Martin Wright got into a series of emails with the new Clerk.

LM: Yeah.

CC: They were considered to be potentially controlling and harassing in nature. And the Clerk engaged legal counsel from Gamlins in Rhyl at a cost of £7,500.00 to the Council to defend himself against allegations from Martin Wright. At the end, Martin Wright then did the same to the solicitor, a lady who was, who was engaged by Council so that is an example of, of Martin Wright's behaviour and conduct.

LM: So, so this is, okay, so these are Minutes from the 2nd of March 2022.

CC: Yeah.

LM: And this is to do with.

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Councillors Name: Charles Cordery

CC: We were asked to attend a meeting regarding litigation.

LM: Okay.

CC: That was entered into by Buckley Town Council.

LM: Okay. Okay.

CC: Against Mr Wright.

LM: Okay. So, okay, that, that's, that's fine. It's, it's helpful to see those, but what I do want to, I do want to be clear that this, this interview is focussed on.

CC: Yeah, yeah.

LM: Things that you have done, okay. So, that's what I do want to concentrate on. So, we will talk about these, these Minutes, the draft Minutes and the agreed Minutes and what was said in them, okay. And you've explained a little bit about what happened at the start of the meeting and your interjection and your calling for a Point of Order, okay. So, if we look at the, the draft Minutes. Those are on, they're Appendix 3, page 158. And I've also got agreed Minutes, which are page 299. And I think they, they mirror this, yes.

CC: They're those, yeah.

LM: Okay. So, we'll look at those, those, the differences within those Minutes. So, I'll read out what the draft Minutes say first. And then we'll read out what the agreed Minutes say, okay. So, if you bear with me, I'm going to go to page 158. Okay. Okay, right so okay, we're looking at the draft Minutes then, page 158, you've got a copy of that in front of you. Excellent, okay. So, these are draft Minutes for a Special Meeting at the Council, held via Zoom on the 20th of October 2021. It lists all the Councillors that were in attendance. And then it lists, also in attendance as Mr B. Wright, the Town Clerk, Mrs L. George, the Personal Assistant, Mrs T. J. Rhys, a Personal Assistant, Mr A.J. White, the Town Events Organiser and Mr D. M. Wright, the Zoom meeting administrator. And so this meeting was held via Zoom. Okay, is that your recollection? Would you agree that all those people were present?

CC: Yeah.

LM: Okay, that's great. So, right, what I'm going to do is read out what these draft Minutes say, so bear with me, while I read it out. It says, 'The Mayor opened the agenda item by advising that prior to this item being debated,

Case Reference:

she would be reading out a statement in relation to areas of the agenda that would not be discussed in open session and that Standing Order 33a would have to be applied to exclude the press and public if those areas were to be discussed'. The Mayor stated that the agenda requirements should be adhered to. As the Mayor commenced to read the statement, Councillor Cordery shouted out 'Point of Order'. And then there's brackets. It says '(Councillor Cordery's camera was switched off, so only a black screen appeared and this remained the case throughout the meeting)'. The Mayor used, end of brackets, the Mayor used Standing Order 10Ei stated that she would not take his Point of Order, as she wished to complete her statement. Councillor Cordery again shouted out 'Point of Order' and again the Mayor declined it. Councillor Cordery refused to refrain from speaking, with the Mayor repeatedly asking him to be quiet. Councillor Cordery then said words to the effect 'There's a cover-up going on in the Council in an attempt to protect Members of the Council staff by brushing things under the carpet and creating a smokescreen thereby bringing the Council into disrepute'. He then added 'That individual I will say now should offer his resignation with immediate effect'. And then there's brackets (That remark was directed at the Clerk, the Council has only three staff, two of whom are female). Councillor Cordery only ceased speaking when informed by the Mayor that he should keep talking, that should he keep talking, the Mayor would seek approval from the Council to remove him from the meeting. No proposition was put forward on this matter. No other Member spoke. Okay, so that's basically the gist of, of what the draft Minutes are saying happened, okay. So, that, to, to a degree that mirrors what you say, in that you called for a Point of Order. Councillor Blondek was speaking. You called for a Point of Order. And then it's, it's what actually was said. So, these Minutes were not actually approved until the 2nd of March, okay. And this is due to amendments being proposed. And were they proposed by yourself, from the outset? Or, because there's quite a big gap isn't there, between this, this.

CC: Yeah, I, I spoke about the, the actual meeting.

LM: Yeah.

CC: It was Councillor David Ellis that tabled the amendments.

LM: Oh right, okay.

CC: But in, in this, it says that I shouted.

LM: Okay.

CC: That's, that's not correct.

LM: Okay.

Case Reference:

Councillors Name: Charles Cordery

CC: The meeting was on Zoom.

LM: Yeah.

CC: No need to shout.

LM: No, okay.

CC: I really wanted to raise a Point of Order.

LM: Yeah.

CC: Which I'm entitled to do.

LM: Yeah.

CC: Now, any reasonable Chairperson, in, in the belief in openness and transparency, would allow that Point of Order.

LM: Yeah.

CC: But it wasn't; it was blocked. I went on to, to say broadly what is there, but when it comes down to, that individual I will say now, should offer his, I emphatically deny, I didn't say that.

LM: Okay.

CC: I, I was, I did not mention, I said it earlier, that I did not mention Mr Wright by name, gender, or any kind of description. I just said, 'that individual'.

LM: Okay. Okay. So, if we talk then about the, the Minutes that were eventually agreed.

CC: Yeah.

LM: Okay. So, this is on page 299 of my bundle. So, it should be on page 299 with you.

CC: Is it on the same appendices?

LM: It's going to be Appendix 10, page 299.

CC: 219?

LM: 299.

Case Reference:

Councillors Name: Charles Cordery

CC: Okay.

LM: Okay.

CC: Okay, I've got it.

LM: Yeah, you've got them, okay. Okay, great. Okay, so we're talking about the Minutes that have been agreed, of the Special meeting. And that's, that's, that's mirrored in this, in this document that you've also put on the table. So, if I read out what's, what's, what it says in the Minutes as they were proposed and then seconded and then resolved. So, it says 'The Mayor opened the agenda item by advising that prior to this item being debated, she would be reading out a statement in relation to the areas of the agenda that would not be discussed in open session. And that Standing Order 33a would have to be applied to exclude the press and public if those areas were to be discussed'. The Mayor stated that the agenda requirement should be adhered to. As the Mayor commenced to read the statement, Councillor C. Cordery called for a Point of Order. The Mayor, using standing order 10Ei stated that she would not take his Point of Order as she wished to complete her statement. Councillor Cordery again called for Point of Order and again the Mayor declined it. Councillor Cordery refused to refrain from speaking with the Mayor repeatedly asking him to be quiet. Councillor Cordery then said words to the effect 'There's a cover-up going on in the Council, in an attempt to protect Members of the Council's staff by brushing things under the carpet and creating a smokescreen thereby bringing the Council into disrepute'. He then added 'That individual, I will say now, should offer their resignation with immediate effect'. Councillor Cordery only ceased speaking when informed by the Mayor that he, should he keep talking, the Mayor would seek approval from the Council to remove him from the meeting'. No proposition was put forward on this matter. No other Member spoke. So, essentially these, these draft, the draft Minutes and the agreed Minutes are the same, up to the point where actually, we're talking about what is said.

CC: Yeah.

LM: And there's a distinction between the draft Minutes saying that you said, 'a Member, that individual should offer his resignation' and that the agreed Minutes say, 'that individual, I will say now, should offer their resignation'. Okay.

CC: I never referred to Martin Wright by name, by gender or any definition in that, in that meeting.

LM: Yeah.

Case Reference:

Councillors Name: Charles Cordery

CC: Now, as, as a new Councillor, that was probably one of the first or second meetings I'd attended.

LM: Yeah.

CC: I'd spoken at length to the community who were, they were quite angry.

LM: Yeah, yeah.

CC: And these were people that had voted for me.

LM: Yeah.

CC: They were quite angry. I tried to raise a Point of Order. Now, as a new Councillor, I felt that Point of Order wasn't being recognised and I was being taken away from it.

LM: Yeah.

CC: And that is why I carried on.

LM: Okay. So, where it's saying, 'You called for a Point of Order' were you just calling 'Point of Order'? Do they know what you were going to say? How did that work?

CC: No, they, I don't think anybody knew at the time what, what I was going to say.

LM: Yeah.

CC: It was, it was strictly what I felt needed to be said.

LM: Yeah.

CC: I mean.

LM: What were you going to say?

CC: In essence, I wanted to explore why the community had been insulted.

LM: Mhm.

CC: Had been marginalised.

LM: Mhm.

CC: And left to feel as if they don't matter.

Case Reference:

Councillors Name: Charles Cordery

LM: Mhm. When you say 'insulted' what do you mean?

CC: Well the word 'keyboard warrior'.

LM: Okay, so you wanted to talk about that.

CC: Yeah.

LM: Yeah.

CC: I mean, let's not forget, as, as a Councillor, I am his employer.

LM: Yeah.

CC: I felt it needed to be explored.

LM: Yeah.

CC: The community felt that it needed to be explored and after all, I'm just an extension of them.

LM: Yeah.

CC: It, it's not, it's not my ideas that go there, it's the community's viewpoint that I have to express and as I say, as a relatively new Councillor.

LM: Mm.

CC: I tried to do that.

LM: Yeah. So, when, when she referred to Standing Order 33A what do you think that meant?

CC: It didn't mean anything to me, no.

LM: It didn't mean anything to you.

CC: No. Didn't have a clue.

LM: No.

CC: No. Had I been inducted fully.

LM: Yeah.

Case Reference:

Councillors Name: Charles Cordery

CC: As I should have been, then I probably would have had recognition of it, but when somebody says to me 'Standing Order 33A.206'.

LM: Yeah.

CC: It goes in one ear and goes out the other.

LM: Yeah. Okay, okay. Okay, so okay then, I mean you, you're talking about the Mayor had opened the meeting, she'd referred to Standing Order 33A. You had a Point of Order that you wanted to, to express. In doing that, were you considering what the Mayor had said to you at the meeting on the 18th?

CC: And what did the Mayor say to me on the 18th?

LM: When you talked about the issues with the Clerk and disciplinary matters and?

MP: Is it what the Monitoring Officer said.

LM: Sorry, the, the Monitoring Officer, yeah, the Monitoring Officer.

CC: Oh, okay. What, the, the, if you look at it in, in two ways, the Monitoring Officer has a role to play.

LM: Yeah.

CC: So do I. I cannot tell him what to do.

LM: No.

CC: Had I been a little more experienced in matters, then perhaps it, it may have been a bit easier but as a relatively new Councillor, with a commitment that I gave on the doorstep to people, when I canvassed, to be open, honest and transparent, when I made that commitment and people vote for you on that commitment, then I find it difficult to go back on that.

LM: Mm. Mm.

CC: It's difficult, difficult for me to do that. And when, when the community come to me, after they've given me their vote, and they want me to raise an issue, then you're caught between, you're caught between, I, I hadn't been elected all that long.

LM: Mm.

Case Reference:

Councillors Name: Charles Cordery

CC: For me to go back to them and say 'Well'.

LM: So, the residents came to you, that wanted you to raise this issue?

CC: Yeah.

LM: Was it specifically about the words that were used or the person that had said them?

CC: It was about the words that were used.

LM: Mm.

CC: On, on Facebook really. I mean it, it caused a lot of anger and offence.

LM: Mm.

CC: In the town and that can't be understated.

LM: And was the understanding that it was the former Clerk who had used those words, from the residents, do you know?

CC: Well they, they, I think they knew.

LM: Mm.

CC: But some, the, I don't think it became personalised.

LM: Mm.

CC: But it was more of 'Well this has been said'.

LM: Mm.

CC: We, we need, we need something done about it.

LM: Did you think that there was a danger that you might stray into areas of criticising staff in a public meeting?

CC: Louise, it, it didn't enter.

LM: Okay.

CC: I was, as a relatively new Councillor, I was attempting to do what the people that had voted for me asked me to do.

LM: Okay, yeah.

Case Reference:

Councillors Name: Charles Cordery

CC: Whether it would, whether it would stray into the realms of that.

LM: Yeah.

CC: I don't know.

LM: Okay. Alright, okay. So when, when you said, okay so, obviously you've, you've made these Points of Order and the Mayor has declined them. But the Minutes are saying you refused to refrain from speaking and the Mayor was repeatedly asking you to be quiet. And that you then said words to the effect 'There's a cover-up going on in the Council, in an attempt to protect members of the Council staff by brushing things under the carpet and creating a smokescreen, thereby bringing the Council into disrepute'. So, what did you mean when you said that?

CC: Well, that there was, there, there was, when you, when you look at that, somebody's obviously being, being protected.

LM: Who did you think was being protected?

CC: Well, the person that made the comments.

LM: So, you, do you mean the Clerk, Mr Wright?

CC: Well, it's the person that made the comment. Whether the public out there knew that.

LM: Yeah.

CC: But to me, if you insult the community; if you disregard the community in that way and make comments in that way, then you know, you should leave, you should leave your position. I mean you're not acting in anyone's best, best interests if you do that. I mean to, the, the Town Clerk is, is a position which people look up to.

LM: Yeah.

CC: And that was sadly, well, it was, it was, that became, that became jaundiced because of the comments.

LM: Yeah.

CC: Erm.

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Councillors Name: Charles Cordery

LM: Yeah. So, when you say they protect members of the Council, there's a cover-up going on, in an attempt to protect members of the Council staff, you mean.

CC: Yeah, I mean that, that's the way it appeared to me at the time.

LM: You mean that was, were you referring, were you, did, did you mean Mr Wright then, when you were referring to council staff?

CC: Well I didn't, I mean it's all directed at Mr Wright, but never, at no point did I mention Mr Wright by name.

LM: No.

CC: By gender or anything else.

LM: Okay. So, where it goes on to say, 'that individual, I will say now, should offer their resignation with immediate effect'.

CC: That could have been anybody.

LM: Okay.

CC: That could have been anybody.

LM: Okay, so how do you think other people in the meeting would have taken what you said?

CC: Well, I, I don't know. Perhaps, you know, you should ask them really. But I, I really don't know.

LM: Okay. Okay. Would you think it was reasonable, because obviously we've got Witness statements from other people. And some people felt that that was directed at Mr Wright.

CC: Well.

LM: Do you think that's, that could have been a reasonable interpretation of what you said?

CC: They, they will draw their own conclusions from that.

LM: Yeah.

CC: But there, there, there is, we'll, we'll, we'll come to it at the end.

LM: Yeah.

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Councillors Name: Charles Cordery

CC: But there is, there is a different aspect to this and it's wholly political.

LM: Okay. Yeah, okay. Okay. Okay. Alright then. So, okay, I appreciate you were all on Zoom. You say your camera wasn't working. Does that mean you couldn't see the, the other people in the meeting?

CC: I don't think they could see me.

LM: Could you see them?

CC: The screen wasn't blank.

LM: No.

CC: The whole screen wasn't blank.

LM: Yeah.

CC: But I wasn't aware that they couldn't see me.

LM: No.

CC: Erm.

LM: Could you see how people responded to what you said?

CC: Erm it was, it was very, not really.

LM: No.

CC: No.

LM: Okay. So you couldn't see the impact of what you said?

CC: No.

LM: Do you think though that by what you said, I appreciate that what you're saying is that you didn't refer to anybody by name, or gender. But that, you know, obviously there were several members of staff there; people who worked for the Council. They could have interpreted that as directed at them.

CC: Well, it, it could have been directed at any one of those people that were in the meeting really.

LM: Okay. Okay, okay, alright. Okay, so what happened after the meeting?

Case Reference:

Councillors Name: Charles Cordery

CC: What happened?

LM: Yeah.

CC: Switched the laptop off.

LM: Yeah. Was there any, did you get any comeback from anybody about what you'd said or did you reflect on what you'd said?

CC: No, no. No, excuse me. I, I always reflect, I wish that the meeting had been, I mean it was on Zoom.

LM: Yeah.

CC: I wish it had been taped.

LM: Yeah.

CC: And that would have solved everybody's, unfortunately it isn't.

LM: Yeah.

CC: But erm the meeting closed.

LM: Yeah.

CC: I, I switched the laptop off.

LM: Okay.

CC: And, and that was it.

LM: Yeah. Okay. And, and you know, was there, I think the, if we go to page 158, I think there was a statement from the Mayor after that.

CC: On, on the same Appendix?

LM: It's page 158.

CC: And it's the.

LM: Let's have a quick look which Appendices that's going to be, it's going to be 3, isn't it, yeah.

CC: So it's not Appendix 10? I think it's, yes, it's Appendix 10, Appendices 10.

Case Reference:

Councillors Name: Charles Cordery

LM: Er no, sorry, not, I'm talking about, [inaudible 1:07:43] page 158. I thought from there, statement from Mayor, yeah, sorry. Right, if we go to 1, page 16, 161.

CC: On Appendix.

LM: 3.

CC: Appendix 3.

LM: Yeah.

CC: 131?

LM: 13 ...

CC: 161.

LM: 161.

CC: 161.

LM: Appendix 3. Okay, so if we look at erm, okay, so there's a statement by the Mayor, the, the Town Mayor of Buckley Town Council, okay. And on this, this page, 160, next to it, is an email. She's obviously based the email on this statement, which was sent out to Councillors on the 21st of October at 11:21. So, this is the day after the meeting. And it's referring to the words that were used as in 'keyboard warriors' and you know, that the Clerk didn't intend to cause offence with the words and he didn't believe them to be derogatory. Do you remember receiving that email?

CC: I may have received it.

LM: Yeah.

CC: I may have received it, but whether I've, whether I've read it is er.

LM: Do you have any comment about what she's said in that at all?

CC: Well, what she's said is, is reiterating what the Town Clerk had said.

LM: Yeah.

CC: She does say that its, I, together with the Clerk and erm, at no time, I mean was that sent out to the general public?

LM: Er I don't, I think it looks like it's been sent to Councillors to me.

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Councillors Name: Charles Cordery

CC: Okay well, that, that's, that really, I mean there's no mention of an apology in there, for the words that were spoken. That really should have gone onto the Council website and should have been given to the, the community. But it didn't.

LM: No.

CC: It, it's, it's the Mayor, along with the Town Clerk trying to make an excuse over what's been said.

LM: Mm.

CC: At no point in there, they, they say 'regretted'.

LM: Mm.

CC: But at no point do they mention an apology to the community.

LM: Mm.

CC: Which is what should have happened.

LM: Mm.

CC: And it didn't.

LM: Okay. And then I think following that, the Clerk then was away from work because he went, he went sick following the meeting.

CC: Well erm, I, it may be left, maybe better left to the end.

LM: Mm.

CC: But the, earlier on, I, I did say that things had been exacerbated out of all proportion.

LM: Mm.

CC: And they were exacerbated out of all proportion for a reason. Now, that reason will become evident.

LM: Mm.

CC: I, I hope at least, but earlier in, in, in his statement he talks about, he talks to Gareth, Gareth Owens, Legal Officer, about the way he's going to leave the Council by constructive dismissal. Now, this is an engineered dispute,

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make no mistake about it, it's an engineered dispute. Martin Wright attempted to use that meeting and the way that it was described, this is the way that it had, the way he describes it isn't the way that it happened. But he attempted to use that as a springboard to raise a claim against Buckley Town Council so they would make settlement, they would enter into a settlement agreement with him, to leave the, you know, his employment.

LM: Right.

CC: When the Town Council didn't acquiesce to that, things took a turn for the worse, as fully explained in that.

LM: Mm.

CC: Now, when that failed, and it failed because the Locum Clerk knew what was going on.

LM: Mm.

CC: And he engaged legal counsel from Gamlins in Rhyl to de, to defend the Council.

LM: Mm. Do you think then that the things that you said in the meeting, as agreed in the final, you know, the, the resolved Minutes, opened a door for him to do that?

CC: No. No. I was a relatively new Councillor. I was asked by the community to raise an issue. That's what I've done.

LM: Okay.

CC: If he's used that, if he's used that as a springboard, then I can't qualify that.

LM: Mm.

CC: It may have done; it may not have done.

LM: Mm.

CC: But there is no doubt and anybody that's associated.

LM: Mm.

CC: With Buckley Town Council, unless you're a member of a certain political faction, would agree that that's what he intended to do.

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LM: And, thinking, you know, obviously with reflection on what the, the Monitoring Officer had said to you in the meeting about not talking about employment matters, but that you know, in, you refer to somebody should, you know.

CC: But was it, as, as ostensibly I'm the employer, as a Councillor. Now, I don't, I don't see it as, it's a matter of conscience. It's not the employment matter. We didn't actually say to him 'You should resign' as, as a group, as an employer. It's, it's a matter for conscience, for his conscience to decide what he does.

LM: But do you think, you know, calling for a member of staff's resign-, resignation at a public meeting, you know.

CC: You, you have to put it into context, Louise. I mean, as a relatively new Councillor, I was asked by the community to raise it as an issue. That individual, when it's raised should go away and examine their own conscience and decide what's best for the Town Council. And unfortunately he didn't. Now, any honest or reasonable person would have done that.

LM: But do you think, do you think what you said went against the advice of the Monitoring Officer?

CC: Not, not in any great detail no. The, when I left that room with the Monitoring Officer, it was quite open.

LM: Mm.

CC: No.

LM: Okay. Okay, that's fine. Alright then. So, obviously and I think you've got things that you, you want to, to say as well at the end. And you've made comments as we've done the investigation. I mean you've, you've, I'm sure you will expand on these. So, if we go to Appendix 7, page 257. Appendix 7, page 257.

CC: 257?

LM: 257, yeah.

CC: On Appendix 7.

LM: It's Appendix 7.

CC: I don't have 257. 257?

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Councillors Name: Charles Cordery

LM: 257.

CC: Yeah.

LM: That's, that looks right. Yeah, that looks right, okay. So, I think this is an email that you have sent to me, early on in the stage of the investigation. And I think in this, in this email, you've referred to the complaint being vexatious and without merit or foundation, designed by those that wish to indulge in 'party politics' and deviousness. So, yeah, do you want to just explain to me what, what that's about, what you?

CC: Okay. I mean we need to go back to the beginning. I mean I; I was a member of a political party. Am I liberty to say which party?

LM: Okay, so you're.

CC: Oh, okay, I was, I was a member of the Labour party.

LM: Okay.

CC: Erm, always, from, from growing up with foster-parents. I, I've always been on the side of the underdog and I've always strove, strived to make things better for people, even growing up as a kid. Join, joined the Labour party, like my foster-dad. Followed in his footsteps as a Trade Unionist. Became involved in politics at the request of Councillor Vivienne Blondek, when I was a member of the Labour party. I stood for election in a Bye-, in, the first Bye-election I stood on Mountain Ward in Buckley against a Conservative. At the time, Jeremy Corbyn was Leader of the Labour Party and that presented its own problems on the doorstep. A seat that I should have won, I didn't; the Conservative won, won the seat. I was dropped like a stone. Now, Vivienne Blondek was a mentor, she canvassed for me. She encouraged me to stand as, as a Councillor, for election. When I lost that election, I was dropped like a stone. The, the person that won it was a Conservative. The, the Labour Party, with Vivienne Blondek at the head, actively coerced that person to then come across to join Labour. And now he's won an election. People have given him their votes. The one thing you can give to somebody is, is your vote and your belief in, in what you're going to try and do. And that's what they did and a Conservative got elected. Vivienne Blondek and the rest of the Labour Party in Buckley then worked on him to move across to the Labour, the Labour group. Now, for me, I don't see how you can be a capitalist one minute and a socialist the next. That's deception to me. And you've gone along, you've knocked on the doorsteps of hundreds of people and you've said 'I'm a Conservative. Here's my pitch. Vote for me'. Which they did and he won the seat. And then he left to join Labour.

LM: Mm.

Case Reference:

CC: Well I had a disagreement and I left the Labour party. Some time again, I was asked if I wanted to stand as an Independent, which, which I did. I stood against Plaid Cymru and, no disrespect to Plaid, but I stood against them and the local Labour candidate. Now, prior to that taking place, Vivienne Blondek attempted to influence others to get me to stand down as a candidate. Now, I made a complaint to the Ombudsman's office. It was, it was investigated and I think it came across as if she could say and do whatever she wanted. That was the interpretation I made of it. But whatever she tried to do, failed. The election took place. The, the week before the election, the, the Bye-election took place, the First Minister of Wales appeared in Buckley. The Member of the Welsh Assembly, the local lad. The Labour candidate and everybody else that came canvassing. The election took place and I beat him. And I beat him quite, I had a good share of the vote.

LM: Mm.

CC: And they, they did not like it.

LM: Okay. Okay, so.

CC: But.

LM: Go on.

CC: In, in the elections in May, I beat, you know, I beat them again. So, they've, the, the, there are Members of the Labour party who are Town Councillors, most of them have given statements against me.

LM: Mm.

CC: It's a political move.

LM: Mm.

CC: They've, they've allied themselves with what's going on, to try to remove me as a democratically elected Councillor. What they cannot do democratically at the ballot box, they're attempting to do undemocratically.

LM: Mm.

CC: And they're try it every, every time.

LM: Okay.

Councillors Name: Charles Cordery

CC: These people, in that election, and it has to be said, in that election, the leaflets they put out against one individual, an Independent Councillor, were libellous and defamatory.

LM: Mm.

CC: It went to the Monitoring Officer, nothing.

LM: Okay.

CC: There was another Labour Councillor who was the administrator of a Facebook group that alleged everything, it was libellous, defamatory, anything, it was vexatious, they were without foundation. Anything that you want to call was, it was in, it was on the Facebook. That went to the Mon, there were complaints after complaints going to the Monitoring Officer. And he did nothing.

LM: Mm.

CC: Yet I find myself in this position, for trying to raise a Point of Order.

LM: Okay. Okay, no that's, that, that's fair enough, okay. I'm getting to the end of my questions now, so I just wanted to, to clarify something about, about the erm, the, the, the Minutes that were, obviously the meeting happened on the 20th of October. And the draft Minutes were made. And then they were finally agreed in March 2022. So, there's quite a big gap, isn't there, between the meeting and the draft Minutes and the finalised Minutes. I just wondered whether there was any specific reason for the, the big gap before they were approved. Do you know?

CC: I, I don't really, the, the Council wasn't sitting on, at the time, I don't think, because of Covid, I don't think it was sitting on a regular basis.

LM: Oh, okay.

CC: But just to go back on what I spoke about earlier, Vivienne Blondek, as Mayor for Buckley Town Council was asked on four occasions by six Councillors to have a meeting about what had, and it didn't happen. She refused and then she put a statement in against me.

LM: Okay.

CC: So, I, I think, I think there's some correlation there.

LM: Okay. Okay. Alright then, okay. So, I just need to clarify then, when you had that meeting with the Monitoring Officer on the 18th of October and you knew that this meeting with the Town Council was pending on the 20th.

Case Reference:

Councillors Name: Charles Cordery

Had you formed an intention to say what you said, at that meeting, beforehand?

CC: No. No. No.

LM: No?

CC: No, I, I spoke to the Monitoring Officer. The way things were moving forward, it was a general discussion. I'm surprised about what he's put, what he's put in his statements. But my, I didn't form any kind of, any kind of rationale of what I was going to speak about.

LM: Mm.

CC: Erm, [unclear 1:23:30].

LM: Okay. But was, was it motivated by any of the previous correspondence that, you know, the challenges that you'd had with Mr Wright?

CC: No, no, it wasn't a challenge, it was exchange of, I mean if, if the word, if it was a challenge, then they, they surely must be his words.

LM: Yeah.

CC: Because of an exchange of emails.

LM: Yeah. Was it motivated by that exchange then?

CC: No, no, no, not at all. I mean everything is, it, it can be construed as, as difference, it's how you see it.

LM: Okay.

CC: At the time. I mean my main concern as a newly-elected Town Councillor to people that had given me their vote. I mean I; I canvassed on the doorstep on openness and on transparency.

LM: Mm.

CC: And people gave their, people gave me their vote on that basis. Well, so when they come to you, or they come to me and say, 'We'd like this raised'.

LM: Yeah. Mm.

CC: What, do I turn round and say, 'I'm not going to do it'.

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LM: Mm. Okay. Okay. I think you've made that clear. I've, I've only got a couple more things to ask. I just want to check whether there's anything you wanted to ask Matt? Then I'll, I'll go through my final bit.

MP I think the only thing I might want to question; I think you're probably going to cover in the next section.

LM: Okay.

MP: So

LM: I'll do that first then shall I, then if there's anything.

MP: Yeah, yeah.

LM: Okay. So, everything we've talked about today, I really appreciate your, your openness about that. Is there, if you, on reflection on the whole event, is there anything you would have done differently about what happened?

CC: Perhaps erm, it's, it's a really, it's a, it's a really difficult question. I mean there's, there's people there you talk to, people you can't. Who do you seek advice from, if they don't want to give it? It's, it's, it's difficult. Would I have done anything better? Who knows.

LM: Mm.

CC: I was a relatively new Councillor.

LM: Mm.

CC: And I'd been asked to ask, asked to raise an issue. We go back to the question of training, there was really none. And, and the, the Code of Conduct. I mean that was never explained to me.

LM: Mm.

CC: It was given to me as 'bed-time reading'. Now, you can open up and read it yourself, but it means, it means very, very little, you need somebody to sit with you, on a properly structured Induction course, to talk it through. And then you can have a one-to-one conversation about the whole thing. And that never happened.

LM: Okay.

CC: And it was, it's unfortunate and it's, and it's disappointing.

Case Reference:

Councillors Name: Charles Cordery

LM: Do you think that what you said or did in the meeting was ...

CC: Sorry?

LM: Do you think that what you said in the meeting was inappropriate or?

CC: Well, as, as a relatively, I keep going back to that, as, as a relatively, I mean, it's, it's a totally different world to anything I'd experienced before.

LM: Mm.

CC: You can say you've been a Trade Union Rep for.

LM: Mm.

CC: But, but this is more, it's, it's, it's more functionalised, it's, it's more driven by, by rules and regulations.

LM: Mm.

CC: I, I, I really don't. Have I offended anybody? Have I been abusive? Have I shouted, have I screamed? Have I harassed anybody? No. I was merely trying to raise a point that was of interest to the community.

LM: Mm.

CC: And that's all I was trying to do.

LM: Okay. So, do you consider then, you may feel that you've already answered these questions. But do you consider that your conduct could have failed to show respect and consideration?

CC: How, how can it be construed to be that? I've been, I've not shouted at anybody. I've merely tried to raise a Point of Order. I, I've not, I've not been offensive to anybody. I've not abused anybody.

LM: Mm.

CC: I've not, the, the whole tenance of that allegation is, is contrary to what happened.

LM: Okay. I'll go through the other bits as well then. Okay, so it's just useful to hear your, your view.

CC: Yeah.

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Councillors Name: Charles Cordery

LM: Do you think that you could have brought the Council or your office into disrepute?

CC: How, I, I asked a question. I asked a question of, from the community, I, I was their conduit. The community, through me, to the meeting.

LM: Mm.

CC: So, how can I, how can I be, how can the allegation be construed as bringing the Council into disrepute?

LM: Okay.

CC: I, I didn't make the comments.

LM: No.

CC: I didn't inflame the community.

LM: No.

CC: I was not the one that made the comments.

LM: Do you think you could have created a disadvantage for others?

CC: Well, well how? How could I create a disadvantage? I, I didn't name anybody.

LM: Mm.

CC: I, I've, I've said it a number of times now, Louise. I didn't name anybody, by, by sex, gender, orient, I didn't name anybody.

LM: Okay. And, and do you think you failed to regard the Monitoring Officer's advice?

CC: Well, when I, as I've said before, Louise, as I left that meeting, I believed that, I had nothing planned to say.

LM: Mm.

CC: I believed it was open.

LM: Mhm.

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Councillors Name: Charles Cordery

CC: The fact that he's turned round and said that I implored him not to speak to, that's not my role to say to the Monitoring Officer. I can't tell him what to do.

LM: Mm. Okay, so.

CC: And that's, and that is wholly wrong for him to say that.

LM: Yeah. Do you have any, anything you want to add then?

MP: Yes, because you've spoken about your understanding obviously or the lack of training and your understanding of the Code at the time, or even Standing Orders. So, with your understanding of the Code today, and the understanding of Standing Orders today, could, if there was an event, a similar event, where a member of staff did something that you felt was wrong by the community, would you go about that in the same way, with the knowledge you have today?

CC: It would be approached in, in a different way because that training that I undertook, well it was by Zoom, but it was, it was quite comprehensive. It went on for a long time. I mean, experience and time is a great thing. But you can only gain an experience by going through it. That's how you gain, well, obviously that's how you gain experience. But when, when you look at it, it, it probably would have, it probably would have made a difference but having been given the con, well a training and induction, however late in the day, it would have been, it would have been beneficial to have that right at the start. Now, that training that, that Gareth Owens brought out was available to everybody; it was mandatory. And it was available to everybody down to, from Town Councils to Community Councils. So, probably it, it, it may have made a difference, yeah.

LM: Mm.

MP: And what, what difference do you think that would have been?

CC: Sorry?

MP: And what difference do you think that would have been?

CC: Well, you would have still have asked a question. But whether it could be asked in a different way, I don't know. It, it.

LM: Do you want some water?

MP: Yeah.

CC: I get a cough, you can't get rid of them.

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Councillors Name: Charles Cordery

LM: No.

MP: There you are.

CC: It may have been but hindsight is such a great thing. But I didn't have the benefits of that knowledge at the time. And, and there was no attempt to give it me. It was a case of 'find your own way' which, you know, I mean that kind of position is wrong, but that's how it was. And in the end, I got the training. But I didn't get it at the time.

LM: Mm. Okay.

MP: Okay. And Standing Order point 33A which of course, you've said previously, didn't mean anything to you at the time. What does that mean to you today?

CC: Can you say that again please?

MP: Sorry, the Standing Order, the one that they called out at the beginning of the meeting, 33A. Yeah, sorry, go on.

CC: No, no, no, carry on please.

MP: Yeah, it was just to say that obviously you said previously you didn't know what it meant at the time. What, what does that mean to you today?

CC: Well, it didn't mean anything to me at the time. I would have to; I mean there's lots of things going round in my mind now. I'd have to read it again, to give you a substantive answer on that. But, right now, after having the training, I am cognisant of, of Standing Orders, but it's only after being given the training that, you know, you, you begin to understand what, what's, what they mean.

MP: Yeah, okay.

LM: Okay. Alright, okay. Well I don't think, I don't think we've got any other questions. Do you have anything further you wish to add?

CC: I, I, I said at the start that erm I, and I've got loads of things that I would like to mention before, before we.

LM: Okay.

CC: Because I think it's, it's quite pertinent to, to the investigation and it concerns the Monitoring Officer.

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LM: Well I'd, I'd be, I'd be, I'd be, you know, mindful that this, this interview is about your actions towards the Clerk and that event.

CC: Okay.

LM: Yeah. So, I'd be mindful about that, in the, in, in the interview. Because I'd like to try and keep it to those, you know, those are the issues that we're, that we're actually looking at.

CC: Okay. Well, just.

LM: But I don't want to stop you from saying something you want to say.

CC: No, to, to, to, just to keep it brief, the, the Monitoring Officer in his statements makes assumptions that I've said things that, that I haven't.

LM: Mhm.

CC: They're in there.

LM: Mhm.

CC: You can read them.

LM: Mhm.

CC: The Witness statements that are supplied by Labour, Labour Councillors.

LM: Mhm.

CC: Contradict themselves at times, on the wording. Now, as I would suggest strikes everything out that they've said.

LM: Okay, so just for the benefit of the recording, when you're saying that, you're referring to the Agreed Minutes.

CC: Yeah.

LM: Yeah.

CC: Now, a number of those Councillors that made statements against me were at that meeting.

LM: Okay.

CC: And they agreed.

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LM: Yeah, okay.

CC: So, so in essence, what they've said against me in their statements, should be struck out.

LM: Okay, okay.

CC: Notwithstanding the fact that they, they contradict themselves in the terminology of how I'm supposed to have, how I'm alleged to have referred to Mr Wright.

LM: Mhm.

CC: There, there are clear contradictions in there, the way, the way that the connotations are raised. They, they say in, that individual, one, Carolyn, I think that's her name, Carolyn, but she writes a statement, contradicts herself, crosses it out, initials it, then puts another statement in.

LM: Mm.

CC: It, it's, it's not logical.

LM: Okay.

CC: And it's not reasonable.

LM: Okay.

CC: I believe in openness and transparency, what is reasonable.

LM: Okay. Okay. That's, that's fine, that's helpful to hear, okay. I don't have any further questions for you. And if there's anything else you want to say about the complaint against you or the events that you've not already said.

CC: The complaint, the complaint against me is an engineered dispute whereby the, the late Town Clerk, Martin Wright could put Buckley Town Council where they pay him a settlement agreement. Allied to that, a number of Town Councillors, Labour Town Councillors, for the reasons I've outlined before, allied themselves with that in attempt to discredit me and remove me as an elected Town Councillor. Not only as an elected Town Councillor but Deputy Mayor of the town. Now, when I was elected Deputy Mayor, that was in a Full Town Council. And everybody had a vote.

LM: Okay.

CC: And that was unan-, it, it was done in the Full Town Council.

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LM: Okay.

CC: So, I'm, I'm not sure where these people are coming from, I mean they, they really do need to start to work together, instead of playing party politics. They need to organise themselves for the benefit of the community. But all they're trying to do is to pick on individuals, me in particular, because I used to be a member of the Labour party. And they're trying to remove me undemocratically and that is what it's all about.

LM: Okay. Okay, thank you. That's useful to know. Alright. So, I don't have any questions. Obviously, you've said what you want to say. And I hope you're content that you've had a fair opportunity to say everything you want to say about the subject of the complaint against you.

CC: Yeah. I, I will say again, that I am the fourth Town Councillor that Martin Wright has brought to this office. In my case, there was no local resolution. That should have been achieved before anything, he should have sought Council's permission to place me before the Ombudsman. And he didn't. I think that should be mentioned as well, but.

LM: Okay.

CC: But local resolution applies.

LM: Mhm.

CC: And it was never attempted.

LM: Okay.

CC: But there was only a one-way, a one-way channel and that was to try and remove me.

LM: Okay, so are you content you've had the opportunity to say everything you want to say?

CC: Er, yeah, today, yeah.

LM: Yes, good, okay. In which case, that concludes the interview. What I've got then to do is a few administrative tasks and I'll need to send these discs away to be transcribed. And once I've got them back, I can send you a copy of the transcript and a CD also, if you want, okay? What I need to do is to decide whether, the next is decide whether that completes the investigation or whether there's any other further evidence required. And once I'm satisfied that the investigation is completed, it will be considered in detail and a finding will then be made, okay. If we conclude that there's evidence of a breach, the Ombudsman has the option to determine that no

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action is required or to make a referral to the Standards Committee of the Local Authority or to the Adjudication Panel for Wales. And if a referral is considered appropriate, a draft Report would usually be shared with you and you'll be given an opportunity to comment on the analysis of the evidence and the finding proposed, okay. So, if it's concluded that there's no evidence that a breach of the Code has occurred then the Report would bring an end to it. That would be an end of the matter. And I need to remind you that the Ombudsman's investigations are conducted in private. And I would therefore ask you not to discuss the evidence received or that you've shared with us today, with anyone other than your representative or a legal advisor. And this extends to the transcript and any draft Report which might be issued to you as well, okay. And obviously that, that, that's for both of you as well. Confidentiality is important. It's important you don't discuss the matters relating to the complaint and investigation with anyone who may be a Witness or involved in the matter. And you should be aware that any such disclosure or interference may amount to a breach of the Code. Okay. And if that's everything and there's nothing else you want to add, I can conclude the interview and stop the recording.

CC: Is there a timescale for? I mean this has gone on since.

LM: Yeah, I appreciate.

CC: I, I know.

LM: I appreciate that.

CC: Investigations take a long time but.

LM: I appreciate that. What happens with timescales, we try to complete investigations within 12 months. The 12 months on this investigation is coming up to just before Christmas period. I will endeavour to complete it within that time. Whether I'm able to, I don't know. But occasionally things do go over the time that we'd like them to be completed but I will endeavour to complete it as soon as I can. Okay. So, I want to thank you for your co-operation, for attending today. I really appreciate it and obviously I'll be writing to you in due course. But if you're happy and there's nothing else you want to say, I'm going to stop the recording.

CC: Oh, I believe that I've said it, it, it's, it's, it's politically motivated.

LM: Okay.

CC: And then that's all, all I want to say.

LM: Alright then, that's fine. Okay. Right, in which case, I shall stop the recording.

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Councillors Name: Charles Cordery

Appendix 20

**RESPONSE TO THE DRAFT REPORT PREPARED IN RESPONSE TO COMPLAINT
AGAINST CHARLES CORDERY**

Your reference: 202105656/LM/KH

Introduction

It was alleged by a Former Clerk (Mr Martin Bradshaw Wright, now deceased) ("MW") that then Councillor Charles Cordery ("CC") of Buckley Town Council on Wednesday 20th October 2021, breached the following Codes of Conduct for Members of Buckley Town Council:¹

1. 4(b) – To show respect and consideration for others;
 2. 6(1)(a) – Not to conduct himself in a manner which could reasonably be regarded as bringing his office or authority into disrepute;
 3. 7(a) – Not to in his official capacity or otherwise, use or attempt to use his position improperly to confer or secure for himself, or any other person, an advantage or create or avoid for himself, or any other person, a disadvantage;
 4. 8(a)(iii) – When participating in meetings or reaching decisions regarding the business of his authority, to do so on the basis of the merits of the circumstances involved and in the public interest having regard to any relevant advice provided by his authority's officers in particular by the local authority's monitoring officer, and;²
2. As such, a Complaint was made to the Public Services Ombudsman for Wales who have produced a draft report (dated 25th May 2023) and now, seek to refer the matter to the Standards Committee.
3. These representations are submitted in response to that report and its conclusions.

The Relevant Law

4. The relevant law is found in the Part II of the Public Services Ombudsman (Wales) Act 2004 and s.69 -73 of the Local Government Act 2000 which govern the investigation of complainants related to listed authorities and, such investigations in Wales, respectively.³ However, the information relevant to CCs case comes from Guidance issued by the Public Service Ombudsman for Wales (attached).

Legal Test for Referral to the Standards Committee

5. The test for referral to the Standards Committee is found in Guidance issued by the Public Services Ombudsman for Wales. In the Public Services Ombudsman for Wales: Code of

¹ Public Services Ombudsman for Wales: Investigation Report, p.4

² Public Services Ombudsman for Wales: Investigation Report, p.4

³ Public Services Ombudsman (Wales) Act 2004 < <https://www.legislation.gov.uk/ukpga/2005/10/contents> >
Local Government Act 2000 < <https://www.legislation.gov.uk/ukpga/2000/22/contents> >

Conduct Complainants Process – Summary,⁴ the two stage process is described as:

1. Is there direct evidence that a breach actually took place. The level of proof that is required is on the balance of probabilities. If that evidential stage is met,
2. Is a referral to a Standards Committee or the Adjudication Panel for Wales required in the public interest.”⁵

Stage One Alleged Breaches

Alleged breach of Code 4(b) - [Members] must show respect and consideration for others

Factual comments

6. Throughout this investigation CC has continuously denied any suggestion that he was disrespectful towards MW in the meeting on 20th October 2021 (“The Meeting”). At no time was he rude, aggressive or obstructive. His comments were made in a calm and constructive manner.
7. CCs sole motivation in raising the Point of Order was to raise an issue for debate that affected members of his community and for which he has been asked to discuss. There was a lot of anger within the community at the reference used by MW to ‘keyboard warriors’ which all parties agree was unacceptable.
8. As a new Councillor, CC felt that a Point of Order wasn’t being recognised. We refer you to the statement of Councillor Carol Ellis⁶ in which she states *“CC is a new Councillor and so far has not attended a meeting in the Chamber (apart from Zoom meetings). Every time he has raised questions from residents he has been chastised by the Clerk and some members of his previous political group”*.
9. As an elected member of the Council, CC had a duty to those he represented to raise important points for discussion. If he had failed to raise the point, he would not have been fulfilling his duty as a Town Councillor. It was correct for CC to raise a Point of Order, a view endorsed by Councillor David Ellis who comments *“it was open to a point of order being raised and if CC would not have raised a point of order I or other members would have raised the issue, as we have to have openness and accountability for our actions as a Council”*⁷.
10. It is submitted that the decision to remove the topic entirely from the Agenda antagonised the situation and was incorrectly handled by those Chairing the meeting. This view is supported by Councillor David Ellis who states that *“Mayor Councilor Vivienne Blondel opened the meeting in an unusual and unprofessional manner which in my opinion stifled debate”*⁸, *“the fault in my view lies with the way the Mayor introduced the meeting and handled it!”*⁹.

⁴ Public Services Ombudsman for Wales, ‘Public Services Ombudsman for Wales Code of Conduct Complainants Process – Summary’, pp 3.1 < <https://www.ombudsman.wales/wp-content/uploads/2022/10/Code-of-Conduct-Complaints-Process-Summary-2.pdf> >

⁵ Code of Conduct for members of local authorities in Wales: Guidance the Public Services Ombudsman for Wales, pp. 1.10-1.11 <<https://www.ombudsman.wales/wp-content/uploads/2021/05/Code-of-Conduct-Guidance-Community-Councils.pdf>>

⁶ Public Services Ombudsman for Wales: Investigation Report, Appendix 16 page 371

⁷ Public Services Ombudsman for Wales: Investigation Report, Appendix 15, page 361

⁸ Public Services Ombudsman for Wales: Investigation Report, Appendix 15, page 360

⁹ Public Services Ombudsman for Wales: Investigation Report, Appendix 15, page 360

11. The issue should have been raised, even if on a limited basis. This did not need to encroach upon Point 33(a) of the Councils Standing Orders (“STO”). A simple apology could have been provided on behalf of the Council as a whole and reassurance provided to the community that the matters that were prohibited from public discussion were to be dealt with in private.
12. It was simply wrong for the topic to not appear on the Agenda at all.
13. Code 4(b) states that all members must show respect and consideration to others. At no point during the meeting did CC shout or become disrespectful. His comments could have been interpreted as challenging and perhaps forceful but in our submission were not disrespectful. As CC said in interview *“I never step across any kind of boundary that could be described as inappropriate. I’m always respectful of other people. You, you might not, that might not be reciprocal. But I always endeavour to do it the, the right way, the fair way, the reasonable way”*¹⁰.
14. Councillor David Ellis commented that *“I thought CCs comments and behavior reasonable as he has the right to put forward the views of his constituents, he also is very passionate about the people and Town he represents which some people might view differently but at no time during his speak did the Mayor class it as disorderly conduct under Section 12 (b) of Standing Orders the Chair has Powers to act. The Mayor continued the meeting after CC had finished speaking.”*¹¹.
15. Councillor Carolyn Ellis states the following *“CC comments in my opinion were criticism of the comments made by the Council regarding the statement Keyboard Warriors. His comments caused no offence to me, as I have been a County Councillor and Town Councillor for over 20 years and have heard many passionate statements made in the heat of debate, without those present taking personal offence”*¹².
16. Much is discussed in your draft report about whether CC used wording in his address to the Committee that would have identified MW as the intended recipient for suggested resignation. CC has always denied that he used wording that referred to MW, *“at no point in my dialogue, in my point of order, did I mention Mr Wright by name.”, “by gender, by job title or definition”*¹³.
17. Following The Meeting, minutes were proposed and published. These minutes were subject to amendment which was proposed and accepted by the full Town Council at a meeting held on 2nd March 2022. Councillor Vivienne Blondek, in her role as then Mayor chaired the meeting. All Councillors, including those witnesses relied upon by the Ombudsman in the draft report, were put on notice of the proposed amendment and objections raised. The Meeting minutes were therefore duly amended and the full Council approved The Meeting minutes which detail, the following as accurate *“they should offer their resignation”*.
18. The finalised minutes are supported by the statements of Councillor David Ellis and Councillor Carolyn Ellis both of whom state that *“at no time did CC mention anyone by name or gender”*¹⁴.

¹⁰ Public Services Ombudsman for Wales: Investigation Report, Appendix 17, page 386

¹¹ Public Services Ombudsman for Wales: Investigation Report, Appendix 15, page 361

¹² Public Services Ombudsman for Wales: Investigation Report, Appendix 16, page 372

¹³ Public Services Ombudsman for Wales: Investigation Report, Appendix 17, page 406

¹⁴ Public Services Ombudsman for Wales: Investigation Report, Appendix 16, page 365

19. It is our submission that the witness statements upon which you have based your conclusion contradict the finalised minutes of The Meeting. The statements of Councillor David Ellis and Councillor Carolyn Ellis are consistent with the minutes and can be relied upon to conclude that no reference was made to gender and resignation by CC during The Meeting.

20. The minutes of the meeting are the correct evidential information upon which to conclude that on the balance of probabilities, no breach of Code 4 (b) occurred.

Examples of alleged breaches outlined in the relevant Guidelines ¹⁵

21. In relation to 4(b) of the Code of Conduct

- Example 6: The Chair of a Community Council was found by a Standards Committee to have sent a number of emails containing inappropriate critical comments to another member of the Council. Two of the emails, including one which contained disparaging comments about the member's shower habits, were copied to other members of the Council. One email confirmed that the Chair had instructed the Clerk not to accept further emails from the member, because of his "sarcastic and belligerent remarks", until the member "had learned how to behave and conduct [himself] in a correct manner befitting a councillor." An email critical of the member was also sent by the Chair to a member of the public. The Standards Committee found the emails amounted to a failure to show respect and consideration to the other member, in breach of paragraph 4(b) of the Code, and had brought the Council into disrepute in breach of paragraph 6(1)(a). An Appeal Tribunal of the Adjudication Panel for Wales found that two of the emails had been sent by the Chair in a personal rather than official capacity. The Tribunal considered all of the emails contained an attack, in some form or other, on the rights and reputation of the other member. However, the Tribunal found despite being confrontational, the comments were not abusive and were in the main political in nature and attracted the enhanced protection of Article 10 of the ECHR. The Tribunal found that the email about the member's shower habits was intended to make light of the situation and had not been sent maliciously, although it acknowledged the member may have perceived it as such. The Tribunal also found that the ban on the member communicating with the Clerk was a genuine attempt to protect the Clerk from inappropriate emails by the member. The Standards Committee's decision was overturned and the sanction rescinded.
- Example 7: A member of a Town Council wrote a letter to a Deputy Minister of the then Welsh Assembly Government about an employee of a County Council, which he also copied to the Council. In the letter, the member questioned the employee's competence and motivation and he made a number of comments of a disparaging and personal nature about the employee and his associates. He raised the issue of homosexuality and referred to it as a "notorious disability" and that "homosexuality is only a demon which can be driven out". The Adjudication Panel found that the member had breached paragraph 4(b) of the Code in that he had failed to show respect and consideration for others. It also found that his conduct had brought the office of member into disrepute in breach of paragraph 6(1)(a) of the Code.
- Example 8: The Chair of a Community Council raised a complaint at a meeting of the Council that he had not seen the text of a letter prior to it being issued

¹⁵ The Code of Conduct for members of local authorities in Wales: Guidance the Public Services Ombudsman for Wales, pp. 2.13
<<https://www.ombudsman.wales/wp-content/uploads/2021/05/Code-of-Conduct-Guidance-Community-Councils.pdf>>

(as previously agreed) in his name by the Clerk. The Chair was unhappy with the content of the letter when he eventually saw it. It was alleged that it was inappropriate for him to have raised the matter, without notice, in a public forum and in doing so he had upset and publicly humiliated the Clerk. A Standards Committee concluded that it was not inappropriate for the member to raise the issue in a public meeting so that his views could be publicly identified. The Standards Committee considered that his line of questioning and approach did not demonstrate a failure to show respect and consideration for the Clerk, but were intended to ensure that the Council's interests were protected and his concerns about the content of the letter were addressed. The Standards Committee, therefore, found no breach in relation to this aspect of the complaint.¹⁶

22. The alleged breach by CC must be contextualised in terms of its seriousness by way of the examples outlined in the relevant Guidelines¹⁷ above.
23. As regards the alleged breach of s4(b) and 'disrespect' it is submitted that CCs remarks, as alleged by MW, were not as disrespectful in terms of the content and words used as those envisaged in the example Guidance issued by the Ombudsman.
24. We drew your particular attention to examples 6 and 8 above and their similarities with this compliant. In each of those two cases, no breach was found. It is submitted that this case can clearly be distinguished from example 7 whereby comments were made pertaining to a personal attribute such as sexuality. Nothing as personal or offensive was said by the CC.
25. In our submission, with reference to the above examples, it cannot be said that the words allegedly said by CC within The Meeting breached Code 4(b) and thus do not meet the threshold for referral to the Standards Committee.

Alleged breach of Code 6(1)(a) [Members] must not conduct [themselves] in a manner which could reasonably be regarded as bringing [their] office or authority into disrepute

Factual comments

26. CC denies that his manner during The Meeting brought the office or authority into disrepute. His motivation was merely to ask a question on behalf of members of the public who elected him.
27. In interview, CC was asked whether he thought he *"could have brought the Council or your office into disrepute?"*. His response was as follows, *"How I, I asked a question. I asked a question of, from the community, I, I was their conduit. The community, through me, to the meeting."* *"so how can I, how can I be, how can the allegation be construed as bringing the Council into disrepute?"*¹⁸
28. An objective view of CCs behaviour during The Meeting as a whole must be considered. It is submitted that CC did not bring about a state of low esteem by the public, he did not cause the public to not trust or respect the office or authority and thus did not bring the Council

¹⁶ The Code of Conduct for members of local authorities in Wales: Guidance the Public Services Ombudsman for Wales, pp. 2.13
<<https://www.ombudsman.wales/wp-content/uploads/2021/05/Code-of-Conduct-Guidance-Community-Councils.pdf>>

¹⁷ The Code of Conduct for members of local authorities in Wales: Guidance the Public Services Ombudsman for Wales, pp. 2.13
<<https://www.ombudsman.wales/wp-content/uploads/2021/05/Code-of-Conduct-Guidance-Community-Councils.pdf>>

¹⁸ Public Services Ombudsman for Wales: Investigation Report, Appendix 17, page 430

into disrepute.

29. There was no shouting, no use of obscenities or offensive language. We refer you to the following extract from CC interview:

“CC: Again, there’s no histrionics, theres, there’s no shouting, theres if, if its not allowed, its not allowed. But sometimes you do have to press the point. If I’m asked by the residents to make a point, and find out what is, then that’s all I can do.

LM: Mhm

CC: I’d be letting the people that voted for me down, if I didn’t do that.

LM: Okay

CC: if I was to go in there and just say nothing

LM: Mm

CC: then I would fail everybody: not just myself but the people that voted for me

LM: Okay

CC: I’m not prepared to do that.”¹⁹

30. We also refer you to the following comments made by members of the public on social media following the meeting:

“I witnessed this meeting, Cllr Cordery was the only member that was appalled by the keyboard warrior statement whilst all other councillors remained silent. Town Mayor wouldn’t let Cllr Cordery speak....”

“...cllr Cordery was right to call him Out on it.”

“absolutely I don’t know the guy but he is the only one of them that has shown any sort of integrity. Waste of space the lot of them”

“ its good to see a councillor that questions things and not roll over into the old council routine..”²⁰

31. It is evident from the public comments that members of the public were supportive of CC raising the issue during The Meeting and were critical of the other Councillors present who tried to avoid the topic entirely.
32. It is submitted that there is no evidence upon which to base a conclusion that CC personally, through only his actions, brought the office or authority into disrepute.

¹⁹ Public Services Ombudsman for Wales: Investigation Report, Appendix 17, page 367

²⁰ Public Services Ombudsman for Wales: Investigation Report, Appendix 7, pages 241 - 244

33. In relation to s.6(1)(a) (of the Code of Conduct):

- Example 18: A Community Councillor attempted to obtain a discount on a private purchase from a shop by saying it was being bought on behalf of the Community Council. When his request for a discount was refused, he was abusive to the proprietor and two members of her staff and made threats against the business. The Adjudication Panel found that the member attempted to gain an improper advantage for himself, by misrepresenting the purchase as being on behalf of the Council, and his abusive behaviour towards the staff had brought the office of member into disrepute;
- Example 19: A member of a County Borough Council who regularly wrote an article for a local monthly publication referred in his article to a recent road traffic accident in which a 10 year-old boy was injured. The complainant was the mother of the boy who was with the injured child. After the article was published, she telephoned the Councillor who she said was abusive towards her during the call. In a subsequent email exchange, the Councillor told her that she had “[failed] to take ANY responsibility for allowing your 10yr old child out alone”, that her “ill-educated in the highway code son” was to blame and said “don’t you dare try and shift your inadequacies as a parent upon me”. The Adjudication Panel found the member had failed to show respect and consideration to the complainant through the use of inappropriate language and by making unfounded and serious allegations based his limited knowledge of the facts, in breach of paragraph 4(b). Through its aggressive tone, threatening nature and serious allegations contained in the email, the member has also brought the office of member into disrepute, in breach of paragraph 6(1)(a);
- Example 20: Whilst acting in a private capacity, a member of a County Borough Council received a criminal conviction for common assault as a consequence of the unsolicited touching of the leg of a female, which caused her distress. The Adjudication Panel heard that the member accepted his behaviour was unacceptable and had pleaded guilty to the offence in the Courts. The Panel found that the conviction and negative publicity that surrounded the case had brought the member’s office into disrepute, in breach of paragraph 6(1)(a) of the Code. ²²

34. The facts of this complaint can be distinguished from the examples of disrepute found above. This case doesn’t include any level of dishonesty which we submit appears necessary for such a finding. Whilst the use of the words ‘smoke screen’ and suggestions of a ‘cover up’ could be seen as critical of other Councillors, they were not steeped in the type of actual dishonesty needed for ‘disrepute’ otherwise, no criticisms of Council processes would ever be permissible.

It is therefore submitted, with reference to the above examples, it cannot be said that the alleged breach meets the threshold for referral to the Standards Committee.

²¹ The Code of Conduct for members of local authorities in Wales: Guidance the Public Services Ombudsman for Wales, pp. 2.13
<<https://www.ombudsman.wales/wp-content/uploads/2021/05/Code-of-Conduct-Guidance-Community-Councils.pdf>>

²² The Code of Conduct for members of local authorities in Wales: Guidance the Public Services Ombudsman for Wales, pp. 2.31
<<https://www.ombudsman.wales/wp-content/uploads/2021/05/Code-of-Conduct-Guidance-Community-Councils.pdf>>

Alleged breach of Code 7(a) – Not to in his official capacity or otherwise, use or attempt to use his position improperly to confer or secure for himself, or any other person, an advantage or create or avoid for himself, or any other person, a disadvantage;

35. Within paragraph 90 of the draft report, it is concluded that there has been no breach of code 7(a)

36. No further comments are therefore submitted in respect of this alleged breach

Alleged breach of Code 8(a)(iii) [Members] must when participating in meetings or reaching decisions regarding the business of [their] authority, do so on the basis of the merits of the circumstances involved and in the public interest having regard to any relevant advice provided by [their] authority's officers, in particular by the authority's monitoring officer.

Factual comments

37. The meeting with Gareth Owens ("GO"), Monitor Officer ("MO") for Buckley Town Council was requested by CC himself to discuss concerns he had about the way things were going.

38. During the meeting various topics were discussed. No one topic was discussed in detail.

39. Prior to meeting with CC on 18th October 2021, GO was unaware of the scheduled meeting to take place on 20th October 2021. It is therefore reasonable to believe that the discussions and 'advice' given regarding the impending meeting was not detailed given his lack of knowledge about the impending meeting. CC asserts that nothing at that meeting felt advisory, it felt like general conversation.

40. CC does not recall making any suggestion that the MO make no contact with MW prior to the scheduled meeting on 20th October 2021. Even if such a request was made by CC, any suggestion that this was motivated by a desire to ambush MW is refuted.

41. In our submission, it is not fair or just for the responsibility for any lack of action by the MO to fall solely on CC. It was the duty of the MO to explore lines of contact with MW, if he felt it necessary.

42. As CC stated *"I would have expected him to, after meeting with myself, I would have expected him to go, to go and talk to Martin, again I cant tell the legal governance officer for Flintshire County Council what to do"*²³. It is submitted that MO must shoulder responsibility for the decision not to speak to MW in advance of The Meeting.

43. CC left the meeting with GO with the *"clear impression that as a councillor, I could ask a question"*²⁴ which is what he indeed did.

44. In order to conclude a possible breach of Code 8(a)(iii) the Ombudsman must first conclude that MO gave CC the advice he asserts. Reliance is placed on the handwritten, contemporaneous note produced by GO²⁵. This note is particularly short for a meeting lasting one and a half hours. It is also completely silent in respect of the detailed advice that GO purports to have given CC. It appears odd that if such had been the cause of the meeting

²³ Public Services Ombudsman for Wales: Investigation Report, Appendix 17, Page 395

²⁴ Public Services Ombudsman for Wales: Investigation Report, Appendix 17, page 401

²⁵ Public Services Ombudsman for Wales: Investigation Report, Appendix 9, page 296

exceeding the initial time estimate by an hour and that it became the main focus of the meeting, it is not referenced at all within the contemporaneous note. Thus, this aspect of his statement must have been formulated solely from his memory of the meeting.

45. The statement provided by GO is dated 25th July 2022, some nine months after the meeting with CC on 18th October 2021. By this time, he would have been informed of the views expressed by other Council members and the subsequent complaint raised with regard to The Meeting.
46. It is submitted that there is no supporting evidence upon which to rely and conclude that detailed advice was ever given to CC, nor is there sufficient evidence as to the detail of that advice to fairly conclude that he did not give it *"due regard and careful consideration"*²⁶.
47. Additionally, reference is made to the email sent by MW proceeding The Meeting in which he advised against the relevant topic being raised. There is no evidence that the content of that email was considered by CC. Councillor David Ellis comments upon the shortness of notice in sending that email (sent in the morning before The Meeting was heard later that same day). Confirmation has been provided by Kevin Glyn-Davies, Town Clerk for Buckley Town Council that *"the office holds no receipt that CC read or opened the email in question"*²⁷.
48. Consequentially, in our submission there is insufficient evidence to conclude on the balance of probabilities that CC viewed the content of the email sent by MW on the morning of 20th October 2021 and choose to ignore it.
49. For the reasons set out above, it is submitted that no conclusion can be reached that CC breached Code 8(a)(iii).

Additional factual comments

50. There is reference to an exchange of emails between MW and CC during the summer proceeding The Meeting. It is CCs case that these emails did not cross any boundaries, were not abusive or manipulative. These emails are referred to by GO as displaying a conflict between CC and MW. CC never viewed him and MW in conflict but accepts that he could have been assertive which MW could have viewed as a challenge to his character or authority.
51. As a new Councillor, The Meeting was only the first or second meeting CC had attended. CC had met MW at an induction following his election to the Town Council. However, all meetings at that stage had been held virtually. During The Meeting CC was only able to participate audibly due to a technical issue with his camera facility. Consequently, the others attending The Meeting were unable to evaluate CCs body language. The delivery and receipt of information via online meetings, especially when you are unable to consider someones body language, is always open to misinterpretation.
52. Details of three witnesses: Councillor Peers, Councillor Jones and Councillor Peters were proposed as potential witnesses. It is unclear whether contact has been made with Councillor Peers and Councillor Peters. We would appreciate confirmation in this respect.
53. It is however understood that a response was received from Councillor Julia Jones on 6th January 2022. We would be grateful to be provided with a copy of her response as it is not

²⁶ Public Services Ombudsman for Wales: Investigation Report, paragraph 91

²⁷ Public Services Ombudsman for Wales: Investigation Report, Appendix 7, page 284

referenced within the draft report.

54. This complaint could have been dealt with by way of a “Local Resolution Process” as described in The Code of Conduct for members of local authorities in Wales: Guidance the Public Services Ombudsman for Wales. However, no such resolution was ever considered prior to MW referring the matter to the Ombudsman.

Motivation for the compliant

55. CC believes that there is political motivation for the compliant and hostility from those who provided supporting statements.
56. The compliant has been escalated and engineered with the aim of removing CC undemocratically by members of an opposing political party. This belief is endorsed by Councillor David Ellis who states *“whatever issues he {CC} has raised to date at Council he has been berated by a political faction of Councillors, and the clerk”²⁸*.
57. Prior to being elected as a Town Councillor, CC was a member of the Labour party. He stood against Councillor Louis Fox in the bi-election in 2019. At that time Councillor Fox was a member of the Conservative party. In 2020, Councillor Fox joined the Labour party in Buckley which CC had left to stand as an Independent Councillor in the 2021 bi-elections against Labour.
58. This candidacy was challenged by Councillor Vivienne Blondek who was then part of the Labour party. Councillor Vivienne Blondek contacted and attempted to influence other Councillors by damaging CCs reputation and character in an attempt to block CC from taking part. This was reported to the Public Services Ombudsman for Wales but was not referred.
59. Councillor David Ellis states that *“Since being elected as Mayor, Councillor Blondeks approach to CC at meetings has not been one of respect, neither has the clerk who has been very abrupt and intolerant towards him when he has raised issues on behalf of residents.”²⁹*
60. CC has made a previous complaint about Councillor Louis Fox who subjected CC to abuse and harassment.
61. CC also believes GO could be hostile following previous engagement when CC was a GMB Union Representative.
62. The political background is important as it raises the possibility that witnesses have altera motives for providing certain information and this could call into question the reliability of the information they provide.
63. It is evident from the documentation that MW had previously engaged in discussions with Buckley Town Council to make financial settlement arrangements. It is understood that he also discussed a potential claim for constructive dismissal. It is the belief held by CC, that MW exacerbated the content of The Meeting to use it as a springboard to raise a claim against Buckley Town Council.

²⁸ Public Services Ombudsman for Wales: Investigation Report, Appendix 15, page 361

²⁹ Public Services Ombudsman for Wales: Investigation Report, Appendix 15, page 362

64. It is also understood that MW had made complaints to the Public Services Ombudsman about three other Councillors on separate occasions.

Conclusion to Stage one

65. It is submitted that the alleged breaches of Codes 4(b), 6(1)(a) and 8(a)(iii) cannot be found proved on the balance of probabilities, nor do the alleged breaches meet the requisite thresholds as provided by way of the Guidance examples. The matter should therefore conclude at this stage.
66. If despite the above submissions the Ombudsman finds any breach proved, then they must consider stage two of the test; public interest.

Stage Two Public Interest

67. Public interest must be considered at every stage of the complaint and investigation process. It is fundamental in determining whether a complaint should be initially investigated, it is an overarching consideration during the investigation process and again, should be considered when determining whether a matter should be referred to a Standards Committee.
68. The Ombudsman guidance itself states that *“We are firmly of the view that our limited resources should not be used to investigate matters which are trivial or which have little or no impact on the public. It is important that we focus our investigations on matters that are serious and are capable of undermining the relationship between councillors and the public they serve, such as corruption, bullying and misuse of power in public office.”*³⁰
69. We refer you to the following relevant (non-exhaustive) public interest factors to consider:
1. the seriousness of the breach
 2. whether the member deliberately sought personal gain for themselves or another person at the public expense
 3. whether the circumstances of the breach are such that a member has misused a position of trust or authority and caused harm to a person
 4. whether the breach was motivated by any form of discrimination against the victim’s ethnic or national origin, gender, disability, age, religion or belief, sexual
 5. orientation or gender identity
 6. whether there is evidence of previous similar behaviour on the part of the member
 7. whether the investigation or referral to a standards committee or the Adjudication Panel for Wales is required to maintain public confidence in elected members in Wales
 8. whether investigation or referral to a standards committee or the Adjudication Panel of Wales is a proportionate response, namely, whether it is likely that the breach would lead to a sanction being applied to the member (I will take account of the outcomes of previous cases considered by standards committee across Wales and the Adjudication Panel for Wales), and whether the use of resources in carrying out an investigation or hearing by a standards committee or the Adjudication Panel for

³⁰ <https://www.ombudsman.wales/fact-sheets/code-of-conduct-assessing-public-interest/>

Wales would be regarded as excessive when weighed against any likely sanction.³¹

70. We ask that careful consideration is given with regard to the Ombudsman Guidance on assessing public interest. It states as follows:

“There is no widely accepted definition of public interest, but it has been described as “something which is of serious concern and benefit to the public”. The public interest therefore relates to something which has an impact on the public and is not merely a matter the public finds to be of interest or a matter that impacts solely on an individual (although an individual may be more directly impacted by the matter than the wider public)”³².

“The public in this context does not necessarily mean the entire population of Wales. It may refer to a distinct section of the public such as a small community or interest group.”³³

71. It is our submission that with reference to the guidance and the particular facts in this case, it is not in the public interest to refer this case to the Standards Committee.

Article 10 of the European Convention on Human Rights (“ECHR”)

72. Within the draft report at paragraph 7 reference is made to the 3 stage test as set out in *Saunders v Kingston [2005] England and Wales High Court (“EWHC”) 1145*. All elements of that three stage test must be present for a referral to the Standards Committee to be justified. It is submitted that even if a conclusion is reached that CCs conduct has breached a paragraph of the Code of Conduct, it is conduct that is justified under Article 10 and thus does not pass the test for referral.

73. Additionally, The Code of Conduct for members of local authorities in Wales: Guidance the Public Services Ombudsman for Wales,³⁴ references other caselaw: *Calver, R (on application of) v The Adjudication Panel for Wales [2012] EWHC 1172 (Admin)* and *Heesom v Public Services Ombudsman for Wales [2014] EWHC 1504 (Admin)*³⁵- Summarised as follows:

- a. “In the first case, the Adjudication Panel dismissed an appeal by a Community Councillor against the decision of the local Standards Committee that he had failed to show respect and consideration for others by posting various online comments criticising the other members and the way in which the Council was run. The High Court found that, whilst the comments were sarcastic and mocking and the tone ridiculed his fellow members, because the majority of the comments related to the way in which the Council was run, how its decisions were recorded and the competence of the members, the comments were “political expression”. The ruling said no account had been taken of the need for politicians to have “thicker skins”. In view of the member’s freedom of expression and the fact that the majority of comments were directed at fellow councillors, the finding of a breach in this case was a disproportionate interference with the member’s rights under Article 10 of the

³¹ The Code of Conduct for members of local authorities in Wales: Guidance the Public Services Ombudsman for Wales, pp. 1.14-1.18
<<https://www.ombudsman.wales/wp-content/uploads/2021/05/Code-of-Conduct-Guidance-Community-Councils.pdf>>

³² <https://www.ombudsman.wales/fact-sheets/code-of-conduct-assessing-public-interest/>

³³ <https://www.ombudsman.wales/fact-sheets/code-of-conduct-assessing-public-interest/>

³⁴ The Code of Conduct for members of local authorities in Wales: Guidance the Public Services Ombudsman for Wales, pp. 1.14-1.18
<<https://www.ombudsman.wales/wp-content/uploads/2021/05/Code-of-Conduct-Guidance-Community-Councils.pdf>>

³⁵ Public Services Ombudsman for Wales: Investigation Report, p.8

European Convention on Human Rights (ECHR). The Adjudication Panel's decision was, therefore, set aside.”³⁶

- b. “In the second case, the High Court heard an appeal against the decision of the Adjudication Panel that a member of a County Council had committed 14 breaches of the Code by failing to show respect and consideration for officers of the Council, using bullying behaviour, attempting to compromise the impartiality of officers and bringing the member's office into disrepute. The breaches occurred over a period of two years and included comments and conduct which were critical of, and threatening towards, both senior and junior officers. The Court found that all of the breaches were intentional and some of the misconduct was serious. Some of the breaches involved deliberately dishonest and misleading conduct towards officers, other members and members of the public. In respect of officers, much of the conduct was intended to undermine them personally and was performed when officers were trying to do their jobs, which the member was intent on frustrating. All but three of the breaches found by the Adjudication Panel were upheld by the Court.”³⁷

“One of the important issues that had to be determined by the Court was the scope of, and legitimate restrictions to, a politician's right of freedom of expression under Article 10 of the ECHR and at common law. The Court reiterated that the law requires politicians to have thick skin and be tolerant of criticism and other adverse comment. However, the Court also noted that while public servants are open to criticism, including public criticism, it is in the public interest that they are not subject to unwarranted comments that disenable them from performing their public duties and undermine confidence in the administration.”³⁸

74. It is our submission that this case falls within the enhanced protection of freedom of expression afforded to political debate under Article 10. It is reasonable to expect those who engage in Political debate to anticipate sometimes difficult challenges to their views and/or behaviour. It is the basis of a democratic society.

Conclusion to stage two

75. It is submitted that this it is not in the public interest to refer this case to the Standards Committee and it falls within the enhanced protection afforded by Article 10 ECHR.

Profession background

76. CC is a man of good character.
77. He was elected as Town Councillor in May 2021. This was his first appointment.
78. Prior to this his professional career had span many roles. He had been employed within the water industry in Wales for 26 years engaging in the operations and maintenance of waste

³⁶ The Code of Conduct for members of local authorities in Wales: Guidance the Public Services Ombudsman for Wales, pp. 1.15
<<https://www.ombudsman.wales/wp-content/uploads/2021/05/Code-of-Conduct-Guidance-Community-Councils.pdf>>

³⁷ The Code of Conduct for members of local authorities in Wales: Guidance the Public Services Ombudsman for Wales, pp. 1.16
<<https://www.ombudsman.wales/wp-content/uploads/2021/05/Code-of-Conduct-Guidance-Community-Councils.pdf>>

³⁸ The Code of Conduct for members of local authorities in Wales: Guidance the Public Services Ombudsman for Wales, pp. 1.17
<<https://www.ombudsman.wales/wp-content/uploads/2021/05/Code-of-Conduct-Guidance-Community-Councils.pdf>>

water treatment works in North east Wales and providing in house training on health and safety aspects of accessing confined underground spaces. He was also employed as a HGV driver, delivering cargo and palletised goods across the UK.

79. In addition to paid employment, CC has dedicated time to volunteer as an aid worker for the SHARE Charity based in Flintshire working with the homeless, as well as working in the Calais Refugee Camp.
80. CC has been a trade union representative for the GMB for 36 years representing individuals in the work place.
81. On 17th May 2022 CC was nominated and elected by the full Town Council to the role of Deputy Mayor to Mayor Councillor Julia Jones.
82. On 9th May 2023, CC was elected to become the Mayor of Buckley. He was nominated and elected into this position by the full Town Council.
83. This role requires CC to represent the Town Council at civic functions and other events and to Chair meetings of the Council.
84. There have been no complaints or concerns raised as to CCs conduct in either of these prestigious roles within the Council.

Training and reflection

85. No meaningful induction took place following CC appointment as a Town Councillor. He was provided a bundle of documents by MW that included the STOs and Code of Conduct which MW referred to as 'bedtime reading'. There was no comprehensive training or induction process offered, a position confirmed by Tracey Reece in that the Council *"records do not indicate that CC attended any training on the Members Code of Conduct and therefore regret have no training material for any session attended"*³⁹.
86. CC acknowledges that he would have benefited from training right at the start of his appointed role.
87. The investigation has given CC time to reflect upon the way in which a similar question could be posed in the future. CC acknowledges that *"hindsight is such a great thing. But I didn't have the benefits of that knowledge at the time and there was no attempt to give it to me. It was a case of 'find your own way' which, you know, I mean that kind of position is wrong, but that's how it was. And in the end, I got the training. But I didn't get it at the time"*⁴⁰.
88. In May 2022 CC completed Town Councillor training offered by GO which incorporated training upon the Code of Conduct.

Conclusion

89. It is submitted that,

³⁹ Public Services Ombudsman for Wales: Investigation Report, Appendix 7, page 210

⁴⁰ Public Services Ombudsman for Wales: Investigation Report, Appendix 17, page 432

1. Based on the reasons stated above and the Guidance issued by the Public Services Ombudsman for Wales and, the relevant caselaw cited within it, there is insufficient evidence to find the alleged breaches of the Code proved and/or,
2. It is not in the public interest for this case to continue.

90. Consequently, this case should not be referred to the Standards Committee.

Blackfords LLP
Served on behalf of Mayor Charles Cordery
29th June 2023.

Appendix 21

The Code of Conduct

for members of local authorities in Wales

**Guidance from the
Public Services Ombudsman for Wales**
for members of community and town councils

When does the Code apply?

1.49 The Code applies:

- **Whenever you act in your official capacity**, including whenever you are conducting the business of your Council or acting, claiming to act, or give the impression you are acting, in your official capacity as a member or as a representative of your Council (paragraph 2(1)(a)-(c)).
- **At any time**, if you conduct yourself in a manner which could **reasonably** be regarded as bringing your office or your authority into **disrepute**, or if you **use or attempt to use your position improperly to gain an advantage or avoid a disadvantage** for yourself or any other person, or if you **misuse your Council's resources** (paragraphs 2(1)(d), 6(1)(a) and 7).

1.50 **Where you act as a representative of your Council on another relevant authority, or any other body, you must, when acting for that other authority, comply with its code of conduct** (paragraph 3(a)). When you are nominated by your Council as a trustee of a charity you are obliged when acting as such to do so in the best interests of that charity, in accordance with charity law and with the guidance which has been produced by the Charity Commission (see its website: www.gov.uk/government/organisations/charity-commission).

1.51 **If you are acting as a representative of your Council on another body, for example on an event committee, which does not have a code of conduct relating to its members, you must comply with your Council's own Code** unless it conflicts with any legal requirements that the other body has to comply with (paragraph 3(b)).

1.52 If you refer to yourself as 'councillor' in any form of communication, the Code will apply to you. This applies in conversation, in writing, or in your use of electronic media. There has been a significant rise in complaints to me concerning the use of Facebook, blogs and Twitter. If you refer to your role as councillor in any way or comments you make are clearly related to your role, then the Code will apply to any comments you make there. Even

if you do not refer to your role as councillor, your comments may have the effect of bringing your office or authority into disrepute and could therefore breach paragraph 6(1)(a) of the Code.

1.53 The Welsh Local Government Association has produced useful guidance on social media entitled “Social Media: A Guide for Councillors”. The guidance aims to provide you with a clearer idea about how you can use social media, the possible pitfalls and how to avoid them. It is available on their website at www.wlga.wales or by calling 029 2046 8600.

1.54 If you are suspended from office for any reason, you must still observe those elements of the Code which apply, particularly as set out in paragraph 2(1)(d), while you are suspended.

Example 1

A complaint was received that a councillor was intoxicated and behaving inappropriately at a street party. It was established that the councillor did not have to undertake any action on behalf of the Council at the party. In my view, therefore, she attended the party as a member of the public and as she did not seek to rely on her status as a councillor in any way only paragraph 6(1)(a) (disrepute) of the Code applied at the time. Whilst her behaviour may have been considered inappropriate by some, it was not relevant to her role as a councillor and in my view did not bring the Council into disrepute, so was not indicative of a breach of paragraph 6(1)(a). I did not investigate this complaint.

Example 2

Whilst acting in a personal capacity, a member of a county council was convicted of criminal offences relating to a failure to maintain accurate animal records and the disposal of animal carcasses. The Standards Committee determined that, due to the seriousness of the convictions, the member had brought the authority into disrepute in breach of paragraph 6(1)(a).

Treating others with respect and consideration

See paragraph 4(b)

Political comments can attract Article 10 rights

2.7 When undertaking your role as a member, you must show respect and consideration for others. I expect members to afford the public colleagues, opponents and officers the same courtesy and consideration they show to others in their everyday lives. This does not mean you cannot participate in robust debate with political opponents, but it must be measured.

2.8 Article 10 of the European Convention on Human Rights (ECHR) provides a right to freedom of expression and information, subject to certain restrictions. Freedom of expression is a right which applies to all information and ideas, not just those that are found favourable. However, it is a right that may be restricted in certain circumstances, for example, for the protection of the rights and interests of others.

2.9 Your freedom of expression as a member attracts enhanced protection when comments you make are political in nature. Therefore, the criticism of opposition ideas and opinion is considered to be part of democratic debate, and it is unlikely that such comments would ever be considered to be a breach of the Code.

2.10 “Political” comments are not confined to those made within council meetings and, for example, include comments members may generally make on their Council’s policies or about their political opponents. Therefore, unless the comments are highly offensive or outrageous, it is unlikely that I will investigate a complaint about comments made in this context and I will take the view that the offended member needs a “thicker skin”, as has been stipulated by the High Court.

2.11 I may also decline to investigate a complaint where the member has raised “political” issues with officers, for example, the Clerk to a council. This would not, however, include threats to an officer’s position or wellbeing. Recent case law has confirmed that council officers should be protected from unwarranted comments that may have an adverse effect on good administration and states that it is in the public interest that officers are not subject to unwarranted comments that disenable them from carrying out their

duties or undermine public confidence in the administration. That said, officers who are in more senior positions, such as the Chief Executive of a principal council, will also be expected to have a greater degree of robustness. However, I am concerned about the number of complaints I have received which allege inappropriate behaviour by some community councillors towards their Council's Clerk. Given the very scale and nature of community and town councils, there is a distinction to be made about the role and status of a Chief Executive or other senior officer in a principal council and that of a Clerk. I will consider carefully any complaints of alleged inappropriate behaviour by members towards Clerks, and will investigate those complaints which are supported by appropriate evidence that a member has gone beyond what might be regarded as reasonable challenge.

2.12 Whilst I recognise that political debate can, at times, become heated, the right to freedom of expression should not be used as an excuse for poor conduct generally. Such poor conduct can only discredit the role of members in the eyes of the public.

2.13 When considering such complaints, I will take into account the specific circumstances of the case; whether, in my view, the member was entitled to question the officer concerned, whether there was an attempt to intimidate or undermine the officer and the content and context of what has been said.

Example 6

The Chair of a Community Council was found by a Standards Committee to have sent a number of emails containing inappropriate critical comments to another member of the Council. Two of the emails, including one which contained disparaging comments about the member's shower habits, were copied to other members of the Council. One email confirmed that the Chair had instructed the Clerk not to accept further emails from the member, because of his "sarcastic and belligerent remarks", until the member "had learned how to behave and conduct [himself] in a correct manner befitting a councillor." An email critical of the member was also sent by the Chair to a member of the public. The Standards Committee found the emails amounted to a failure to show respect and consideration to the other member, in breach of paragraph 4(b) of the Code, and had brought the Council into disrepute in breach of paragraph 6(1)(a).

An Appeal Tribunal of the Adjudication Panel for Wales found that two of the emails had been sent by the Chair in a personal rather than official capacity. The Tribunal considered all of the emails contained an attack, in some form or other, on the rights and reputation of the other member. However, the Tribunal found despite being confrontational, the comments were not abusive and were in the main political in nature and attracted the enhanced protection of Article 10 of the ECHR. The Tribunal found that the email about the member's shower habits was intended to make light of the situation and had not been sent maliciously, although it acknowledged the member may have perceived it as such. The Tribunal also found that the ban on the member communicating with the Clerk was a genuine attempt to protect the Clerk from inappropriate emails by the member. The Standards Committee's decision was overturned and the sanction rescinded.

Example 7

A member of a Town Council wrote a letter to a Deputy Minister of the then Welsh Assembly Government about an employee of a County Council, which he also copied to the Council. In the letter, the member questioned the employee's competence and motivation and he made a number of comments of a disparaging and personal nature about the employee and his associates. He raised the issue of homosexuality and referred to it as a "notorious disability" and that "homosexuality is only a demon which can be driven out".

The Adjudication Panel found that the member had breached paragraph 4(b) of the Code in that he had failed to show respect and consideration for others. It also found that his conduct had brought the office of member into disrepute in breach of paragraph 6(1)(a) of the Code.

Example 8

The Chair of a Community Council raised a complaint at a meeting of the Council that he had not seen the text of a letter prior to it being issued (as previously agreed) in his name by the Clerk. The Chair was unhappy with the content of the letter when he eventually saw it. It was alleged that it was inappropriate for him to have raised the matter, without notice, in a public forum and in doing so he had upset and publicly humiliated the Clerk.

A Standards Committee concluded that it was not inappropriate for the member to raise the issue in a public meeting so that his views could be publicly identified. The Standards Committee considered that his line of questioning and approach did not demonstrate a failure to show respect and consideration for the Clerk, but were intended to ensure that the Council's interests were protected and his concerns about the content of the letter were addressed. The Standards Committee, therefore, found no breach in relation to this aspect of the complaint.

(See paragraph 4(c) below for further examples)

Bullying and harassment See paragraph 4(c)



Consider your conduct from
the other person's perspective

2.14 You must not use any bullying behaviour or harass any person including other councillors, council officers (the Clerk or Proper Officer) or members of the public. Harassment is repeated behaviour which upsets or annoys people. Bullying can be characterised as offensive, intimidating, malicious, insulting or humiliating behaviour. Such behaviour may happen once or be part of a pattern of behaviour directed at a weaker person, or a person over whom you have some actual or perceived influence. Bullying behaviour attempts to undermine an individual or a group of individuals, is detrimental to their confidence and capability, and may adversely affect their health.

2.15 When considering allegations of bullying and harassment, I will consider both the perspective of the alleged victim, and whether the member intended their actions to be bullying. I will also consider whether the individual was reasonably entitled to believe they were being bullied. Bullying is often carried out face to face but, increasingly, it can be carried out in print or using electronic media. The standards of behaviour expected are the same, whether you are expressing yourself verbally or in writing.

Example 9

A Community Councillor disagreed with the County Council's arrangements for the enforcement of parking breaches within the town. The Councillor used disrespectful and abusive language and behaved in a bullying and intimidating manner towards Council Civil Enforcement Officers on four

2.30 Your Council needs to decide whether to disclose information or whether it may be covered by an exemption under the Freedom of Information Act. Even if you believe that information you hold is exempt, you must provide it to the person dealing with the information request to allow the Council to reach a decision. As well as being a breach of the Code, it is a criminal offence if information is destroyed after a Freedom of Information Act request has been received.

Example 17

The Leader of a County Council refused to give the Council's Information Officer a letter he had written to the then Wales Audit Office, on behalf of the Council's Executive. As a result, the Council could not respond appropriately to a Freedom of Information Act request which resulted in a complaint being made to the Information Commissioner's Office. The member continued to refuse to disclose the letter despite having received clear and unequivocal advice from the Information Officer. His refusal led to an adverse finding from the Information Commissioner's Office. The Adjudication Panel found that the member had breached paragraphs 5(b) and 6(1)(a) (disrepute) in respect of this matter and other related matters.

Disrepute
See paragraph 6(1)(a)

 Any conduct unbecoming of a member can constitute disrepute

2.31 **You must not behave in a way which could reasonably be regarded as bringing your office or authority into disrepute at any time.** As a member, your actions and behaviour are subject to greater scrutiny than those of ordinary members of the public. You should be aware that your actions in both your public and private life might have an adverse impact on the public perception of your office as a member, or your Council as a whole.

2.32 When considering whether a member's conduct is indicative of bringing their office or their authority into disrepute, I will consider their actions from the viewpoint of a reasonable member of the public. It is likely that the actions of those members in more senior positions, such as the Chair of a Council, will attract higher public expectations and greater scrutiny than ordinary members. It is more likely, therefore, that inappropriate behaviour

by such members will damage public confidence and be seen as bringing both their office and their Council into disrepute. This does not mean that inappropriate behaviour by ordinary members can never bring their council into disrepute.

2.33 Dishonest and deceitful behaviour will bring your Council into disrepute, as may conduct which results in a criminal conviction, especially if it involves dishonest, threatening or violent behaviour, even if the behaviour happens in your private life.

2.34 Whilst you have the right to freedom of expression, making unfair or inaccurate criticism of your Council in a public arena might be regarded as bringing your Council into disrepute. Similarly, inappropriate emails to constituents or careless or irresponsible use of social media might bring the office of member into disrepute, bearing in mind the community leadership role of members. Cases considered by the Adjudication Panel have shown that such behaviour will often be viewed as a serious breach of the Code.

Example 18

A Community Councillor attempted to obtain a discount on a private purchase from a shop by saying it was being bought on behalf of the Community Council. When his request for a discount was refused, he was abusive to the proprietor and two members of her staff and made threats against the business. The Adjudication Panel found that the member attempted to gain an improper advantage for himself, by misrepresenting the purchase as being on behalf of the Council, and his abusive behaviour towards the staff had brought the office of member into disrepute.

Example 19

A member of a County Borough Council who regularly wrote an article for a local monthly publication referred in his article to a recent road traffic accident in which a 10 year-old boy was injured. The complainant was the mother of the boy who was with the injured child. After the article was published, she telephoned the Councillor who she said was abusive towards her during the call. In a subsequent email exchange, the Councillor told her that she had “[failed] to take ANY responsibility for

allowing your 10yr old child out alone”, that her “ill-educated in the highway code son” was to blame and said “don’t you dare try and shift your inadequacies as a parent upon me”.

The Adjudication Panel found the member had failed to show respect and consideration to the complainant through the use of inappropriate language and by making unfounded and serious allegations based his limited knowledge of the facts, in breach of paragraph 4(b). Through its aggressive tone, threatening nature and serious allegations contained in the email, the member has also brought the office of member into disrepute, in breach of paragraph 6(1)(a).

Example 20

Whilst acting in a private capacity, a member of a County Borough Council received a criminal conviction for common assault as a consequence of the unsolicited touching of the leg of a female, which caused her distress. The Adjudication Panel heard that the member accepted his behaviour was unacceptable and had pleaded guilty to the offence in the Courts. The Panel found that the conviction and negative publicity that surrounded the case had brought the member’s office into disrepute, in breach of paragraph 6(1)(a) of the Code.

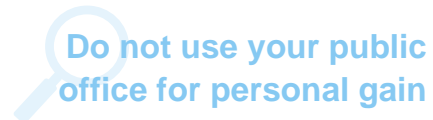
Reporting criminal behaviour See paragraph 6(1)(b)



2.35 The Code requires you to report any conduct by another member, an officer, or anyone who works on behalf of your Council (e.g. a contractor) which you reasonably believe involves or may involve criminal behaviour. Such matters should be reported through your Council’s confidential reporting procedure, or direct to the proper statutory authority. As with alleged breaches of the Code (see below), you should not make vexatious, malicious or frivolous allegations, which would themselves be capable of being a breach, by you, of paragraph 6(1)(d) of the Code. If in doubt, consult your Council’s Clerk. The principal council’s Monitoring Officer may also be able to provide advice.

activity log. The Adjudication Panel found the member had been less than candid about his ability to check any change of settings on his account, when he was clearly an experienced user of Facebook. The Panel found the Councillor had deliberately avoided providing information and full and frank responses to the reasonable requests of my office, in breach of paragraph 6(2) of the Code.

Using your position improperly See paragraph 7(a)



- 2.54 You must not use, or attempt to use, your position as a member improperly to the advantage or disadvantage of yourself or any other person.⁹ This paragraph applies at all times and not just when you are carrying out your duties as a member. You should not use, or attempt to use, your public office either for your or anybody else's personal gain or loss. For example, your behaviour would be improper if you sought to further your own private interests through your position as a member. This also applies if you use your office to improve your wellbeing at the expense of others.**
- 2.55** Members who own land, or whose close personal associates own land, need to be particularly cautious where planning matters are concerned. If you are in any doubt, you should take advice. This applies equally to members of community and town councils when your Council is consulted on planning matters. Similarly, while it is reasonable to expect members to help constituents apply to the Council, for example, for housing, it is quite inappropriate to seek to influence the decision to be taken by the officers.
- 2.56** The provisions of the Bribery Act 2010 apply to members carrying out their public functions. Should a member be convicted of a criminal offence under this Act, then it is likely that they will also have used their position improperly (in breach of paragraph 7(a)) and be likely to have brought the office of member or their authority into disrepute in breach of paragraph 6(1)(a). If any complaint which is made to me concerns conduct which may amount to a criminal offence then I am likely to refer the matter to the police.

⁹ In legislation, the use of 'person' includes a body of persons corporate or unincorporated – see Schedule 1, Interpretation Act 1978; and Schedule 1, Legislation (Wales) Act 2019 (for Welsh legislation made on or after 1 January 2020).

Example 24

A Councillor was a 'joint co-ordinator' of a community group. The Councillor did not notify the Council of her position in this group. She took part in the consideration of, and voted on, the decision to negotiate a new lease in respect of a workshop used by the community group. A Standards Committee found that she had used her position on the Council improperly as the decision on which she voted benefited a group in which she clearly had an interest which she had not disclosed to the Council. She was found in breach of paragraph 7(a) of the Code.

Example 25

A member of a National Park Authority being investigated by my office for alleged inappropriate behaviour towards another member, spoke with the Chair of the Authority in an attempt to have the matter dealt with through a roundtable discussion of the parties involved. The member threatened to disclose information publicly about the complainant if the complaint to my office was pursued and went against him. The Adjudication Panel found that this amounted to an attempt by the member to use his position improperly in order to avoid a potential disadvantage, as well as breaches of paragraphs 4(b) (respect and consideration) and 6(1)(a) (disrepute) of the Code.

Example 26

A member of a Town Council wrote to the Welsh Government indicating that an application for a loan in respect of a 'Community Hub' project, supported by the Council, should not go ahead as the matter was subject to further discussion. The correspondence was signed by the member using the title Deputy Mayor of the Council. As a consequence, the Welsh Government made further enquiries of the Council and required it to submit a further loan application, which resulted in further work and expense for the Council.

During the course of my investigation the member claimed the correspondence was sent in a personal capacity. It was an accepted fact that the Community Hub would include facilities which would be in direct competition with the business interests of the member. In my view, the Welsh Government was unlikely to have acted upon the member's communication had it not been under the impression that the author was representing the Council.

A Standards Committee considered that the communication was designed to have an impact on the project. Whereas some of the motivation may have been to protect the public interest, the Committee considered the member had gone about it in an inappropriate manner which gave the impression that he was acting in his own business interests. The Committee concluded that the member had attempted to use his position improperly to gain an advantage in breach of paragraph 7(a) of the Code.

Using the Council's resources See sub-paragraphs 7(b)(i) – (iv)



Only use resources for lawful
and permitted purposes

2.57 You must only use or authorise the use of the resources of the Council in accordance with its requirements and the law. These sub-paragraphs also apply at all times. If your Council provides you with access to resources (for example telephone, computer and other IT facilities), you must only use these resources for carrying out your Council business and any other activity which your Council has authorised you to use them for.

2.58 You must be familiar with the rules made by your Council applying to the use of these resources. Failure to comply with your Council'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 Council's resources, you must take care to ensure that this is allowed by your Council's rules.

Using resources for proper purposes only See sub-paragraphs 7(b)(v) and (vi)



Do not use resources for
private or political purposes

2.59 You must make sure you use the Council's resources for proper purposes only. These sub-paragraphs apply at all times. It is not appropriate to use, or authorise others to use, the resources for private or political purposes, including party political purposes. When using the Council's resources, you must have regard, if applicable, to any guidance issued by your Council, for example, your Council's Information Security Policy.

Example 27

A member of a County Council was found in breach of the Code for making improper use of his council-owned computer equipment for private purposes by downloading adult pornographic images and sending a number of letters to a local newspaper, which he falsely represented as being from members of the public. The Adjudication Panel found that the member had misused the Council equipment in breach of the Code and had brought the office of member into disrepute.

Reaching decisions objectively See paragraph 8(a)



2.60 When taking part in meetings of your Council, or when arriving at decisions relating to the Council's business, you must do so with an open mind and consider the issues objectively. During the decision-making process, you must act fairly and take proper account of the public interest.

2.61 Most decisions taken by a community or town council relate to local matters and funding of local projects. Although the amounts of money being spent are smaller than at county level, all decisions must be taken on the basis of the facts in front of you. You must not have made your mind up in advance to such an extent that you are entirely unprepared to consider all of the evidence and advice you receive. Having a completely closed mind is known as **pre-determination**. You are entitled to hold a preliminary view about a particular matter in advance of a meeting (**pre-disposition**) as long as you keep an open mind and are prepared to consider the merits of all the arguments and points made about the matter under consideration before reaching your decision.

2.62 Pre-determination, on the other hand, would be where you have clearly decided on a course of action in advance of a meeting and are totally unwilling to consider the evidence and arguments presented on that matter during the meeting. Pre-determination could not only invalidate the decision, it would also amount to a breach of the Code.

SECTION D - E-MAIL CORRESPONDENCE

From: Tracey Reece <[REDACTED]>
Sent: Thursday, March 10, 2022 1:09 PM
To: Vivienne Blondek <[REDACTED]>; julia jones <[REDACTED]>
[REDACTED]; Richard Jones <[REDACTED]>; ianpeters101
[REDACTED]; Ian Howes <[REDACTED]>; arnold woolley
[REDACTED]; Martyn Teire <[REDACTED]>
[REDACTED]; Peter Shone <[REDACTED]>; Mike Peers
[REDACTED] 'Carol'
[REDACTED] Louis Fox <[REDACTED]>; Charles Cordey
[REDACTED]
Subject: Martin Wright

Dear Members

Hope you are well. Please see the attached disturbing email received from Mr Wright sent to me yesterday, which is self-explanatory. To be frank, I was expecting another email from him in respect of the events of the last full Council meeting following the draft minutes being published on the Buckley Town Council website.

This situation is deteriorating to such an extent that it is becoming farcical. Every action taken for the good of the Town Council meets with comments from Mr Wright, which is wholly unacceptable and must not and should not be tolerated by Buckley Town Council as his employer. This latest email is unacceptable and now bordering on being

personal as it was sent to me directly. I have absolutely no wish to respond to Mr Wright as this would merely engage in more further emails of this nature defending himself with yet further commentary with no constructive outcome. Mr Wright remains an employee of the Town Council until his last effective day, which is 30th April 2022 and his email appears to amount to potential written abuse, bullying and harassment. It is a very sad state of affairs that we have reached this unfortunate situation especially when Mr Wright has served 18 years with the Town Council. Nevertheless, whatever length of service it does not allow him to be aggressive and dictate the business of Council.

This is a very difficult email for me to write as this is a completely alien situation to me as my 26 years in Local Government experience never ever culminated in any grievance. I care passionately about Buckley (after all why would I bother to move here!) and this is borne out by my decision to apply for the vacancy. All I want is for Buckley Town Council to be a professional, well run and efficient authority and for its reputation in the community to be outstanding. I fundamentally believe that it is possible but I will not tolerate being insulted and grievances raised against me when all I have done and continue to do is to "steady the ship" to calmer waters.

If have spent many hours thinking about my relationship with Buckley Town Council and it is with a heavy heart that I am seriously considering withdrawing my application for consideration (closing date being midday tomorrow 11/03/22) and very regretfully leave my position as Locum Town Clerk. Having said this, I must stress this is the very last thing I want to do as I enjoy working at Buckley Town Council without hinderance.

Buckley Town Council must take appropriate action immediately in relation to Mr Wright and deal with this as a matter of urgency and priority. If this is allowed to continue with no action, it will be damaging to the reputation of the Town Council and we must act now and move on.

Regards

Kevin Glyn-Davies BA (Hons) MA

Locum Town Clerk

Tracey Reece

From: Kevin Glyn-Davies [REDACTED]
Sent: 10 March 2022 09: [REDACTED]
To: Tracey Reece
Subject: Fwd: Buckley Town Council and MBW

Kevin Glyn-Davies BA (Hons) MA
Locum Town Clerk and Responsible Finance Officer
Buckley Town Council
Tel: 01244 544540
Email: [REDACTED]
Website: www.buckleytc.org.uk

The information you provide (personal information such as name, address, email address, phone number, organisation) will be processed and stored to enable us to contact you and respond to your correspondence, provide information and/or access our facilities and services. Your personal information will be not shared or provided to any other third party without your consent. We will only keep your data for the purpose it was collected for and only for as long as is necessary, after which it will be deleted. (You may request the deletion of your data held by the council at any time). The council privacy notice can be found on our website www.buckleytc.org.uk.

----- Forwarded message -----

From: Martin Wright <[REDACTED]>
Date: Wed, 9 Mar 2022 at 20:54
Subject: Buckley Town Council and MBW
To: Kevin Glyn-Davies <[REDACTED]>
Cc: Vivienne Blondek <[REDACTED]>

Mr Glyn-Davies

I have recently perused the Buckley Town Council Website and note that there was a meeting of the Council and its Standing Committees held on 2nd March 2022. Under Minute 18458 of the Draft Minutes, you have recorded that the Draft Minutes of the Special Council Meeting held on 20th October 2021, placed on the Website on 21st October 2021 were amended to remove the word "he" and replace it with the word "their". As an employee of Buckley Town Council, I formally object to the change approved and would state that both Cllr. Cordery and Cllr. D Ellis have put forward an amendment which is false, untrue and utterly self-serving. The word "he" was most definitely used on the night of 20th October 2021, there are witnesses to this. How Cllr. Cordery could be allowed to put forward an amendment, almost five months after the event, when the original Draft Minutes were produced the day after the Meeting utterly defies logic. If Cllr. Cordery claims he used the word "their", then the Council should have asked him to identify the individual(s) he was referring to and what were the individuals being accused of? As it did not, why not? Why has the Council not addressed Cllr Cordery's contention "There's a cover up going on in the Council in an attempt to protect members of the Council staff by brushing things under the carpet and creating a smoke screen thereby bringing the Council into disrepute." With the approval of the amendments, the clear inference is that I was falsifying the Draft Minutes. I absolutely refute that suggestion and demand an apology from the Council. I also ask why, when the Draft Minutes were placed on the Website on 21st October 2021, almost 5 months ago, has it taken both Cllr Cordery and Cllr. D Ellis that length of time to raise the matter? If Cllrs Cordery and D Ellis insist on defending the word "their", they are implicating me and the two Personal Assistants in this matter, with me, as Clerk, overseeing the falsification of legal documents. This could well result in legal proceedings for false representations in relation to my administration of the Council.

It seems to be becoming a regular feature, however please accept this email as a Formal Complaint and a Formal Grievance against both Cllrs. Cordery and D Ellis and the Council as a Corporate Body for allowing untrue Minutes to be approved. I require that both the Complaint and Grievance are correctly and properly investigated. The decided outcomes must follow the clear rules laid out in my Contract of Employment and The Council's Official Complaints Policy and must be conveyed to me in a timely manner.

Why was I not informed of the Meeting held on 2nd March 2022 and invited to attend, or send a representative to, that element of the Meeting that was discussing the events of 20th October 2021? I object to being excluded from that element of the Meeting and again raise a Freedom of Information Act request for the contemporaneous notes of the Meeting where I was referred to by name, title or implication. You have so far not responded to any of my correspondence, emails, Grievances, Complaints and/or Freedom of Information Act requests. This is causing me increased anxiety and stress and is worsening my health - this I directly attribute to your inactions.

I now turn to the Approved Minute 18458 and have a number of observations in relation to it:-

1. You state that it was "Resolved - That the Minutes of the Special Meeting of the Town Council held on 20th October 2021 (6897 - 6898) be amended to read as follows..." This statement can only mean that the Draft Minutes of the Special Council Meeting on 20th October 2021 have now been replaced by the amended Minutes.
2. The Resolution you have recorded is the narrative of the early part of the Special Meeting held on 20th October 2021 and cannot be regarded as a resolution, as no resolution was moved and seconded on the night of 20th October 2021 in relation to this matter.
3. If you read the Draft Minutes of the Special Meeting carefully, no resolution was put forward save for the discussion in respect of the Annual Firework Display. The Draft Minutes clearly show that that was the only resolution which was moved, seconded and voted upon.
4. With your statement that it was "Resolved - that the Minutes of the Special Meeting of the Town Council held on 20th October 2021 (6897-6898) be amended to read as follows..." You have removed all reference to the resolution in relation to the Annual Fireworks Display. The Council, through its resolution, moved, seconded and approved on 2nd March 2022, has recorded no information in relation to the Annual Firework Display. Therefore it can be contended that the Council acted unlawfully when holding the Annual Firework Display, as there is no recorded approval for the event. The only recorded decision is that of the Mayor and Chairs to cancel the event earlier in October, as demonstrated in the Agenda for the Special Council Meeting held on 20th October 2021.
5. The Amended Minutes are completely irrelevant as the resolution merely provides a narrative with no mover, seconder or vote on the narrative on 20th October 2021. However that is what the Council received, it accepted a mover, seconder and it voted that the amended minutes on 2nd March 2022 be approved. By its actions on 2nd March 2022, I contend that the Council is guilty of maladministration in holding an event for which no approval had been granted and ignored the recorded prior cancellation of the event.
6. As the minutes have now been publicly published on the Town Council website they cannot legally be altered for 6 months, except under exceptional circumstances. I therefore assume they will remain as is on the website.
7. Finally, I presume that with all the years of experience as a Town and Parish Clerk you will be familiar with the importance of accurate and correct recordings of Meetings. If that is the case, how can you have allowed such a fundamental mistake to occur?

I require a prompt reply from you to this email, as you are administering the Council's affairs and I require it, at least, within the statutory timescales. Please do not fob me off with a response from the Mayor; I am addressing this email to you as Locum Clerk.

regards
Martin Wright
Town Clerk & Financial Officer
Buckley Town Council

**SECTION E - WITNESS STATEMENT OF
COUNCILLOR RICHARD JONES**

Ref: Supporting Statement of Councillor Charles Cordrey

Date: 5th September 2024

To Whom it may concern,

On the 15th October 2021, a special meeting of Buckley Town Council was called for the 20th October 2021 to discuss 'The Cancellation of the Annual Bonfire and Firework display'.

The BTC 'request to Attend' the Special Meeting of the council was detailed to be held via Zoom (this was at a time of Covid 19 constraints on meetings etc), made reference to 'keyboard warriors' in inverted commas within the Agenda.

This wording caused considerable offence to many residents, as residents had in general, been pointing out that Welsh Government advice allowed such events to continue to take place, subject to some controls. In essence the wording contributed to the feeling of discontent, likely created by Covid 19

Incidentally, the Buckley Fireworks display attracts in excess of 3500 attendees from across the county and so is always particularly well attended and relied upon as a Community event of some standing.

Residents were annoyed that:

- 1 The Bonfire and Fireworks display was being cancelled
- 2 That Buckley Town Council used the words 'keyboard warriors' as most were just expressing their views

I personally received several complaints from residents, expressing their views and asking that I support that the event should go ahead according to WG guidelines. Since I had received complaints from both local and County wide residents, it is a safe assumption that other councillors such as Councillor Cordrey would have received similar volume and type of complaints.

At the special meeting, there were eventually 3 recommendations, as follows:

- 1 That the Annual Fireworks display and Bonfire go ahead as initially planned, but without the supporting acts, rides and food provision, thus reducing the risk to Councillors, BTC staff, volunteers and attendees based upon the latest advice received from WG at this time
- 2 Recommendation 1 is subject to further advice from WG which could cause the event to be cancelled

- 3 That Members disassociate themselves from the wording in this agenda, as they had no prior knowledge of the wording being used

Recommendation 3 was added in recognition of the feeling around the town towards Members at that time.

The need to add that additional recommendation, gives you some sense of the depth of feeling around the town, remember too that Covid 19 was a time when feelings were amplified through frustration.

Councillor Cordrey was a newly elected Councillor at that time and like others felt it was his duty to convey the feelings of townsfolk to the Clerk/BTC although as a newly elected Member, he would be inexperienced at that time. The weight of public feeling through frustration, was felt via in person and social media messages by all Councillors.

It is my belief that more experienced Members tempered their personal responses according to their knowledge and experience, which Councillor Cordrey, as a newly elected Member, would not have been privy to.

It is also my belief that Councillor Cordrey acted in a way that reflected the feelings of the town's residents as he believed it was his duty. I believe he acted in good faith and without malice or bad intent to hurt anyone.

Since that incident Councillor Cordrey has not given me any reason to question his behaviour and indeed has since occupied the position of Mayor of Buckley, which is a prestigious position within the town. He completed his term in an exemplary manner as a good role model for others, which underlines his character and behaviour both as a Councillor and representative of local residents.

In conclusion, it is my belief that Councillor Cordrey acted in good faith, but was not experienced enough at that time to be able to convey his message without it appearing confrontational. I do not believe that he acted with any malice, but was quite simply trying to reflect the general feeling from the residents he represented.

These are my personal recollections and thoughts relating to that event and events since then,

Councillor Richard Jones

SECTION F - LIST OF AGREED AND DISPUTED FACTS

Hearing into alleged breach of the Code of Conduct for Members

Agreed and Disputed Facts

Agreed Facts

1. Councillor Cordery was elected as a member of Buckley Town Council in May 2021.
2. Prior to the events in 2021 that are the subject of the complaint, Councillor Cordery had not received any training on the Code of Conduct. Councillor Cordery completed training on the Code of Conduct in May 2022.
3. Councillor Cordery and the former Clerk of Buckley Town Council exchanged e-mails in Summer 2021 about the cancellation of events and Councillor Cordery's concern about Council procedures. This culminated in the communications being considered at a meeting of the Council's Establishment Sub-Committee in September 2021 and Councillor Cordery receiving a letter advising him to moderate his communications.
4. Comments were made on social media regarding the cancellation of the fireworks display. (Note: The firework display referred to is the annual fireworks display referred to in disputed fact 1 below).
5. On 15 October 2021 the former Clerk of Buckley Town Council called for a special meeting of the Council. An agenda was published on the Council's website that referred to comments from "keyboard warriors".
6. The reference to "keyboard warriors" in the agenda caused local concern.
7. On the morning of 20 October 2021, the Former Clerk sent an email to all members of Buckley Town Council which asked them to consider his explanation using the phrase "keyboard warriors".
8. An online meeting of Buckley Town Council was held in the evening on 20 October 2021. It was attended by members of the Council, the former Clerk, two staff Assistants, a contractor, an online meeting administrator and members of the public.
9. On 22 October 2021 the former Clerk went on sick leave.
10. On 25 October 2021 Buckley Town Council published on its website draft minutes of the meeting held on 21 October. Those minutes included the comment: "That individual, I will say now, should offer his resignation with immediate effect."
11. On 28 and 29 October 2021 Councillor Cordery challenged the draft minutes.
12. At a meeting of Buckley Town Council on 2 March 2022, Councillor Cordery proposed that where the minutes said "should offer his resignation", they should be amended to "should offer their resignation". The amendment was agreed. Revised minutes were approved by Buckley Town Council on 7 June 2022.
13. The former Clerk of Buckley Town Council died in May 2022.

Disputed Facts

1. Whether the Council cancelled its annual fireworks display in 2021 after revised Covid-19 guidelines were introduced. In her report of the investigation the Ombudsman said

that the Council cancelled the annual fireworks display following the introduction of revised Covid-19 guidelines. Councillor Cordery agreed that the annual fireworks display had been cancelled but said that this had been done by the former Clerk, not the Council.

2. Whether on 18 October 2021 Councillor Cordery had a discussion with the Monitoring Officer during which the Monitoring Officer provided advice to Councillor Cordery. The Monitoring Officer made a note of the discussion at the time in his notebook. Cllr Cordery has said that there was a discussion but he did not agree that the Monitoring Officer had provided advice during the discussion.
3. Whether following the discussion with Councillor Cordery, the Monitoring Officer arranged to speak to the former Clerk of Buckley Town Council on 21 October 2021. Cllr Cordery has said that he was not aware of the date of the discussion so cannot agree.
4. Whether at the start of the Meeting on of Buckley Town Council 20 October 2021 the Mayor began to read out a statement regarding the words in the agenda that had caused offence which would not be discussed in open session and said that Standing Order 33(a) would have to be applied to exclude the press and public if those areas were to be discussed. Cllr Cordery has said that he does not recall if this was or it was not read so cannot agree.
5. Whether as the Mayor was speaking Councillor Cordery called for a Point of Order and then referred to “a cover up” and “a smoke screen” and demanded a “resignation with immediate effect”. Cllr Cordery agrees that he called for a point of order, but disputes that he then referred to a “a cover up” and “a smoke screen” and demanded a “resignation with immediate effect”.
6. Whether the Monitoring Officer contacted the former Clerk on 21 October 2021. The Monitoring Officer made a note of the discussion on 21 October 2021 in his notebook. Cllr Cordery indicated that as he was not privy to the interaction so this could not be agreed.
7. Whether on 21 and 25 October 2021 the former Clerk and members of Buckley Town Council sent complaints to the Monitoring Officer about Councillor Cordery’s intervention at the meeting. Cllr Cordery acknowledged that complaints were sent but says that they were not limited to his intervention at the meeting.
8. Whether Councillor Cordery said that the Monitoring Officer should wait until after the public meeting to speak to the former Clerk. The Monitoring Officer’s evidence in the investigation said that the Monitoring Officer had agreed to speak to the former Clerk and that he had suggested to Councillor Cordery that he should do so before the meeting but that Councillor Cordery said that it should be after the meeting. Councillor Cordery said that he did not recall the Monitoring Officer suggesting that he should call the former Clerk before the meeting and he did not recall telling the Monitoring Officer to wait until after the meeting. The Ombudsman asserts that there is evidence that Councillor Cordery did say to the Monitoring Officer that he should wait until after the meeting to speak to the former Clerk.
9. Whether Councillor Cordery ignored advice from the Monitoring Officer about following correct procedures when raising employment issues. Councillor Cordery has acknowledged that he did discuss this with the Monitoring Officer but has said that he did not think that what he said at the meeting on 20 October 2021 went against the Monitoring Officer’s advice in any great detail. The Ombudsman asserts that there is

evidence that Councillor Cordery was provided with advice by the Monitoring Officer and former Clerk about not discussing employment matters in open session and that Councillor Cordery ignored this advice in making his intervention at the meeting on 20 October 2021.

10. Whether Councillor Cordery's call for a resignation identified the former Clerk. Councillor Cordery has acknowledged that his comments were directed at the former Clerk but has said that he did not mention the former Clerk by name, gender or job title. The Ombudsman has acknowledged that the various accounts of what Councillor Cordery said at the meeting on 20 October 2021 differ and that the approved minutes of that meeting reflect a gender-neutral statement. However, the Ombudsman asserts that regardless of the word used, witnesses interpreted Councillor Cordery's comments as relating to the former Clerk directly or to the person who made the comments regarding keyboard warriors (which was the former Clerk).