

# Hearing Review Panel



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

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Tuesday, 21 January 2025 at 2.00 pm  
Witham Room - South Kesteven House, St. Peter's Hill,  
Grantham. NG31 6PZ

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**Panel Members:** Councillor Pam Byrd  
Councillor Richard Dixon-Warren  
Councillor Chris Noon  
Councillor Sarah Trotter

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## Agenda

1. **Introductions**
2. **Election of Chairman**
3. **Declarations of Interests**
4. **To consider any requests for the exclusion of the Press and Public**
5. **Councillor Code of Conduct Hearing - Councillor Graham (Pages 3 - 116)  
Jeal v Councillor Tim Harrison**

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## Hearing Review Panel

Tuesday, 21 January 2025

Report of Graham Watts, Monitoring  
Officer

## Councillor Code of Conduct Hearing

### Councillor Graham Jeal v Councillor Tim Harrison

#### Report Author

Graham Watts, Assistant Director (Governance and Public Protection) and Monitoring Officer

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#### Purpose of Report

This report provides the Hearing Review Panel with information relating to a complaint by Councillor Graham Jeal against Councillor Tim Harrison which is the subject of a Hearing, in accordance with the Council's procedure for dealing with complaints against Councillors.

Information within the report has been redacted because of the likelihood information that is exempt under paragraph 1 of Schedule 12A of the Local Government Act 1972 (as amended) will be disclosed and is considered not to have passed the public interest test. This is due to contents including personal information not relevant to the case under consideration or personal information relating to other third parties. The press and public may be excluded from the meeting should any of this redacted information be referenced or relied upon as part of proceedings.

#### Recommendations

##### That the Hearing Review Panel:

1. Determines whether or not a breach of the Councillor Code of Conduct has occurred.

**2. Determines what sanctions to impose, if any, should a breach of the Councillor Code of Conduct have occurred.**

**Decision Information**

Does the report contain any exempt or confidential information not for publication? Yes

What are the relevant corporate priorities? Effective council

Which wards are impacted? Not applicable

## **1. Background to the Report**

- 1.1 The Council has a procedure in place for dealing with complaints against Councillors, which is included as part of the Council's Constitution at Part 5 (Codes and Protocols).
- 1.2 Any complaint received by the Council regarding the conduct of its Councillors will be dealt with in accordance with this procedure.
- 1.3 The complaint scheduled for consideration at this Hearing was submitted by Councillor Graham Jeal against Councillor Tim Harrison.
- 1.4 In accordance with the Council's procedure, the complaints were referred for formal investigation.
- 1.5 Wilkin Chapman LLP were appointed by the Monitoring Officer to conduct the formal investigation relating to three complaints submitted by Councillor Graham Jeal against Councillor Harrison. Given the similarities between the three complaints, they were amalgamated into one investigation.
- 1.6 The Investigating Officer has found that Councillor Tim Harrison acted in breach of the Councillor Code of Conduct in terms of treating others with respect regarding one of the three complaints.
- 1.7 The Monitoring Officer determined, in consultation with the Council's Independent Persons, that this finding be referred to a Hearing and that this would be heard by a Hearing Review Panel.

## **2. Key Considerations**

- 2.1 The final report from the Investigating Officer at Wilkin Chapman LLP is attached to this covering report for the Hearing Review Panel's consideration at **Appendix A**. This is supported by a schedule of evidence document which is attached at **Appendix B**.
- 2.2 As stated under the 'purpose of report' section of this covering report, there are a number of redactions in the Investigating Officer's report and schedule of evidence. This is due to the fact that these do not relate to the specific matter that has been referred to the Hearing Review Panel or contain personal information relating to other third parties. Information relating to the two complaints where no breach was found have therefore been redacted as these elements have not been referred to a Hearing.
- 2.3 The procedure to be followed for this Hearing is outlined in the Council's procedure for dealing with complaints against Councillors. This is set out in **Appendix C** of this report.

## **3. Appendices**

Appendix A – Investigating Officer's report

Appendix B – Schedule of evidence

Appendix C – Procedure for Hearing

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# Appendix A



SOUTH  
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Report of an investigation by Wilkin Chapman LLP, appointed by the Monitoring Officer for South Kesteven District Council, into allegations concerning Councillor Tim Harrison.

29 October 2024

## VOLUME 1 REPORT

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Appendix A Schedule of evidence taken into account and list of unused material

## 1. Executive Summary

- 1.1 The Subject Member, Councillor Tim Harrison, is a member of South Kesteven District Council ("the Council").
- 1.2 The Complainant, Councillor Graham Jeal, is also a member of the Council.
- 1.3 Councillor Jeal submitted three different complaints against Councillor Harrison alleging that he had not adhered to various of the seven principles of public life (the Nolan principles), in respect of himself (first complaint), [REDACTED]
- 1.4 In August 2023, the Committee for Standards in Public Life (CSPL) responded to a Freedom of Information (FOI) request. The request asked for the process by which someone could raise a complaint that a government department or other public body had breached the Nolan Principles.
- 1.5 In response to the FOI, the CSPL stated that they held no information in the scope of the request because:

*"the Seven Principles of Public Life are intended to be high level statements and there is no formal mechanism for holding people to account under those principles. The Principles are not a rulebook. They are a guide to institutional administration and personal conduct. It is organisations' codes of conduct against which complaints may be made so if you wish to hold an individual to account or make a complaint about an individual's behaviour, this would be done against the relevant organisation's code of conduct."*

- 1.6 Councillor Jeal did not identify which paragraphs of the Code of Conduct he alleged that Councillor Harrison had breached. However, in his three decision notices, the Monitoring Officer identified paragraph 1 (Respect).
- 1.7 We have also considered paragraph 5 (Disrepute).
- 1.8 Following investigation, we have concluded that Councillor Harrison:
  - (a) did fail to treat Councillor Jeal with respect with regard to his comments "What a clown world" and "This comment is beyond that of a clown";
  - (b) [REDACTED]
  - (c) [REDACTED]
  - (d) did not bring his office or the Council into disrepute.

## **2. Councillor Harrison's Official Details**

2.1 Councillor Harrison was first elected to the Council on 9 May 2023. He is a Grantham Independent representing St Wulfram's ward.

2.2 At the time of alleged conduct, Councillor Harrison sat on the following committees:

- Budget – Joint Overview and Scrutiny;
- Community Governance Review Working Group;
- Community Governance Review Working Group – Little Ponton and Sproxton;
- Finance and Economic Overview and Scrutiny;
- Governance and Audit (Chairman);
- Joint Meeting of the Finance & Economic & Environment Overview and Scrutiny Committee;
- Joint Meeting of the Finance and Economic and Culture and Leisure Overview and Scrutiny;
- Planning; and
- UK Shared Prosperity Fund and Rural England Prosperity Fund Board.

2.3 Councillor Harrison attended Code of Conduct training on 11 May 2023 as part of the Induction Programme. He attended Code of Conduct training on 24 July 2024, and, in 2024, he has also completed the following training:

- 17/06/2024 – Equalities, Diversity & Inclusion
- 17/06/2024 – Local Government Finance Explained
- 13/06/2024 – Governance & Audit Committee Annual Refresh
- 10/06/2024 – Planning Committee Annual Refresh Training
- 10/06/2024 – Safeguarding

### **3. Relevant Legislation and Protocols**

- 3.1 Section 27 of the Localism Act 2011 (“the Act”) provides that a relevant authority (which includes town and parish councils) must promote and maintain high standards of conduct by members and co-opted members of the authority. In discharging this duty, the authority must adopt a code dealing with the conduct that is expected of members when they are acting in that capacity.
- 3.2 Under section 28(6) of the Act, principal authorities (which includes district councils) must have in place (a) arrangements under which allegations can be investigated; and (b) arrangements under which decisions on allegations can be made.
- 3.3 Under section 28(7), arrangements put in place under section 28(6)(b) must include provision for the appointment by the authority of at least one Independent Person (“IP”) whose views are to be sought, and taken into account, by the authority before it makes its decision on an allegation that it has decided to investigate.
- 3.4 Section 28(11) of the Act provides that if a relevant authority finds that a member or a co-opted member of the authority has failed to comply with its code of conduct it may have regard to the failure in deciding (a) whether to take action in relation to the member or co-opted member and (b) what action to take.
- 3.5 The Council has adopted a Code of Conduct (“the Code”) (attached at WC 1) which includes the following:

#### ***“General Conduct***

##### ***1. Respect***

*As a Councillor:*

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

*Respect means politeness and courtesy in behaviour, speech and in the written word. Debate and having different views are all part of a healthy democracy. As a Councillor, you can express, challenge, criticise and disagree with views, ideas and opinions and policies in a robust but civil manner.*

*You should not, however, subject individuals, groups of people or organisations to personal attack.*

*In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public’s expectations and confidence in Councillors.*

*In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider, or the Police. This also applies to fellow Councillors, where action could then be taken under the Members’ Code of Conduct, and local authority employees, where*

*concerns should be raised in line with the local authority's councillor officer protocol.*

## **5. Disrepute**

*As a Councillor:*

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

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

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

- 3.6 We have also considered other relevant legislation as follows:
- 3.7 Freedom of Expression and Article 10 of the European Convention on Human Rights 1998.
- 3.8 Article 10 of the European Convention on Human Rights (Article 10 ECHR) states:
  - *"Art 10(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 a public authority..."*
  - *Art 10(2) The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and necessary in a democratic society..."*
- 3.9 Article 10 ECHR has been enshrined in UK domestic law by Section 1 of the Human Rights Act 1998 (HRA 1998) and Section 3 of the HRA 1988 states that the Act must be interpreted as far as possible so that it is in line with Article 10 ECHR.

#### 4. Background and Evidence

##### *Our appointment*

- 4.1 The Council's arrangements for dealing with code of conduct complaints provide that Monitoring Officer ("MO"), in consultation with the appointed Independent Person (IP), shall decide whether or not to investigate a complaint.
- 4.2 Councillor Jeal submitted three complaints against Councillor Harrison.
- 4.3 In respect of the first complaint (dated 3 March 2024 and attached at WC 2), having consulted with the two IPs, the MO issued his Decision Notice (dated 21 March 2024 and attached at WC 3). The Decision Notice confirmed the MO's decision to refer the complaint for investigation.
- 4.4 [REDACTED]
- 4.5 [REDACTED]
- 4.6 Councillor Harrison provided the MO with responses to the three complaints, and these are attached at WC 8.
- 4.7 On 28 May 2024, the MO instructed Wilkin Chapman LLP to conduct an investigation into the complaints.
- 4.8 Wilkin Chapman LLP is a solicitors' firm based in Lincolnshire and East Yorkshire with a national local government legal practice. Work in relation to this investigation was undertaken by Estelle Culligan, Gill Thompson and Emily Briggs.

##### *The investigation*

- 4.9 During the investigation we undertook formal interviews with:
  - Councillor Jeal (the Complainant);
  - [REDACTED]
  - Councillor Harrison (the Subject Member)
- 4.10 We obtained signed statements from Councillor Jeal (attached at WC 9) and [REDACTED] (attached at WC 10).
- 4.11 A transcript was prepared from our interview with Councillor Harrison (attached at WC 10).
- 4.12 The transcript was sent to Councillor Harrison for approval on 22 July 2024. As we had not received a response from Councillor Harrison, we re-sent our email on 6 August

2024 asking if he could confirm approval of the transcript as soon as possible. In an email of 6 August 2024 Councillor Harrison told us:

*"I have only had time for a cursory glance over all this, I am too busy. It all seems in order I am confident that you will have transcribed accurately. If there is any issue in the future we can always return to the video."*

4.13 On the same day, we replied to Councillor Harrison to say:

*"Thank you for your email. I appreciate you are very busy but we would like you to sign the transcript. I will send it to you via Docusign (which enables electronic signature and return) so if you could give it a read through that would be very much appreciated."*

4.14 On 19 August 2024 Councillor Harrison told us:

*"I cannot sign this, I haven't had a copy of the video to compare it, plus I really do not have the time to spend going through it. As you are aware I do not get paid for this time and consider it a waste of my valuable time, where I can actually be achieving something for the constituents."*

4.15 The recording was sent to Councillor Harrison on 20 September 2024 via Docusign. Councillor Harrison replied to say:

*"Your conditions are not acceptable to me. I am sorry."*

It should therefore be noted that whilst we have relied on the interview transcript, this has not been approved by Councillor Harrison. Copies of the email correspondence referred to in paragraphs 4.12 – 4.15 are attached at WC 10.

4.16 Copies of the above, together with other relevant documents are annexed to this report.

4.17 We wish to record our thanks for the co-operation and courtesy shown to us by all those whom we have contacted during the investigation.

#### *Factual background*

4.18 Councillor Graham Jeal is a Conservative member of the Council, forming part of the South Kesteven Coalition Group, which is an opposition group of members. He represents the Grantham St Vincents ward. He was first elected on 11 May 2015 and is Leader of the Conservative group.

4.19 Councillor Tim Harrison is a Grantham Independent member of the Council representing Grantham St Wulframs ward. He is a member of the alliance of groups and independent members who have formed an Administration.

#### *Complaint 1*

4.20 On 3 March 2024 Councillor Harrison posted onto his councillor Facebook page, a picture of Councillor Jeal together with a link to an online article and the words "*What a Clown World* ". The post is a share of Councillor Jeal's own post, in which there is a picture of him and a link to an article in LincsOnline, which is headed "*Bins generate as much unhappiness as I have seen*"

4.21 Councillor Harrison commented on his post and stated:

*"It speaks volumes for Mr Jeal's quality of life if having a bin collected late one week is the most unhappiness he has ever seen. Maybe he should get out in the town more, happy to take you around New Street, Greyfriars, Riverside (no it's still not in your ward 🙄 😊 Cllr Steven Cunningham Earlesfield and Red Steps would happily take you around kinoulton court etc. This comment is beyond that of a clown it is downright insulting to those in town that are really struggling. Taxi for Jeal..."*

4.22 Councillor Jeal submitted his complaint on 3 March 2024 alleging that Councillor Harrison had called him a 'clown' on social media.

4.23 This incident was referred for investigation by the MO.

4.24



4.25 A member of public commented on Councillor Harrison's post to say, "Hope they [the



4.26



4.27



4.28



4.29		
4.30		
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4.34		

## 5. Councillor Jeal and Councillor Harrison's Additional Submissions

### *Councillor Jeal*

5.1 The following comments were received from Councillor Jeal on the draft version of this report:

*"I have no comments on this report other than a factual correction. You have inferred in writing this up that I write the headlines of the column. Oddly, the newspaper editor always write the headline and doesn't allow the contributor to add the headline. I don't understand why this is and this does sometimes lead to anger when the headline differs from the message in the column. But this needs correcting in this report as there are several instances when you refer to my headline – that is not correct. I never write the headline"*

### *Response to Councillor Jeal's comments*

5.2 We have made clear at paragraph 6.60 that the headline of the article which is the subject of this complaint was not written by Councillor Jeal, but by the Editor. However, it is a quote that Councillor Jeal makes in his article. Although the title of the facebook link from Lincsonline is "Bins generate as much unhappiness as I have seen", the actual title of the Lincs Online article states:

*"Bins controversy has 'generated as much unhappiness in the district as I have ever seen', says leader of the opposition at South Kesteven District Council"*

### *Councillor Harrison*

5.3 The following comments were received from Councillor Harrison on the draft version of this report:

*"Cllr Jeal's complaint was that I called him a clown. That did not happen. Therefore, defacto the complaint ends. Any implied reference is subjective and just an opinion, not fact. To compound this issue Cllr Jeal has stated that he writes colourful columns, a form of entertainment if you will, in 6.42 you state that the Collins definition of clown, states any performer who elicits an amused response. In 6.43 you give the definition that calling someone a clown is "a person who amuses others by ridiculous behaviour" is not saying "bins generate as much unhappiness as I have seen" a ridiculous comment? Or was Cllr Jeal not writing one of his "colourful" columns then? Was this one a deadly serious one?"*

*But even without those definitions the claims of what I am supposed to have said, and what was actually said, are completely different.*

*Two tier policing of Councillors should not be entertained. I made no reference to Cllr Jeal, I referred to his comment.*

*In 3.5 page 6 you state "You should not subject individuals, groups of people or organisations to personal attack, I did not I attacked a comment."*

*Clear double standards."*

and

*"In all, this has been a concerted attack of vexatious complaints. None hold water, No weight was given to the nature of the vexation addressed towards me, no weight was given to the fact that any or all Councillors concerned can block me on social media but choose not to. No weight was given to the fact that the actual complaints are false, I did not at any point call Cllr Jeal a clown. Any claims of fear, bullying or threatening behaviour would, by any reasonable person's opinion, have resulted in such an action. I also highlight yet again the double standards that appear to be applied against myself and the complainants. I would therefore suggest that all these cases are dismissed."*

*Response to Councillor Harrison's comments*

- 5.4 We have reconsidered our findings in light of Councillor Jeal's confirmation that he did not write the headline to the article, "Bins generate as much unhappiness as I have seen". We have also taken into account Councillor Harrison's comments.
- 5.5 In respect of the headline, which prompted Councillor Harrison's "clown" comments, although Councillor Jeal did not write it, the headline is made up of a quote from his article, which is about the level of unhappiness felt by residents about the issue of bin collections.
- 5.6 We have considered Councillor Harrison's comments, in which he states that he did not call Councillor Jeal a clown directly. This is a repeat of his original comment. However, anyone reading his post would consider that his comments were directly aimed at Councillor Jeal. We have nothing further to add to our comments in the report on this point.
- 5.7 We cannot comment on Councillor Harrison's point about Councillor Jeal's comments about [REDACTED]. That matter is not part of our investigation.
- 5.8 Following consideration of all the comments, our findings remain unchanged.

**6. Reasoning as to whether there have been failures to comply with the Code of Conduct**

6.1 The relevant sections of the Code and of the relevant protocols which fall to be considered are set out in Section 4 above.

*Capacity*

6.2 Section 27(2) of the Localism Act 2011 requires the Authority to adopt a Code of Conduct dealing with the conduct that is expected of members of the Council “when they are acting in that capacity”.

6.3 The Council’s Code of Conduct reflects the requirement of Section 27(2) of the Localism Act.

6.4 The Council’s Code is expressed to apply whenever a member is acting in their capacity as a Councillor. We therefore first have to consider whether Councillor Cunnington was acting in an official capacity at the time of the alleged incidents.

6.5 The Local Government Association Guidance on the Model Code of Conduct (“the LGA Guidance”) states that:

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

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

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

...

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

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

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

*The includes interactions with the public as well as with fellow councillors and local authority officers.”*

6.6 Councillor Harrison’s Facebook page is under the name “Cllr Tim Harrison”.

6.7 It is clear from the LGA Guidance that this alone does not mean that Councillor Harrison was acting in his capacity when posting on Facebook:

*"Simply describing yourself as a councillor in a social media posting or at the top of your page or in your username or profile, for example, does not of itself mean that every posting you make is covered by the Code. There must be a link within the individual posting or thread to your role as a councillor or to local authority business."*

6.8 [REDACTED]

6.9 In respect of Complaints 1 [REDACTED] Councillor Harrison is referring to Council business and we have concluded that he was acting in his official capacity and is therefore subject to the Code of Conduct.

#### *Respect*

6.10 The definition of Respect in the Code is set out above in paragraph 3.5. We have considered the Local Government Guidance (LGA Guidance) and relevant case law below.

6.11 When describing 'Disrespectful Behaviour' the LGA Guidance states:

*"Failure to treat others with respect will occur when unreasonable or demeaning behaviour is directed by one person against or about another. The circumstances in which the behaviour occurs are relevant in assessing whether the behaviour is disrespectful. The circumstances include the place where the behaviour occurs, who observes the behaviour, the character and relationship of the people involved and the behaviour of anyone who prompts the alleged disrespect."*

*Examples of disrespect in a local government context might include rude or angry outbursts in meetings, use of inappropriate language in meetings or written communications such as swearing, ignoring someone who is attempting to contribute to a discussion, attempts to shame or humiliate others in public, nit-picking and fault finding, the use of inappropriate sarcasm in communications and the sharing of malicious gossip or rumours.*

*Disrespectful behaviour can be harmful to both you and to others. It can lower the public's expectations and confidence in you and your local authority and councillors and politicians more generally. It influences the willingness of fellow councillors, officers, and the public to speak up or interact with you because they expect the encounter will be unpleasant or uncomfortable. Ongoing disrespectful behaviour can undermine willingness of officers to give frank advice, damage morale at a local authority, and ultimately create a toxic culture and has been associated with instances of governance failure."*

6.12 The requirement to treat others with respect must be viewed objectively. Account should be taken of the member's intent and how their behaviour would reasonably be perceived.

6.13 In *Boughton, Dartmouth Town Council* (2009) APE 0419 at paragraph 3.3.6, the Tribunal described a failure to treat with respect as follows:

*“A failure to treat others with respect will occur when unfair, unreasonable or demeaning behaviour is directed by one person against another. The circumstances in which the behaviour including the place, who observed it, the character and relationship of the people involved will all be relevant in assessing whether the behaviour was disrespectful.”*

6.14 In *Buchanan, Somerset County Council* (2009) APE 0409, in relation to a complaint made by a chief executive, the Tribunal said at paragraph 51:

*“In the Tribunal’s view it was desirable that the threshold for a failure to treat another with respect be set at a level that allowed for the minor annoyances and on occasions bad manners which are part of life. During the course of their work people often show a lack of consideration or bad manners but it is not desirable that every such slight should be considered a breach of the Code. To set too low a level might lead to complaints that were about little other than a difference of opinion over the wording of a letter or what amounts to rudeness and for this reason the Tribunal thinks that not every instance of bad manners or insensitive comment should amount to a failure to treat another with respect.”*

6.15 The key elements of finding a failure to treat others with respect are that the conduct is unreasonable or demeaning and directed by one person against another.

6.16 The LGA Guidance states that disrespectful behaviour is “*when unreasonable or demeaning behaviour is directed by one person against or about another.*”

6.17 The Oxford dictionary definition of ‘unreasonable’ is:

*“beyond the limits of acceptability or fairness”*

6.18 The Oxford dictionary meaning of ‘demeaning’ is:

*“causing someone to lose their dignity and the respect of others.”*

*Freedom of Speech and the right to enhanced protection in freedom of speech within political comment - Article 10 European Convention on Human Rights*

6.19 When considering the issue of respect, it is important to have regard to the right to freedom of speech as set out in Article 10 of the European Convention on Human Rights (Article 10 ECHR), set out above

6.20 A number of European court cases have established not only the right to free speech but also an enhanced level afforded to freedom of speech in a political context, and that any interference with that freedom should be carefully scrutinised.

6.21 The case of *Heesom v Public Services Ombudsman for Wales* [2014] EWHC 1504, held that:

- Article 10 of ECHR protects not only the substance of political comment but the form in which it is conveyed;
- a degree of the immoderate, offensive, shocking, disturbing, exaggerated, provocative, polemical, colourful, non-rational and aggressive is to be tolerated;

- political comment includes comment on public administration and the adequacy of the performance of public duties by others, but not gratuitous personal comments;

6.22 The case of *Jerusalem v Austria* (2003) 37 EHRR 25 held that:

*"In this respect the court recalls that while freedom of expression is important for everybody, it is especially so for an elected representative of the people. He or she represents the electorate, draws attention to its pre-occupations and defends its interests. Accordingly, interference with the freedom of expression of an opposition member of parliament, like the applicant, call for the closest scrutiny on the part of the court."*

6.23 In *Sanders v Kingston (No.1)* [2005] EWHC 1145 (Admin) the original tribunal held that, in the Leader of Peterborough Council's responses to a letter circulated by Carrickfergus Council to other councils in the UK asking for support on a particular issue relating to the personal tragedy of soldiers' suicides, his comments and other comments made publicly, amounted to personal abuse.

6.24 In summary, the facts were that the leader wrote a response on a letter passed to him by the Chief Executive, in response to a request made by Carrickfergus Council.

6.25 Councillor Sanders wrote a handwritten note on a copy of the letter and returned it to the Carrickfergus Chief Executive as follows:

*"Members of the Armed Forces DO get killed be it accident or design — THAT is what they are paid for."*

6.26 He then signed the comment and identified himself as Leader.

6.27 There were further exchanges between the Leader of Carrickfergus Council and Councillor Sanders, the matter was leaked to the press and Councillor Sanders continued to make highly offensive comments. Councillor Sanders also used aggressive and rude language in various conversations with journalists covering the story.

6.28 During the investigation into the subsequent Standards complaint against Councillor Sanders, he claimed that Article 10 was engaged and that he was exercising his right to free speech.

6.29 The Standards Board for England found that Councillor Sanders had breached the Code of Conduct both in his written comments and in his conversations with journalists.

6.30 In Councillor Sanders' appeal, the judge stated that, on the issue of freedom of speech, there were three questions to answer:

1. *Was the Case Tribunal entitled as a matter of fact to conclude that Councillor Sanders' conduct was in breach of the Code of Conduct ?*
2. *If so, was the finding in itself or the imposition of a sanction prima facie a breach of Article 10 ?*
3. *If so, was the restriction involved one which was justified by reason of the requirements of Article 10(2) ?*

6.31 The appeal held that, on the first point, the Standards Board were entitled to conclude that Councillor Sanders was in breach. The tone and disrespectful nature of his comments on the letter and subsequently and in interviews with journalists was not what would be expected of a council leader. The court held also that, on the second point, Article 10 was engaged because of the issues of free speech, but Councillor Sanders' comments were not expressions of political opinions that attracted the higher protection afforded by article 10. They were simply expressions of personal anger and abuse.

6.32 On the final point, the court considered whether the restrictions imposed on Councillor Sanders were justified under Article 10 (2) – i.e. *necessary in a democratic society for the protection of the rights of others*. The court held that the adoption of a Code of Conduct was required by law and ensured a minimum set of standards in councillors' conduct. Councillor Sanders had signed up to the council's Code of Conduct and, as his actions and words were not held to be expressions of political opinion, the interference in his right to freedom of speech, by the finding of the Standards Board that he was in breach, was justified under Article 10(2).

6.33 The three part test was applied in the case of *(Calver) v Adjudication Panel for Wales* (2013). This was a judicial review case in which a councillor sought judicial review of the decision of a county council's standards committee which found that comments he made about the community council and its members on the internet failed to comply with paragraphs 2(b) and 4 of the Code of Conduct by, respectively, not treating others with respect, and bringing the community council into disrepute.

6.34 The court adopted the three questions identified in *Sanders v Kingston* and found that the committee and the panel were entitled to conclude that the councillor's comments breached the Code of Conduct.

6.35 In answering the second and third questions, the court concluded that the panel's decision that the councillor's comments were in breach of the Code of Conduct was a disproportionate interference with his rights under Article 10.

6.36 The approach was also adopted in the recent case of *R (on the application of Clive Robinson) v Buckinghamshire Council* (2021), when the court held that a finding by a local authority monitoring officer that a parish councillor had breached a code of conduct by making statements about the motivations, intentions and integrity of the other councillors at a public meeting to discuss green belt development had been an interference with his right to freedom of expression under ECHR Art.10. His statements attracted the enhanced protection afforded to political speech and debate, and the interference of a finding of breach of the Code of Conduct was not proportionate to the aim of protecting the reputation of the other councillors.

6.37 As each matter is relatively small – i.e. three comments/actions on three individual social media posts, we have set out the respective comments from Councillor Jeal, Councillor Green and Councillor Harrison on the three complaints below and then have set out our reasoning as to whether we find any or all of them to have breached the Code of Conduct.

#### *Complaint 1 – What a Clown World*

6.38 Councillor Harrison's Facebook post of 2 March 2024 contained the words "What a Clown World ". The post contained a link to an online article and a picture of Councillor Jeal.

6.39 Councillor Harrison commented on his post, describing what Councillor Jeal had said in the online article as “*beyond that of a clown it is downright insulting to those in town that are really struggling...*” Councillor Harrison denies calling Councillor Jeal a clown. In his interview, he stated:

“*...I didn’t call him a clown.*

*How he reads it is on him again isn’t it? It’s not my problem how people interpret what I put, I’m very careful about what I type and how I type it... particularly because of what I learned about social media posts in the ... code of conduct training, so I put specifically, that comment is worse than that of a clown, that is not saying he’s a clown, it’s saying his comment was worse than that of a clown in the fact that he is saying he has never seen people in this town as unhappy as when they didn’t get their bin collected one week. So, I didn’t call him a clown, as his complaint is, and in my eyes his complaint was I called him a clown. I didn’t call him a clown, that should therefore be the end of the complaint..... I cannot be responsible for how people interpret what I put. I put specific comments, how people interpret that, there could be someone who interprets that completely different to how Councillor Jeal interpreted it... I get what you’re saying and I get that maybe he did interpret it that way. The fact that he’s offended by that, then maybe he should take stock of what he actually says. My comment was clearly there to show him that that comment was offensive to people that are living in damp houses, that can’t afford to buy their shopping, can’t afford to turn the heating on and stuff like that, so, Mr Jeal has done numerous of these columns in the paper and I’m the one sitting here in the middle of the town, getting people come up to me and give me grief saying you Councillor’s don’t understand what’s going on ...*

6.40 The online article linked to Councillor Harrison’s post relates to what we know to be a longstanding contentious issue the Council had in respect of refuse collection.

6.41 In his statement, Councillor Jeal states:

*“I write colourful columns and I write them to be interesting, but I understand where the line is. To me, that post crosses the line. I can’t think of any environment where that would be acceptable, outside of a circus venue.*

*I have worked for many companies, and I have owned companies. I would never tolerate somebody referring to another person as a clown either as an employer, employee or business owner.*

*We all say silly things or have a bad day, but this was not a one off, it is a pattern of behaviour that has been normalised. At the minute, there is no line, in that there is swearing in the Chamber and comments being made online. I see a direct line between that kind of behaviour and members of staff being attacked, which has happened twice now in the last month. I think there is a major problem. This is bringing the members, the Council and officers into disrepute and making it difficult to recruit members and officers for the Council.*

6.42 The Collins dictionary definition of ‘clown’ states:

*“1. a comic entertainer, usually grotesquely costumed and made up, appearing in the circus. 2. any performer who elicits an amused response.”*

6.43 In the same google search, there is a question 'what does it mean calling someone a clown?'. The response to this is:

*"a person who amuses others by ridiculous behaviour. synonyms: buffoon, goof, goofball....."*

6.44

[REDACTED]

6.45

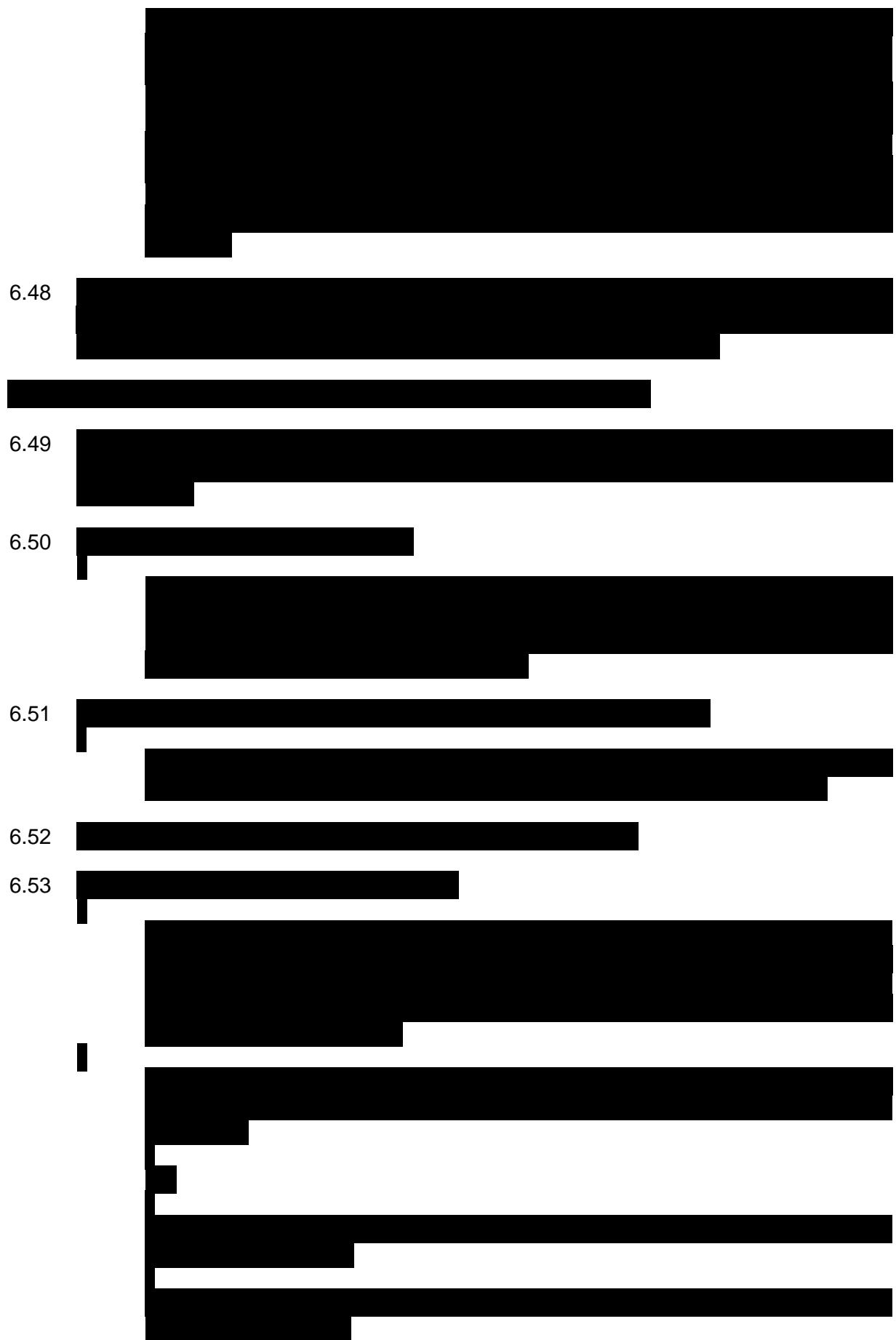
[REDACTED]

6.46

[REDACTED]

6.47

[REDACTED]



6.54 [REDACTED]

6.55 [REDACTED]

6.56 [REDACTED]

6.57 [REDACTED]

6.58 [REDACTED]

6.59 [REDACTED]

*1 - Is the conduct a breach of the Code of Conduct?*

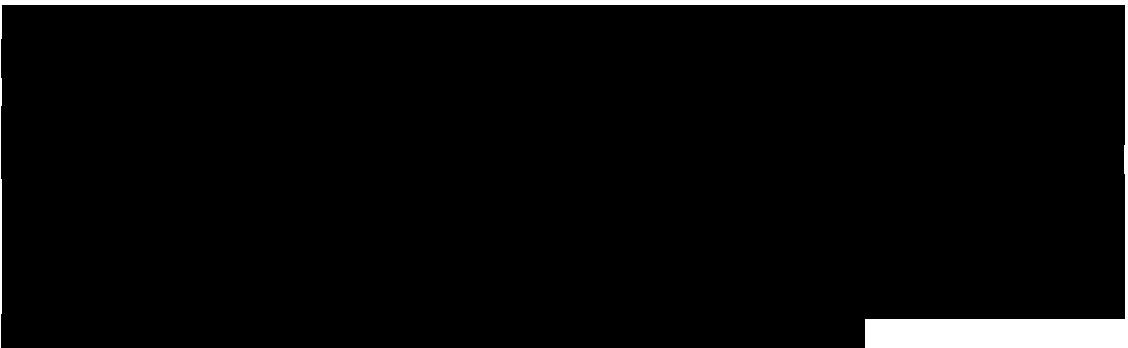
*Complaint 1 – What a Clown World*

6.60 In his post, Councillor Jeal is highlighting the issue of missed bin collections which a lot of residents are concerned about. We are aware that the issue of the waste collection service at the Council had been a major issue for some months. A quick search on the subject brings up numerous local news articles etc., about difficulties in the service. It is clearly an issue that residents are interested in and Councillor Jeal is highlighting that. He states that he writes "*colourful columns and I write them to be interesting*" Councillor Jeal has confirmed in his comments on the draft report that he does not write the headlines for his articles. The full headline on the particular article which is the subject of the complaint was, "*Bins controversy has 'generated as much*

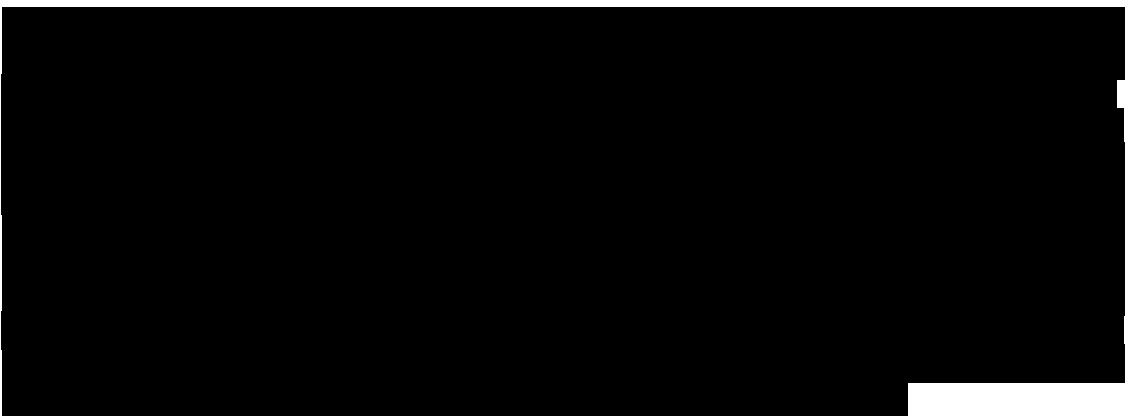
*unhappiness in the district as I have ever seen', says leader of the opposition at South Kesteven District Council. The title of the Lincs Online Facebook link is shorter: "Bins generate as much unhappiness as I have seen".* We have taken into account that the Editor chose this headline, clearly from the content of the article. We consider that, although it might be an exaggeration, the Editor is referencing Councillor Jeal's point in the article about how unhappy residents are about the bin collection service.

6.61 Councillor Harrison is entitled to criticise the post, and we find that most of his comment is acceptable commentary, but it is clearly meant to be sarcastic, to belittle Councillor Jeal and to minimise the importance of his post. The reference to a "clown world" is obviously disrespectful and is not the language one would expect from one councillor towards another. It is evident that Councillor Harrison's post/comment could be a breach of the Code of Conduct.

6.62

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6.63

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*2 - Are the findings in themselves or the imposition of a sanction prima facie a breach of Article 10?*

6.64 Article 10 is clearly engaged, as these matters involve issues of freedom of expression. We have considered whether the posts are political and conclude, for the most part, that they are.

*Complaint 1 – What a Clown World*

6.65 We consider that most of Councillor Harrison's comment is acceptable criticism of Councillor Jeal's statement that the bin collection issue is "the most unhappiness" he has ever seen. Councillor Harrison's comment is sarcastic but highlights the difficulties

of people living in certain areas of the district. It is valid criticism which is covered by the enhanced protection afforded to political commentary.

6.66 However, we find that the use of the phrases “what a clown world” and “This comment is beyond that of a clown” is unnecessary personal abuse. Whatever Councillor Harrison’s views on the value that Councillor Jeal puts on the issue of missed bin collections, these are evidently important issues for local residents that Councillor Jeal is highlighting. By comparing Councillor Jeal’s post to that of a clown, he is not only belittling Councillor Jeal but, by extension, the concerns of the public. There is no connection between Councillor Jeal’s comments and the issues he is raising and a clown.

6.67 We have taken into account the guidance in *Heesom* about irrational, offensive etc., comments. We have also considered that councillors are expected to have “thick skin” in dealing with comments and criticism. The case of *Heesom* states:

*“politicians are subject to “wider limits of acceptable criticism” They are expected and required to have thicker skins and have more tolerance to comment than ordinary citizens.”*

6.68 However, we find that these two phrases amount to gratuitous personal abuse, which does not attract the enhanced protection of freedom of political expression. This is because the word “clown” is merely pejorative, has no connection with either Councillor Jeal’s post or, in fact, with the rest of Councillor Harrison’s comments, and could be said also to be aimed at the public who have expressed their views on bin collections to Councillor Jeal.

6.69

6.70

[REDACTED]

6.71 [REDACTED]

6.72 [REDACTED]

6.73 [REDACTED]

[REDACTED]

6.74 [REDACTED]

[REDACTED]

6.75 [REDACTED]

6.76		
6.77		
6.78		
6.79		
6.80		

3 - Is the restriction involved one which was justified by reason of the requirements of Article 10(2)

6.81 We have considered the third part of the test in *Sanders v Kingston* in relation only to the two phrases "What a clown world" and "This comment is that of a clown" in Complaint 1.

6.82 We have explained above that we do not think these comments are protected political commentary but are merely abusive towards Councillor Jeal. The restriction in this respect would be a finding of a breach under the Code of Conduct. Considering that Councillor Jeal was highlighting very real problems for members of the public, that the rest of Councillor Harrison's comments fall under valid political commentary and that these phrases serve no purpose other than gratuitous personal abuse, we consider that a finding of a breach of the relevant paragraph of the Code of Conduct (Respect) is appropriate.

#### *Disrepute*

6.83 The definition of Disrepute in the Code is set out above in paragraph 3.5.

6.84 The LGA Guidance states:

*"As a councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. Article 10 of the European Convention on Human Rights protects your right to freedom of expression, and political speech as a councillor is given enhanced protection but this right is not unrestricted. You should be aware that your actions might have an adverse impact on your role, other councillors and/or your local authority and may lower the public's confidence in your ability to discharge your functions as a councillor or your local authority's ability to discharge its functions.*

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

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

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

6.85 In applying the Code to the circumstances of an alleged breach of disrepute, it is established that it is not necessary for the member's actions to have actually diminished the public confidence or harmed the reputation of the authority. The test is whether or not the conduct could 'reasonably be regarded' as having these effects. However, the conduct must be sufficient to damage the reputation of the member's office of the Council, not just the reputation of Councillor Harrison as an individual.

6.86 What must be considered here is to gauge an objective view. That is, whether the actions of Councillor Harrison were such that a member of the public, knowing all the relevant facts, would reasonably think that his actions were so significant that it would impact on the Council's ability to properly carry out its functions.

6.87 Since we have only found a breach in relation to Complaint 1 and in relation to the phrases "What a clown world" and "This comment is beyond that of a clown", we have considered whether Councillor Harrison's conduct in relation to this one issue brings either his office or that of the Council into disrepute.

6.88 The matter relates to one post by Councillor Jeal. The comments are clearly Councillor Harrison's own and, while we have found these parts of his comments to be personally abusive, the rest of his comment is justifiable political comment. He is highlighting other very real difficulties of people in parts of the district, for whom a missed bin collection will not be the most important issue.

6.89 In addition, although the clown analogy is personally abusive and not how the public would expect members to address each other, it is not the most egregious of terms to use. We suspect that most readers would pick up more on his overall message rather than the clown comments.

6.90 We therefore do not consider Councillor Harrison's conduct would adversely affect the reputation of the Council in being able to fulfil its functions and duties. Neither do we consider that Councillor Harrison's conduct was sufficient to damage his role as a councillor.

6.91 We have therefore concluded that Councillor Harrison's conduct did not cause him to breach paragraph 5 (Disrepute) of the Council's Code of Conduct.

## 7. Conclusion

7.1 Our conclusion is that:

*Complaint 1*

7.2 Councillor Harrison has breached paragraph 1 (Respect) of the Code of Conduct only in the use of the words, "What a clown world" and "This comment is beyond that of a clown".

7.3 [REDACTED]

29 October 2024

Wilkin Chapman LLP  
**Investigating Solicitors**

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Report of an investigation by Wilkin Chapman LLP, appointed by the Monitoring Officer for South Kesteven District Council, into allegations concerning Councillor Tim Harrison.

Dated: 29 October 2024

# VOLUME 2 SCHEDULE OF EVIDENCE

wilkin chapman llp  
solicitors

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26 Chantry Lane,  
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DN31 2LJ

a limited liability partnership registered in England number OC343261  
authorised and regulated by the Solicitors Regulation Authority

## Appendix A

### Schedule of evidence taken into account and list of unused material

Page	Number	Description
3	WC 1	Code of Conduct
16	WC 2	Complaint of Councillor Jeal 03.03.24 (clown)
19	WC 3	Decision Notice (clown)
23	WC 4	[REDACTED]
26	WC 5	[REDACTED]
31	WC 6	[REDACTED]
34	WC 7	[REDACTED]
38	WC 8	Councillor Harrison's initial responses to the complaints
51	WC 9	Statement of Councillor Jeal
56	WC 10	[REDACTED]
59	WC 11	Interview transcript – Councillor Harrison
69	WC 12	Correspondence with Councillor Harrison in respect of his interview transcript

### List of unused material

Investigator's notes, file correspondence and drafts



## SOUTH KESTEVEN DISTRICT COUNCIL COUNCILLOR CODE OF CONDUCT

(Adopted by South Kesteven District Council at Council on 25 November 2021)

### **Purpose of the Code of Conduct**

The purpose of this Code of Conduct is to assist you, as a Councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow Councillors, Local Authority Officers, and the reputation of local government. It sets out general principles of conduct expected of all Councillors and your specific obligations in relation to standards of conduct. The Local Government Association encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of Councillor and local government.

### **General principles of councillor conduct**

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

Building on these principles, the following general principles have been developed specifically for the role of Councillor:

In accordance with the public trust placed in me, on all occasions:

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

In undertaking my role:

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

## **Application of the Code of Conduct**

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of Councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a Councillor.

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

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

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

- At face-to-face meetings
- At online or telephone meetings
- In written communication
- In verbal communication
- In non-verbal communication
- In electronic and social media communication, posts, statements, and comments

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a Councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

## **Standards of councillor conduct**

This section sets out your obligations, which are the minimum standards of conduct required of you as a Councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

### **General Conduct**

#### **1. Respect**

As a councillor:

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

Respect means politeness and courtesy in behaviour, speech, and in the written word.

Debate and having different views are all part of a healthy democracy. As a Councillor, you can express, challenge, criticise and disagree with views, ideas, opinions, and policies in a robust but civil manner.

You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in Councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider, or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor officer protocol.

## **2. Bullying, harassment and discrimination**

As a councillor:

- 2.1 I do not bully any person.**
- 2.2 I do not harass any person.**
- 2.3 I promote equalities and do not discriminate unlawfully against any person.**

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate, or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

### **3. Impartiality of officers of the council**

As a councillor:

#### **3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.**

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

### **4. Confidentiality and access to information**

As a councillor:

#### **4.1 I do not disclose information:**

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

#### **4.2 I do not improperly use knowledge gained solely as a result of my role as a Councillor for the advancement of myself, my friends, my family members, my employer, or my business interests.**

#### **4.3 I do not prevent anyone from getting information that they are entitled to by law.**

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents, and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

#### **5. Disrepute**

As a councillor:

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

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

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

#### **6. Use of position**

As a councillor:

##### **6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.**

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others.

However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

#### **7. Use of local authority resources and facilities**

As a councillor:

##### **7.1 I do not misuse council resources.**

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

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

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

Examples include:

- Office support
- Stationery
- Equipment such as phones, and computers
- Transport
- Access and use of local authority buildings and rooms

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

**8. Complying with the Code of Conduct**

As a Councillor:

- 8.1 I undertake Code of Conduct training provided by my local authority.**
- 8.2 I cooperate with any Code of Conduct investigation and/or determination.**
- 8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.**
- 8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.**

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

**Protecting your reputation and the reputation of the local authority**

## **9. Interests**

As a councillor:

### **9.1 I register and disclose my interests.**

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest.

The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

**Appendix B** sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

## **10. Gifts and hospitality**

As a councillor:

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence, or other significant advantage.**
- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**
- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

## **Appendix A – The Seven Principles of Public Life**

The principles are:

### **Selflessness**

Holders of public office should act solely in terms of the public interest.

### **Integrity**

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

### **Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

### **Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

### **Openness**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

### **Honesty**

Holders of public office should be truthful.

### **Leadership**

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

## **Appendix B – Registering interests**

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

**"Disclosable Pecuniary Interest"** means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

**"Partner"** means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

#### **Non participation in case of Disclosable Pecuniary Interest**

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion, or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a Disclosable Pecuniary Interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet Member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

#### **Disclosure of Other Registerable Interests**

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

### **Disclosure of Non-Registerable Interests**

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
  - a) Your own financial interest or well-being.
  - b) A financial interest or well-being of a relative or close associate; or
  - c) a financial interest or wellbeing of a body included under Other Registerable Interests as set out in **Table 2**

You must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied:

9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well-being:
  - a) To a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
  - b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet

member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

**Table 1: Disclosable Pecuniary Interests**

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

<b>Subject</b>	<b>Description</b>
<b>Employment, office, trade, profession or vocation</b>	Any employment, office, trade, profession or vocation carried on for profit or gain.
<b>Sponsorship</b>	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
<b>Contracts</b>	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council <ul style="list-style-type: none"> <li>(a) under which goods or services are to be provided or works are to be executed; and</li> <li>(b) which has not been fully discharged.</li> </ul>
<b>Land and Property</b>	Any beneficial interest in land which is

	within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
<b>Licenses</b>	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
<b>Corporate tenancies</b>	Any tenancy where (to the councillor's knowledge): <ul style="list-style-type: none"> <li>(a) the landlord is the council; and</li> <li>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of</li> </ul>
<b>Securities</b>	Any beneficial interest in securities* of a body where: <ul style="list-style-type: none"> <li>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</li> <li>(b) either: <ul style="list-style-type: none"> <li>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</li> <li>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were</li> </ul> </li> </ul>

\* 'director' includes a member of the committee of management of an industrial and provident society.

\* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

**Table 2: Other Registrable Interests**

You must register as an Other Registerable Interest:

- a) any unpaid directorships
- b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
- c) any body:
  - (i) exercising functions of a public nature
  - (ii) directed to charitable purposes or
  - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)  
of which you are a member or in a position of general control or management

**From:** Graham Watts <Graham.Watts@southkesteven.gov.uk>  
**Sent:** 03 March 2024 19:43  
**To:** Cllr Graham Jeal  
**Cc:** [REDACTED]  
**Subject:** RE: Code of Conduct Complaint against clrr Harrison

Good evening Councillor Jeal,

Thank you very much for your complaint – you will receive a formal acknowledgement in due course.

Regards  
Graham

**Graham Watts**  
**Assistant Director (Governance and Public Protection) and Monitoring Officer**  
South Kesteven District Council,  
Council Offices, The Picture House,  
St Catherines Road, Grantham,  
Lincolnshire, NG31 6TT  
Tel: (01476) 406224  
Email: [graham.watts@southkesteven.gov.uk](mailto:graham.watts@southkesteven.gov.uk)  
[www.southkesteven.gov.uk](http://www.southkesteven.gov.uk)



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**From:** Cllr Graham Jeal <graham.jeal@southkesteven.gov.uk>  
**Sent:** Sunday, March 3, 2024 4:02 PM  
**To:** Graham Watts <Graham.Watts@southkesteven.gov.uk>  
**Cc:** [REDACTED]  
**Subject:** Code of Conduct Complaint against clrr Harrison

Graham,

I would like to place a code of conduct complaint against clrr Harrison for the description of a fellow councillor as a "clown".

In accepting the role of councillor we all agree to follow the South Kesteven District Council Code of Conduct which incorporates the Nolan Principles. I believe that this post is in breach of 5 of the 7 Nolan principles. Namely:

- **Selflessness:** Holders of public office should act solely in terms of the public interest. Making unsubstantiated public slurs on fellow councillors is not in the public interest.
- **Integrity:** Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

A public slur on a fellow councillor in an attempt to divert attention from legitimate failings within the administration shows a low level of integrity and is not in the public interest. This is unbecoming language of an elected representative and brings the council into disrepute.

- **Objectivity:** Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Public discriminatory slurs breach the requirement to act without bias or discrimination.

- **Honesty:** Holders of public office should be truthful.

This dishonest social media post is a totally dishonest slur against a fellow councillor who is doing their job pointing out failures in the administration.

- **Leadership:** Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Cllr Harrison enjoys a leadership position within the administration by virtue of his chairmanship of a committee, therefore he is using his added responsibility to elevate his false and dishonest slur of a fellow councillor.

I know you will attend this this urgently, I reserve the right to present a copy of this complaint to the press – but I am sure that you will understand that I consider this behavior unbecoming of a councillor and should be attended to immediately

Yours faithfully

Graham Jeal



## SOUTH KESTEVEN DISTRICT COUNCIL

## COMPLAINT AGAINST A DISTRICT COUNCILLOR

## MONITORING OFFICER ASSESSMENT DECISION NOTICE

**Subject Member: Councillor Tim Harrison**

**Complainant: Councillor Graham Jeal**

**Date of Assessment: 21 March 2024**

**Summary of complaints:**

Councillor Tim Harrison is alleged to have described a fellow Councillor as a 'clown' on a social media post.

**Alleged breach of the Councillor Code of Conduct:**

Councillor Tim Harrison is alleged to have breached the following aspects of the Nolan Principles contained within the Councillor Code of Conduct:

- Selflessness
- Integrity
- Objectivity
- Honesty
- Leadership

**Summary of response from the Subject Councillor:**

Councillor Harrison indicated that he stands by every word in the post, with the main emphasis being that Councillor Jeal indicated in response to bins not being collected that this was the most unhappy he had seen people, which Councillor Harrison claimed as being ridiculous. Councillor Harrison added that if Councillor Jeal does not want responses to his posts he should not publish posts.

In further correspondence with Councillor Harrison where I challenged the public perception of the comment in the context of the post, he explained that the proof is in the lexical semantics and that he most definitely did not call Councillor Jeal a clown, with there being no reference to Councillor Jeal - merely a comment. Councillor Harrison was of the view that if Councillor Jeal assumes he is a clown from the statement included in the post that is just subjective.

**Information considered:**

I have reviewed the content of the complaint submitted by the complainant.

I have reviewed the response of the Subject Councillor to the allegations made against him, together with subsequent correspondence regarding the perception of the post and subsequent comment, which is the subject of the complaint.

**Assessment:**

Councillor Harrison was elected to the Council in May 2023. He is Deputy Leader of the Council's Grantham Independent Group and Chairman of the Council's Governance and Audit Committee. Councillor Harrison has attended Councillor Code of Conduct training since the commencement of this municipal year.

The post referenced in the complaint provides a clear link to the business of South Kesteven District Council. This demonstrates that the Subject Councillor is acting in an official capacity. The Councillor Code of Conduct was therefore engaged.

The first assessment stage in the procedure for dealing with complaints against Councillors consists of a jurisdictional test. The complaint, taking the above information into account, complied with the principles of the jurisdictional test which meant it passed through to the second assessment stage.

As part of the second assessment stage the following assessment was undertaken against the following criteria included in the procedure for dealing with complaints against Councillors:

Sufficient evidence

I am satisfied that there is sufficient evidence to demonstrate whether or not a potential breach of the Code of Conduct occurred in respect of this complaint.

Alternative action

I have given due consideration to alternative, more appropriate, remedies that should be explored first, including the possibility of informal resolution between the two parties and whether any offer from the Subject Councillor to settle the complaint informally is reasonable.

The Subject Councillor refutes that a breach of Code of Conduct has occurred and that the complaint is vexatious in nature. In view of this, I do not consider there is any possibility of resolving the matter informally.

Robust political debate

Where a complaint is made by a Councillor against another Councillor, a greater allowance for robust political debate may be given, bearing in mind the right to freedom of speech.

I do not believe the comment made can be quantified as robust political debate and it is also my view that this crosses the line associated with a Councillor's right to the freedom of speech.

## Seriousness

I have given due consideration as to whether the complaint is malicious, vexatious, politically motivated or 'tit-for-tat'.

I do not believe the complaint has been submitted in a malicious or vexatious manner and do not consider it to be politically motivated or tit-for-tat.

## Public interest

I have given due consideration as to whether it would be in the public interest to refer the complaint for investigation or other action and whether it is serious enough to warrant any available sanctions.

I do not believe that it is in the public interest to refer this complaint for formal investigation, subject to the conditions of this notice being complied with.

In assessing the complaint, I did not feel it necessary to request further information from the complainants, Subject Councillor or any other witnesses.

## Conclusion

The post published by Councillor Harrison contains a title 'what a clown world' with a photograph of Councillor Jeal with a quote 'bins generate as much unhappiness as I have ever seen', which is a link to an article on lincsonline.co.uk.

A subsequent comment from Councillor Harrison then reads:

*"It speaks volumes for Mr Jeal's quality of life if having a bin collected late one week is the most unhappiness he has ever seen. Maybe he should get out in the town more, happy to take you around New Street, Greyfriars, Riverside .... This comment is beyond that of a clown it is downright insulting to those in town that are really struggling. Taxi for Jeal ..."*

I believe that a reasonable member of the public reading this post would insinuate that Councillor Harrison is implying that Councillor Jeal's comment is beyond that of a clown, thereby insinuating that Councillor Jeal is himself either a clown or something perceived as being worse than a clown. This is not consistent with the following part of the Councillor Code of Conduct which I do not believe a reasonable member of the public would expect from someone in public office:

### 1. *Respect*

*As a councillor:*

*1.1 I treat other councillors and members of the public with respect.*

### **Independent Person considerations:**

The first Independent Person believes that these comments cross the bar of freedom of speech and constitute a breach of the Councillor Code of Conduct.

The second Independent Person agrees with the assessment set out in this Decision Notice.

### **Monitoring Officer Decision:**

That Councillor Tim Harrison is found to be in breach of paragraph 1.1 of the Councillor Code of Conduct, but no further action be taken subject to:

- i) The comment commencing “*it speaks volumes ...*” being removed in its entirety from Councillor Harrison’s Facebook post titled “what a clown word”.
- ii) The issuing of an apology to Councillor Graham Jeal which, in the opinion of the Monitoring Officer, is appropriate and genuine.

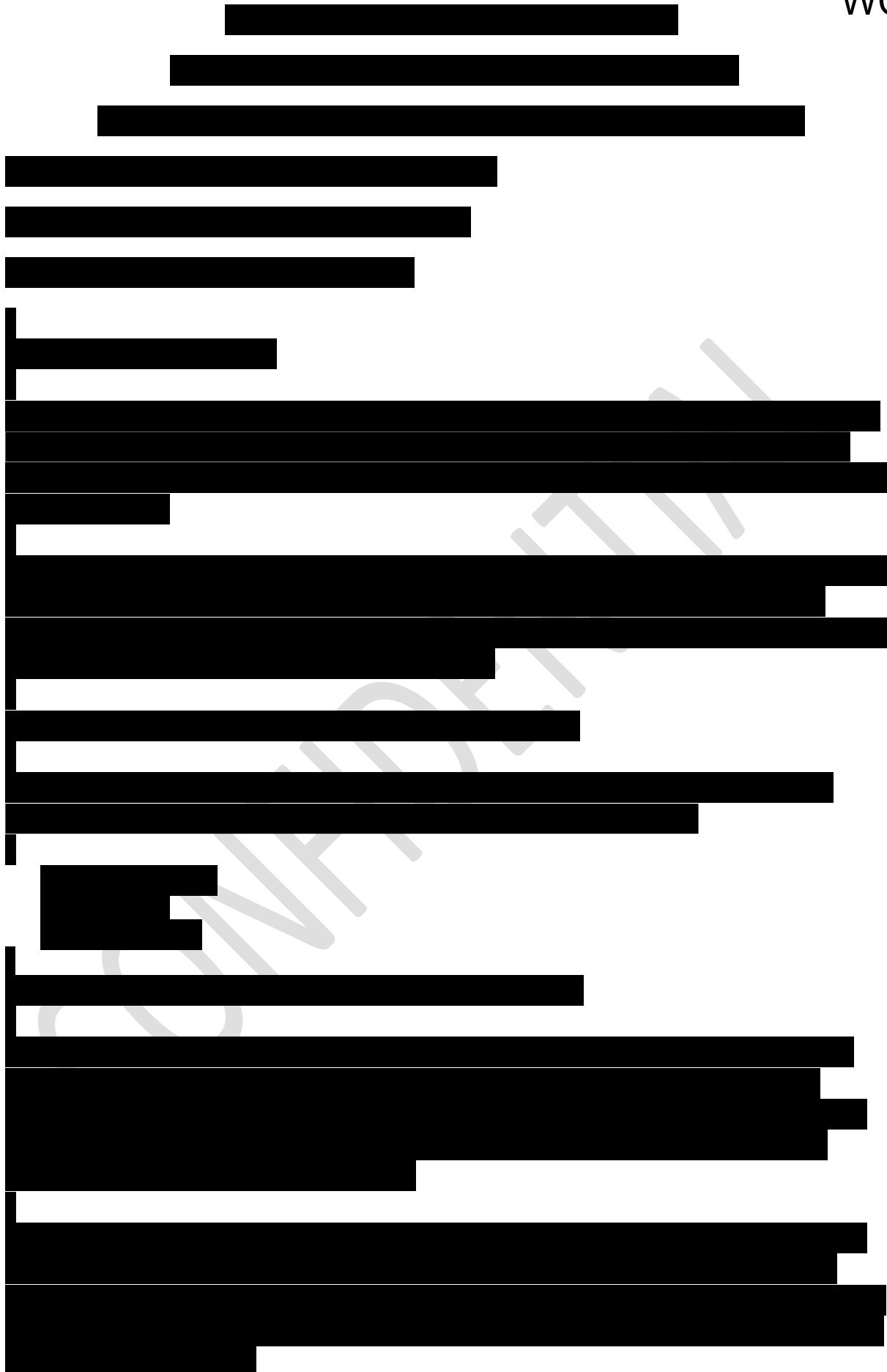
Graham Watts  
Monitoring Officer  
South Kesteven District Council



A horizontal bar chart illustrating the percentage of the population aged 15-24 in various US entities. The x-axis represents the percentage, ranging from 0% to 100% in increments of 20%. The y-axis lists the entities: US, California, Texas, Florida, New York, Illinois, Michigan, Ohio, Pennsylvania, New Jersey, Massachusetts, Connecticut, Rhode Island, New Hampshire, Vermont, New Mexico, Oklahoma, Kansas, Missouri, Iowa, Wisconsin, Minnesota, North Dakota, South Dakota, Nebraska, Montana, Wyoming, Colorado, Arizona, New Mexico, and District of Columbia. The bars are black with white outlines, showing the following approximate values:

Entity	Percentage (%)
US	80
California	82
Texas	84
Florida	86
New York	88
Illinois	89
Michigan	90
Ohio	91
Pennsylvania	92
New Jersey	93
Massachusetts	94
Connecticut	95
Rhode Island	96
New Hampshire	97
Vermont	98
New Mexico	99
Oklahoma	100
Kansas	100
Missouri	100
Iowa	100
Wisconsin	100
Minnesota	100
North Dakota	100
South Dakota	100
Nebraska	100
Montana	100
Wyoming	100
Colorado	100
Arizona	100
New Mexico	100
District of Columbia	100





A 2D bar chart consisting of 15 horizontal bars. The bars are positioned in a staggered, non-overlapping manner. The lengths of the bars vary significantly, with some being very short and others extending almost to the bottom of the frame. The bars are colored in three distinct patterns: solid black, solid white, and grey with diagonal stripes. The chart is set against a plain white background and is enclosed within a black rectangular border.



A black and white image featuring a series of horizontal bars of varying lengths and positions, creating a sense of depth and motion. The bars are mostly black, with some white and grey highlights. A large, faint, circular watermark is visible in the center.

A large black rectangular redaction box covers the majority of the page content. In the lower right corner, there is a faint, diagonal watermark that reads "DEFINITIVE".



A high-contrast, black and white image showing a large, dark, irregular shape against a white background. The dark shape has several jagged edges and a central, horizontal white band. The overall appearance is abstract and geometric.



The image shows a document page that has been heavily redacted. There are approximately 20 horizontal black bars of varying lengths across the page, obscuring the text. A large, faint watermark with the word 'CONFIDENTIAL' repeated diagonally is overlaid on the page. The top right corner of the page has a small portion of the word 'CONFIDENTIAL' visible.

A horizontal bar chart comparing the percentage of respondents who believe the government is doing a good job in handling the economy across 15 countries. The x-axis represents the percentage of respondents, ranging from 0% to 100% in increments of 10%. The y-axis lists the countries. The bars are black, except for Argentina and Mexico, which are grey. The data shows high approval in most countries, with Argentina and Mexico showing lower approval rates.

Country	Percentage (%)
United States	88
Canada	85
United Kingdom	84
Germany	83
France	82
Japan	81
Australia	80
South Korea	79
Spain	78
Italy	77
Switzerland	76
Belgium	75
Netherlands	74
Mexico	68
Argentina	65

A page with a large amount of black redaction bars covering the majority of the text area. A faint, diagonal watermark reading "CONFIDENTIAL" is visible across the page.

CONFIDENTIAL



[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]









**From:** Graham Watts <Graham.Watts@southkesteven.gov.uk>  
**Sent:** 04 March 2024 20:16  
**To:** [REDACTED]  
**Subject:** FW: Code of Conduct Complaint against cllr Harrison

FYI

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**From:** Graham Watts  
**Sent:** Monday, March 4, 2024 3:25 PM  
**To:** Cllr Tim Harrison <Tim.Harrison@southkesteven.gov.uk>  
**Subject:** RE: Code of Conduct Complaint against cllr Harrison

**Private and confidential**

Good afternoon Tim,

I note your sentiment and perspective. However, my question back to you would be what would a neutral member of the public think when reading the post? It is this that I have to consider when assessing the complaint.

I believe there is a strong insinuation in the post that you are linking Cllr Jeal's comments to that of your phrase "this comment is beyond that of a clown". The comment you are referring to was Councillor Jeal's, so surely someone reading your post would assume you are referring to him as a clown as a result of your comments. I will of course need to liaise with the Independent Persons who will also need to undertake the same assessment – they may have a different view to me.

From my politically neutral perspective, not having had the chance to speak to the Independent Persons at this stage, my initial view is that this crosses the line and can be resolved and closed with a simple apology.

Regards  
Graham

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**From:** Cllr Tim Harrison <[Tim.Harrison@southkesteven.gov.uk](mailto:Tim.Harrison@southkesteven.gov.uk)>  
**Sent:** Monday, March 4, 2024 2:59 PM  
**To:** Graham Watts <[Graham.Watts@southkesteven.gov.uk](mailto:Graham.Watts@southkesteven.gov.uk)>  
**Subject:** Re: Code of Conduct Complaint against cllr Harrison

Hi Graham,

Whilst I respect your point, the proof is in the lexical semantics, I most definitely did not call Cllr Jeal a clown, there is no reference to Cllr Jeal merely a comment, . The statement clearly says this comment is beyond that of a clown. If Cllr Jeal then assumes he is a clown from that statement that is just subjective. So, I am sorry I will not apologise for Cllr Jeal's presupposition.

Kind regards

*Tim J Harrison*

**Tim Harrison Councillor for Grantham St. Wulfram's Ward**



**SOUTH KESTEVEN  
DISTRICT COUNCIL**

GRANTHAM • STAMFORD • BOURNE • THE DEEPINGS

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**From:** Graham Watts <[Graham.Watts@southkesteven.gov.uk](mailto:Graham.Watts@southkesteven.gov.uk)>  
**Sent:** Monday, March 4, 2024 12:54 pm  
**To:** Cllr Tim Harrison <[Tim.Harrison@southkesteven.gov.uk](mailto:Tim.Harrison@southkesteven.gov.uk)>  
**Subject:** RE: Code of Conduct Complaint against clrr Harrison

**Private and confidential**

Good afternoon Tim,

Appreciate that we have just spoken but would welcome your views so that I can close this one down.

Just on this particular complaint – whilst I am content with the majority of the post I would welcome your views with regard to the use of the word 'clown' where you say "this comment is beyond that of a clown ..." and whether you believe this is an appropriate and respectful term to use with which to describe a fellow Councillor? I have not completed my assessment but my initial view is that calling another member or describing them as a 'clown' would be in breach of the 'respect' aspect of the Code of Conduct.

If you agree with me a simple apology for use of the term would be enough for me to close the complaint via an informal resolution. If you disagree, however, I will continue with the assessment.

Please could you let me know how you would like to proceed?

Thanks  
Graham

**Graham Watts**  
**Assistant Director (Governance and Public Protection) and Monitoring Officer**  
South Kesteven District Council,  
Council Offices, The Picture House,  
St Catherines Road, Grantham,  
Lincolnshire, NG31 6TT  
Tel: (01476) 406224  
Email: [graham.watts@southkesteven.gov.uk](mailto:graham.watts@southkesteven.gov.uk)  
[www.southkesteven.gov.uk](http://www.southkesteven.gov.uk)

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**From:** Cllr Tim Harrison <[Tim.Harrison@southkesteven.gov.uk](mailto:Tim.Harrison@southkesteven.gov.uk)>  
**Sent:** Sunday, March 3, 2024 10:20 PM  
**To:** Graham Watts <[Graham.Watts@southkesteven.gov.uk](mailto:Graham.Watts@southkesteven.gov.uk)>; CLLR - ALL COUNCILLORS <[CLLRALL@southkesteven.gov.uk](mailto:CLLRALL@southkesteven.gov.uk)>  
**Cc:** Debbie Mewes <[debbie.mewes@southkesteven.gov.uk](mailto:debbie.mewes@southkesteven.gov.uk)>  
**Subject:** Re: Code of Conduct Complaint against cllr Harrison

Dear Graham,

I really do hope you are not still logged in on a Sunday. Yet again I stand by every word in this post and I am more than happy that I went public with the ridiculous claim that this was the most unhappy Cllr Jeal had seen people. If Cllr Jeal does not want responses to his posts then he should not post. Utter nonsense.

Kind regards



Tim Harrison Councillor for Grantham St. Wulfram's Ward



SOUTH KESTEVEN  
DISTRICT COUNCIL

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**From:** Graham Watts <[Graham.Watts@southkesteven.gov.uk](mailto:Graham.Watts@southkesteven.gov.uk)>  
**Sent:** Sunday, March 3, 2024 7:43:30 PM  
**To:** Cllr Tim Harrison <[Tim.Harrison@southkesteven.gov.uk](mailto:Tim.Harrison@southkesteven.gov.uk)>  
**Cc:** Debbie Mewes <[debbie.mewes@southkesteven.gov.uk](mailto:debbie.mewes@southkesteven.gov.uk)>  
**Subject:** FW: Code of Conduct Complaint against cllr Harrison

Good evening Councillor Harrison,

Please see below a further complaint submitted against you. As with the previous complaints, please could you provide me with your response to the allegations made?

Many thanks  
Graham

**Graham Watts**

**Assistant Director (Governance and Public Protection) and Monitoring Officer**

South Kesteven District Council,  
Council Offices, The Picture House,  
St Catherines Road, Grantham,  
Lincolnshire, NG31 6TT  
Tel: (01476) 406224  
Email: [graham.watts@southkesteven.gov.uk](mailto:graham.watts@southkesteven.gov.uk)  
[www.southkesteven.gov.uk](http://www.southkesteven.gov.uk)



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**From:** Cllr Graham Jeal <[graham.jeal@southkesteven.gov.uk](mailto:graham.jeal@southkesteven.gov.uk)>  
**Sent:** Sunday, March 3, 2024 4:02 PM  
**To:** Graham Watts <[Graham.Watts@southkesteven.gov.uk](mailto:Graham.Watts@southkesteven.gov.uk)>  
**Cc:** Cllr Penny Milnes <[penny.milnes@southkesteven.gov.uk](mailto:penny.milnes@southkesteven.gov.uk)>  
**Subject:** Code of Conduct Complaint against cllr Harrison

Graham,

I would like to place a code of conduct complaint against cllr Harrison for the description of a fellow councillor as a "clown".

In accepting the role of councillor we all agree to follow the South Kesteven District Council Code of Conduct which incorporates the Nolan Principles. I believe that this post is in breach of 5 of the 7 Nolan principles. Namely:

- **Selflessness:** Holders of public office should act solely in terms of the public interest. Making unsubstantiated public slurs on fellow councillors is not in the public interest.
- **Integrity:** Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

A public slur on a fellow councillor in an attempt to divert attention from legitimate failings within the administration shows a low level of integrity and is not in the public interest. This is unbecoming language of an elected representative and brings the council into disrepute.

- **Objectivity:** Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Public discriminatory slurs breach the requirement to act without bias or discrimination.

- **Honesty:** Holders of public office should be truthful.

This dishonest social media post is a totally dishonest slur against a fellow councillor who is doing their job pointing out failures in the administration.

- **Leadership:** Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Cllr Harrison enjoys a leadership position within the administration by virtue of his chairmanship of a committee, therefore he is using his added responsibility to elevate his false and dishonest slur of a fellow councillor.

I know you will attend this this urgently, I reserve the right to present a copy of this complaint to the press – but I am sure that you will understand that I consider this behavior unbecoming of a councillor and should be attended to immediately

Yours faithfully

Graham Jeal

**From:** Cllr Tim Harrison <Tim.Harrison@southkesteven.gov.uk>  
**Sent:** 21 March 2024 14:58  
**To:** Graham Watts  
**Cc:** [REDACTED]  
**Subject:** Re: Monitoring Officer Decision Notice - complaint by Councillor Jeal

Good afternoon Graham,

As you state we are at an impasse, the complaint was that I called him a clown. I clearly did not. Again this same councillor [REDACTED], anyone watching that broadcast would quit rightly wonder as to why a leader claimed [REDACTED]. Demonstrating again unfair handling of the process.

Kind regards



**Tim Harrison Councillor for Grantham St. Wulfram's Ward**



**SOUTH KESTEVEN  
DISTRICT COUNCIL**

GRANTHAM • STAMFORD • BOURNE • THE DEEPINGS

---

**From:** Graham Watts <Graham.Watts@southkesteven.gov.uk>  
**Sent:** Thursday, March 21, 2024 1:22:04 PM  
**To:** Cllr Tim Harrison <Tim.Harrison@southkesteven.gov.uk>  
**Cc:** [REDACTED]  
**Subject:** Monitoring Officer Decision Notice - complaint by Councillor Jeal

**Private and confidential**

Good morning Councillor Harrison,

Further to the complaint submitted against you from Councillor Graham Jeal, I now attach a decision notice setting out the outcomes of my assessment, in consultation with the two Independent Persons.

You will see that I believe a breach of the Code of Conduct has occurred, but do not intend to take any further action subject to the conditions of the decision being met which are detailed in the notice.

Please ensure that confidentiality is maintained in relation to this decision notice.

Kindest regards  
Graham

**Graham Watts**

**Assistant Director (Governance and Public Protection) and Monitoring Officer**

South Kesteven District Council,  
Council Offices, The Picture House,  
St Catherines Road, Grantham,  
Lincolnshire, NG31 6TT  
Tel: (01476) 406224  
Email: [graham.watts@southkesteven.gov.uk](mailto:graham.watts@southkesteven.gov.uk)  
[www.southkesteven.gov.uk](http://www.southkesteven.gov.uk)



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

## STATEMENT FRONT COVER

Name:	Graham Jeal
Position Held	Councillor South Kesteven District Council

wilkin chapman llp  
solicitors

Cartergate House,  
26 Chantry Lane,  
Grimsby  
DN31 2LJ

a limited liability partnership registered in England number OC343261  
authorised and regulated by the Solicitors Regulation Authority.

## STATEMENT of: Councillor Graham Jeal

1. I am a Conservative Councillor for South Kesteven District Council (the Council). I am Leader of the Conservative Group. I am not formally a member of any of the Council's Committees but as Leader of the Conservative Group, I attend most Scrutiny Committee meetings. I represent Grantham St Vincents ward.
  
2. I understand that Wilkin Chapman LLP solicitors have been asked to investigate my complaints against Councillor Harrison in respect of his conduct on social media.
  
3. Councillor Harrison first came on my radar just prior to the 2023 election when he did a series of social media posts/comments making fun of [REDACTED]  
[REDACTED]
  
4. Councillor Harrison and [REDACTED] so Councillor Harrison made a particularly venomous attack on him. Councillor Harrison shared and promoted videos online of [REDACTED] suggesting he was asleep in public meetings [REDACTED]  
[REDACTED] – this caused enormous distress to [REDACTED]  
[REDACTED] The level of viciousness was reserved for somebody who was clearly unwell. This was something I have never seen before in public office.
  
5. Shortly after the election I did actually reach out to Councillor Harrison on a Governance and Audit issue in an attempt to help him. I have come to the view, clouded by his hounding of [REDACTED]  
[REDACTED], that he is not fit for public service and unfit to hold a leadership position in the Council such as Chair of Governance and Audit. I believe such behaviour towards [REDACTED] by Councillor Harrison contributed to the decline in [REDACTED] health.
  
6. The relationship between the groups at the Council has been toxic and unprofessional for a long time, but it has gotten significantly worse since the last election. Swearing in the Chamber has become normalised over the last couple of years. Coming from a professional background I have always found that slightly difficult. Overnight, when Ashley Baxter was elected leader, you could see all of the sensible people in the Council sort of pushed to one side and louder more antagonistic councillors now in control.

7. The outcome of this behaviour deters people from the Council and is detrimental to getting officers to join the Council. There are good people on the Council and good officers but most of them now, frankly, are saying 'I've got better things to do with my time'. I find myself thinking, what on earth have I signed myself up for?
8. The small number of complaints being investigated are dwarfed; this is the absolute tip of the iceberg – there are dozens that have not made it to investigation. The Code of Conduct process is openly mocked now, and the fact that the behaviour is pushing good councillors away is a real threat to our local democracy and public service in general.

### *Councillor Harrison's social media post containing the word 'clown'*

9. I write colourful columns and I write them to be interesting, but I understand where the line is. To me, that post crosses the line. I can't think of any environment where that would be acceptable, outside of a circus venue.
10. I have worked for many companies, and I have owned companies. I would never tolerate somebody referring to another person as a clown either as an employer, employee or business owner.
11. We all say silly things or have a bad day, but this was not a one off, it is a pattern of behaviour that has been normalised. At the minute, there is no line, in that there is swearing in the Chamber and comments being made online. I see a direct line between that kind of behaviour and members of staff being attacked, which has happened twice now in the last month. I think there is a major problem. This is bringing the members, the Council and officers into disrepute and making it difficult to recruit members and officers for the Council.

Jeal v Harrison V2

The figure consists of two groups of horizontal bars. The top group contains 15 bars, and the bottom group contains 10 bars. Each bar is black and has a varying length. In the top group, the first bar is the longest, followed by a short bar, then a long bar, and so on. In the bottom group, the first bar is very long, followed by a short bar, then a long bar, and so on. Some of the bars contain white internal segments, which are longer in the top group and shorter in the bottom group. The bars are arranged in a staggered pattern, with some bars overlapping others.

23. I was leaned on quite heavily not to start this process and there is a clear disrespect for the process. I was told 'what's the point in spending the money with a third party?' and 'you're wasting your time'. That is victim shaming.
24. I have been under pressure to withdraw these complaints from the Leader and senior officers and former chair of standards. People, quite frankly, I would have expected better from. As leader of a political group, I have a welfare obligation and cannot stand aside and see the Council, its members and officers brought into disrepute.
25. It has been widely said 'we've got control of the Standards Committee, we're definitely going to throw it out, you'll be the laughing stock for spending the money'. The Code of Conduct is openly mocked.
26. It is my opinion that these complaints should at least be documented and in the public domain. None of this is calming down.
27. If a chair were to be thrown in a Council meeting, something which has happened before, and it strikes an elderly member on the back of the head injuring them seriously, what will the Council have done to prevent that?
28. Given what has happened in the last 10 years, it is unacceptable. It is not a party-political point because attacks happen against all parties. I do think Councillor Harrison knows what he is doing – from his treatment of [REDACTED] over the period of a couple of years, I think it is about intimidation.
29. I do concede that not enough councillors have had social media training and do not understand the dangers. Most think, 'I was only liking it, it's not the end of the world'. You take on an added responsibility for liking it. Under English law, ignorance is not a defence.

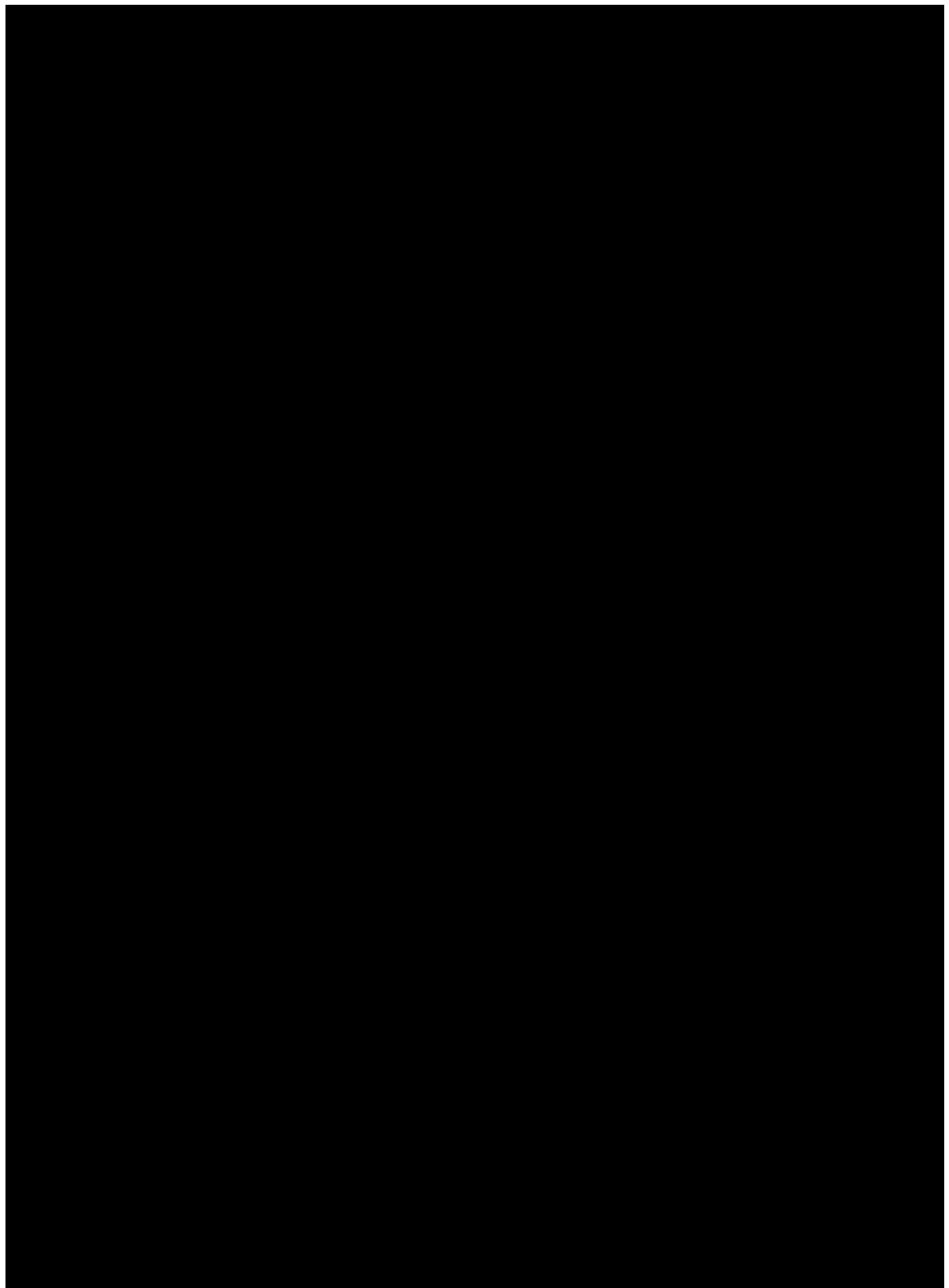
I, Councillor Graham Jeal, declare that this statement is true and accurate to the best of my knowledge and belief.

Signed by:

30 August 2024

Signed ..... Date .....

DA2EF81D26ED4F8...



Jeal v Harrison  
V1

## Jeal v Harrison V1

South Kesteven District Council

Date of Interview: 16.07.2024

Interview Transcript – Councillor Harrison

TH - Councillor Tim Harrison

EC - Estelle Culligan

GT - Gill Thompson

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EC: So, that is the recording which has started, and I can see that, yes, it's coming up with my speech. So, thank you very much Councillor Harrison for joining us this afternoon, if we could just introduce ourselves, I am Estelle Culligan and I am a Partner in the Regulatory team.

GT: I'm Gill Thompson and I'm a Regulatory Executive in the Regulatory team.

TH: And I'm Tim Harrison District Councillor for South Kesteven St Wulfram's Ward.

EC: Thanks very much everybody. So, Councillor Harrison if we just start off with some general questions about your background with the Council I believe you were first elected in May 2023 is that right?

TH: Yep.

EC: You hadn't been a Councillor there before?

TH: No.

EC: Okay, thank you. And you represent the is it the St Wulfram's Ward?

TH: It is yeah.

EC: Yeah. And can you explain to us if you can remember them all which committees you sit on and if you are chair of any committees.

TH: I sit on 11 different committees I'd be struggling to remember them all....

EC: Oh gosh.

TH: Erm, Chairman of Governance and Audit.

EC: Right, okay, okay. Erm, and just thinking about the training that you've undertaken since you became a Councillor there is some listed on your website but it doesn't mention on, on the Council's website but it doesn't mention code of conduct training, have you ....

TH: Yeah, I did code of conduct training as well, yeah.

EC: Right, okay, thank you. Do you remember when that was?

TH: Erm no I wouldn't I don't I'd have to go to Dem Services to find that out.

EC: But it was part of the package of training that you had..

TH: Yeah.

EC: As a new Councillor? Do you remember whether that covered dealing dealings on social media?

TH: It did yes.

EC: Right, okay, thanks very much. Erm, that's great. So just moving on to the specific issues of the complaints and we'll take them in turn, erm, and if you're confused at any point then we can sort of slow down and I can point you to what we are talking about because there is a lot and there's a lot of different posts and a, err, you know, a lot of different comments and that sort of thing, so

*TEXT REMOVED WHICH IS IRRELEVANT TO THIS COMPLAINT*

TH: ... I was getting pestered constantly with these emails pinging through....

EC: Yeah.

TH: ....about this sort of stuff and I said to Graham then, deal with it as you see fit Graham. I've, I've, I've got not further response, I don't really want to engage with it, I think it's all nonsense my own personal point, I said you tell me before I personally think it's vexatious where 28, comp.... it's 26 different complaints came through to me, at, all, I'm told in the end. 26 different complaints in the short period of time, tell me when that's ever happened before, and not been seen as vexatious? Now....

EC: Yep.

TH: ....the problem with the Tories as, is because I'm a, I'm my own man, I speak my own mind, and I call things as they are, they don't like it ....

EC: Yes.

TH: ....and they don't like being erm outshone on social media....

EC: Yeah.

TH: ....but as I said to Graham Watts, what, what perplexes me is this has come to you. I said to Graham Watts I'm perfectly happy for you Graham to say yeah we find against him on all these and I won't even fight it with you, you can go against me, you can put me black marks against me err, as a Councillor, because ultimately there is nothing really more that can be done,

EC: Yes.

TH: ....um, so do that, I won't fight against it, we'll save the Council some money as in, because you, you guys are going to be costing us money, quite clearly....

EC: Yes.

TH: ....I said we'll save a lot of money and everybody will be happy. The Tories will have their bit, they'll have their black mark against me, erm, jobs done, and everybody's happy, but no, it's got passed on to you and I don't see why that is really. I can't, when I've said to Graham I'll happily not contest your decision. So the whole thing....

EC: The problem, yeah, the difficulty, the difficulty for Graham is that under your, under the arrangements and under the localism act it's, it's difficult to make a finding on some of these things without going through a more thorough investigation, it's, he can't on everything make, make a decision, that's the difficulty, so that's why he's constrained to put some of these things through, if he thinks they're serious enough to a further investigation, so that, erm, I mean you may say oh I wouldn't contest it but others, err, you know if he starts doing that for one person then he can't necessarily do that for everybody for other complaints that come through against other people, so there is a process unfortunately, and that's the process that he's, he's got to go through, so that's why we are where we are today.

TH: Right.

EC: Erm....

TH: Which is pretty much what Graham said, he said he's got a process to go through but I, I still don't quite understand it, but fair enough, if that's what we've got to do, that's what we've got to do.

EC: Yeah, and we are dealing with it as swiftly as we can aren't we Gill? Erm, so, erm, thank you very much for that. So if we move on Councillor Harrison to the second complaints, and these are some complaints that Councillor Jeal raised against you, erm, again to do with some online posts and online comments, sorry, my screen has gone a bit funny, just let me get that off. So, this is basically on the 2<sup>nd</sup> March, again this year, you posted a picture of Councillor Jeal and a link to an online article "Bins generate as much unhappiness as I've ever seen", that was the comment that Councillor Jeal made, and your, your post contained the words "What a clown world", and then you commented on your post to say "It speaks volumes for Mr Jeal's quality of life if having a bin collected late one week is the most unhappiness he has ever seen. Maybe he should get out in the town more, happy to take you around New Street, Greyfriars, Riverside. Councillor Steve Cunnington", oh sorry, "Earlesfield and Redsteps would happily take you around" Noulton Court, etc, "Kinoulton Court, etc. This comment is beyond that of a clown, it is downright insulting to those in town that are really struggling, Taxi for Jeal". So that's what you posted, do you remember that?

TH: Yeah, yeah.

EC: Again, err, and I'm sorry I'm not clear about this, was that on again your Facebook page?

TH: Yeah.

EC: Right, okay. Erm, so in your response to Graham, you said that you didn't actually call him a clown, you were merely commenting, this is err, this, this comment is beyond that of a clown. You said you didn't actually call him a clown.

TH: Yeah. Councillor Jeal's complaint if I, if I remember correctly, the actual words of the complaint where I called him a clown, I didn't.

EC: Yes.

TH: So, that's the end of that complaint, I didn't call him a clown.

EC: Yes. But you can see how the, the way it comes....

TH: How he reads it is on him again isn't it? It's not my problem how people interpret what I put, I'm very careful about what I type and how I type it...

EC: Yeah.

TH: ....I, particularly because of what I learned about social media posts. Err, in, in the err.....

EC: At the training?

TH: ....code of conduct.

EC: Yeah.

TH: In the code of conduct training, so I put specifically, that comment is worse than that of a clown, that is not saying he's a clown, it's saying his comment was worse than that of a clown in the fact that he is saying he has never seen people in this town as unhappy as when they didn't get their bin collected one week. So, I didn't call him a clown, as his complaint is, and in my eyes his complaint was I called him a clown. I didn't call him a clown, that should therefore be the end of the complaint. I can't see how, how is interpretation of what I put again, as with [REDACTED], is on him. I cannot be responsible for how people interpret what I put. I put specific comments, the, the, how people interpret that, there could be someone who interprets that completely different to how Councillor Jeal interpreted it. I cannot be responsible for how people interpret what I put. I get what.....

EC: Yeah but....

TH: ....I get what you're saying....

EC: Yeah.

TH: ....and I get that maybe he did interpret it that way. The fact that he's offended by that, then maybe he should take stock of what he actually says. My, my comment was clearly....

EC: Yeah. I think it, yeah, sorry carry on.

TH: ....no, sorry, my comment was clearly there to show him that that comment was offensive to people that are living in damp houses, that are....

EC: Yeah.

TH: ....that can't afford to buy their shopping, can't afford to turn the heating on, err, and stuff like that, so, Mr Jeal has done numerous of these columns in the paper and I'm the one sitting here in the middle of the town, getting people come up to me and give me grief saying you Councillor's don't understand what's going on...

EC: Yeah.

TH: ....so that, that, you know my comment that with that, and I, I'll stand by that and if you, if you find your result that yeah that's offensive then I'll stand by what you find. Erm...

EC: Yeah, and...

TH: You know...

EC: Yeah, I mean, I know what you're saying about that's, you didn't call him a clown, and how he takes it that, that's his, that's his business, but when you read it and I think Graham said this to you in his, when he sent it to you, when you actually read it, any, any normal rational person reading that would associate Councillor Jeal with a clown, because of how you've posted it, and the thing is about the code of conduct and the issues of respect and err, harassment and all that sort of thing, the finding of a code of conduct it's not, it's not simply that oh I didn't intend, I didn't intend for anybody to be insulted by this comment, it's how your comments are perceived, do you see what I mean, that's, that's the issue under the code of conduct whether such a comment could be seen to be disrespectful, or, etc, so it's, it is really the sort of the man on the Clapham Omnibus test, it's not just about you saying well I speak as I find and, and whether he takes it that's way, that's his business, that can still be a breach of the code of conduct... I'm not saying it is, because we haven't come to our conclusions, but that, that's the purpose of the code of conduct, it's about dealing with people in a respectful way, not always pulling your punches, etc, but it's about what tips the line into personal abuse, and what, and what stays within the right side of robust political comment, and that was to be the next.

TH: What in that comment was personal to, to Mr Jeal other than.....

EC: The analogy of.

TH: ....that comment..

EC: ....possibly, and again I'm not saying...

TH: Yeah.

EC: ....because we haven't done our full assessment of this, you know our full investigation...

TH: Yeah, yeah.

EC: ....of this, and you know, so I'm not saying either way but, you known any normal person reading that would make the association in two-fold, first of all at the head of your post you say something like, I can't remember, is it, it's a clown's world, or something....

TH: A clown world, yeah..

EC: ...and then you say something and then you say, the, the, the comment is worse than that of a clown. The association is a clown and Councillor Jeal. You've, even though you haven't said Councillor Jeal is a clown. So I think, I think that's, that's probably why Graham's put it forward for, for a further consideration, so I'm just saying that's, you know, that's the....

TH: Yeah, yeah.

EC: that's the assessment that we....

TH: Well maybe Councillor Jeal will now in future be a bit more wary about what he posts, if I get that desired effect off him then I'm happy to take this on the chin and, and you find me guilty of erm, disrespect. I personally don't think it's disrespect, I think he has disrespected the people with the, with his, with his comment that he's put, I think that disrespectful to the very people that he works for, and me calling it out, I think, erm, well it got a lot of people was, there has been a lot of response to, to the ones particularly about Councillor Jeal because he is so out of touch.

EC: Right, okay, that's what I was going to ask you actually, so did that generated quite a lot of....

TH: Yes it did.

EC: ....and support for your comments....

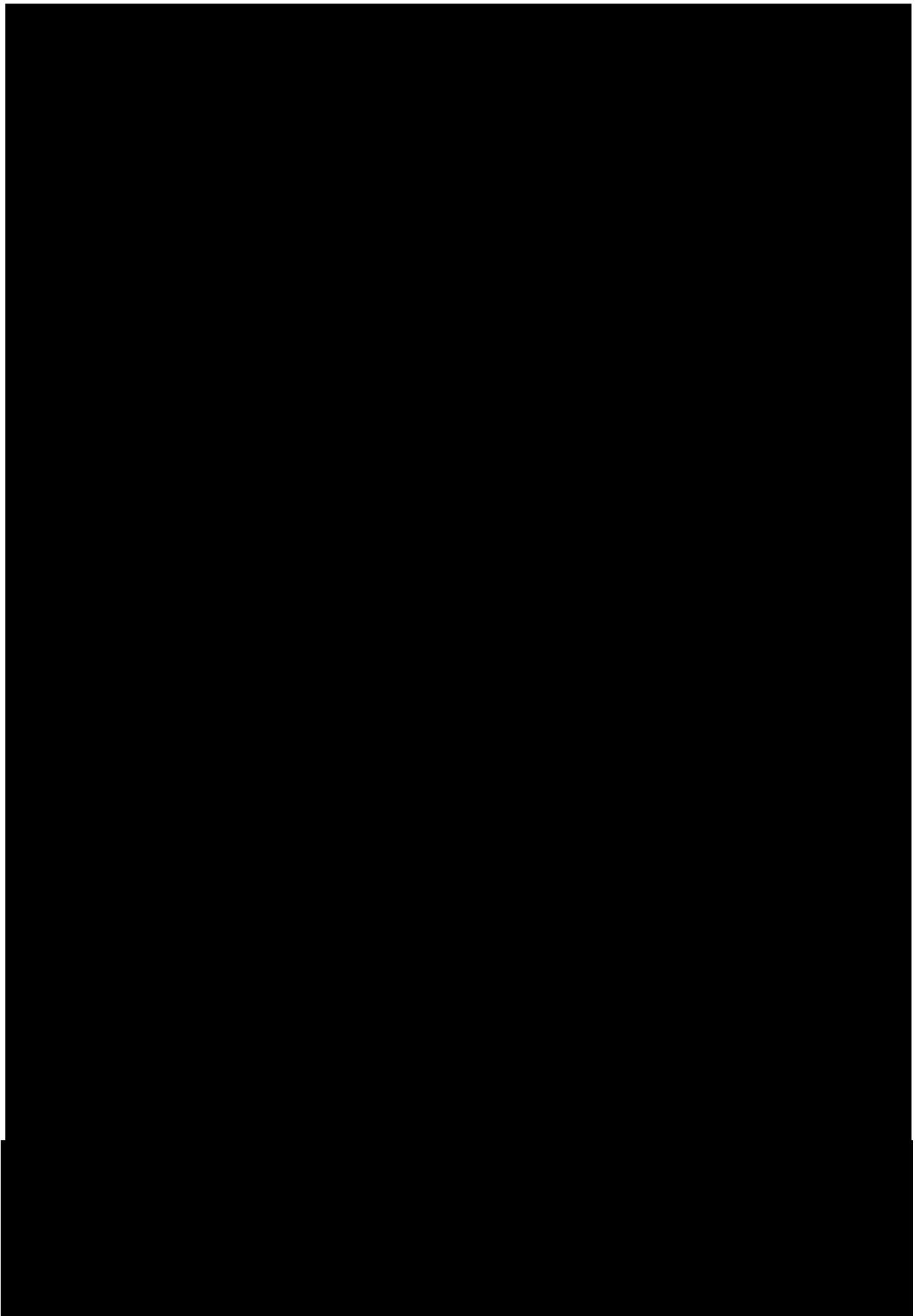
TH: Yes.

EC: ....basically, yeah, okay, alright then. That's very helpful, thank you very much. So I want to move on....

TH: Yeah...

EC: ....if that's okay...

TH: Yes, sure.





*TEXT REMOVED WHICH IS IRRELEVANT TO THIS COMPLAINT*

EC: Yeah, okay. Alright then Councillor Harrison. Well look, thank you very much. That was all I wanted to ask you, erm....

TH: Yeah.

EC: ... is there anything else that you want to say? Before we ...

TH: No, I'm sorry that you've had to spend time on this, it's a vast waste of resource and monies. I'm sure you've got far more important things to do. Erm, you won't get it again from me with, as regards [REDACTED] and Graham Jeal, we've realised they're

not worth our efforts, they're not worth, and erm, we just, we'll leave them in their own echo chamber because they're not getting any erm, stuff, erm, the mistake I made was biting.

EC: Yeah.

TH: That was the mistake I made. Everything, I stand by everything I did, but I just shouldn't have bitten because I gave him a bigger voice than he would have had if I hadn't of.....

EC: Yeah.

TH: [REDACTED]

EC: I understand. Well listen, thank you very much. Just bear with me one second, I'm going to stop the recording if I can.

TH: Yep.

EC: Just bear with me. Stop recording.

*END OF RECORDING*

*I certify that this is an accurate note of my interview with Estelle Culligan and Gill Thompson on Tuesday 16 July 2024.*

*Signed.....*

*Dated.....*

**From:** [REDACTED]  
**Sent:** 22 July 2024 14:21  
**To:** Tim.Harrison@SouthKesteven.gov.uk  
**Subject:** (97613/248, 97613/246, 97613/243 and 97613/241) - Interview Transcript  
**Attachments:** Interview Transcript - Councillor Tim Harrison.pdf; Email Letter to Councillor Harrison enclosing interview transcript.pdf

Dear Councillor Harrison

Please find attached, for your consideration, a letter together with interview transcript.

The transcript itself is password protected for security. We have obtained a mobile number from the Council's website ending 569. I will therefore send the password to you via SMS shortly.

Should you have any queries please don't hesitate to contact me.

Kind regards

[REDACTED]

**From:** [REDACTED]  
**Sent:** 06 August 2024 09:58  
**To:** Cllr Tim Harrison  
**Subject:** FW: (97613/248, 97613/246, 97613/243 and 97613/241) - Interview Transcript  
**Attachments:** Interview Transcript - Councillor Tim Harrison.pdf; Email Letter to Councillor Harrison enclosing interview transcript.pdf

Good morning Councillor Harrison

I refer to my email below and the attached letter and transcript.

I would be grateful if you could confirm your approval of the transcript as soon as possible.

Many thanks  
[REDACTED]

-----Original Message-----

From: [REDACTED]  
Sent: Monday, July 22, 2024 2:21 PM  
To: Tim.Harrison@SouthKesteven.gov.uk  
Subject: (97613/248, 97613/246, 97613/243 and 97613/241) - Interview Transcript

Dear Councillor Harrison

Please find attached, for your consideration, a letter together with interview transcript.

The transcript itself is password protected for security. We have obtained a mobile number from the Council's website ending 569. I will therefore send the password to you via SMS shortly.

Should you have any queries please don't hesitate to contact me.

Kind regards  
[REDACTED]

**From:** Cllr Tim Harrison <Tim.Harrison@southkesteven.gov.uk>  
**Sent:** 06 August 2024 14:13  
**To:** [REDACTED]  
**Subject:** [EXTERNAL] Re: (97613/248, 97613/246, 97613/243 and 97613/241) - Interview Transcript

This Message originated outside your organisation.

---

Good afternoon [REDACTED]

I have only had time for a cursory glance over all this, I am too busy. It all seems in order I am confident that you will have transcribed accurately. If there is any issue in the future we can always return to the video.

Kind regards

Tim Harrison Councillor for Grantham St. Wulfram's Ward

---

**From:** [REDACTED]  
**Sent:** Tuesday, August 6, 2024 9:58:17 AM  
**To:** Cllr Tim Harrison <Tim.Harrison@southkesteven.gov.uk>  
**Subject:** FW: (97613/248, 97613/246, 97613/243 and 97613/241) - Interview Transcript

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good morning Councillor Harrison

I refer to my email below and the attached letter and transcript.

I would be grateful if you could confirm your approval of the transcript as soon as possible.

Many thanks  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
<<https://url.uk.m.mimecastprotect.com/s/vfUhCRgkGhGg2WmuNhuvLj5Y?domain=linkprotect.cudasvc.com>>

A:  
Cartergate House, 26 Chantry Lane, Grimsby DN31 2LJ  
<<https://url.uk.m.mimecastprotect.com/s/q2oSCVmoMs2PGywCyiquVjl6f?domain=google.co.uk>>

**From:** [REDACTED]  
**Sent:** 06 August 2024 14:24  
**To:** Cllr Tim Harrison  
**Subject:** RE: (97613/248, 97613/246, 97613/243 and 97613/241) - Interview Transcript

Hello Councillor Harrison

Thank you for your email. I appreciate you are very busy but we would like you to sign the transcript. I will send it to you via Docusign (which enables electronic signature and return) so if you could give it a read through that would be very much appreciated.

Kind regards

From: Cllr Tim Harrison <Tim.Harrison@southkesteven.gov.uk>  
Sent: Tuesday, August 6, 2024 2:13 PM  
To: [REDACTED]  
Subject: [EXTERNAL] Re: (97613/248, 97613/246, 97613/243 and 97613/241) - Interview Transcript

This Message originated outside your organisation.

---

Good afternoon [REDACTED]

I have only had time for a cursory glance over all this, I am too busy. It all seems in order I am confident that you will have transcribed accurately. If there is any issue in the future we can always return to the video.

Kind regards

Tim Harrison Councillor for Grantham St. Wulfram's Ward

**From:** Cllr Tim Harrison <Tim.Harrison@southkesteven.gov.uk>  
**Sent:** 19 August 2024 15:38  
**To:** [REDACTED]  
**Subject:** [EXTERNAL] Re: Reminder: Complete with Docusign: Interview Transcript - Councillor Tim Harrison.pdf

This Message originated outside your organisation.

Hi [REDACTED]

I cannot sign this, I haven't had a copy of the video to compare it, plus I really do not have the time to spend going through it. As you are aware I do not get paid for this time and consider it a waste of my valuable time, where I can actually be achieving something for the constituents.

Kind regards

Tim Harrison Councillor for Grantham St. Wulfram's Ward

---

From: DocuSign EU System <dse@eumail.docusign.net> on behalf of [REDACTED] via Docusign  
<dse@eumail.docusign.net>  
Sent: Friday, August 16, 2024 3:00:32 AM  
To: Cllr Tim Harrison <Tim.Harrison@southkesteven.gov.uk>  
Subject: Reminder: Complete with Docusign: Interview Transcript - Councillor Tim Harrison.pdf

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# Appendix C

## **Procedure for dealing with complaints against Councillors who are alleged to have breached the Councillor Code of Conduct**

### **Procedure to be followed at Formal Hearings**

#### **1. Preliminary Procedural Issues**

- a) Introductions
- b) Election of Chairman (if Hearing Review Panel)
- c) Declarations of Interests
- d) To consider any requests for the exclusion of the Press and Public

#### **2. Monitoring Officer, Investigating Officer or their representative**

- a) Monitoring Officer, Investigating Officer or their representative to present the report and call such witnesses as they consider necessary, and make representations to substantiate their conclusions within the report.
- b) The Standards Committee/Hearing Review Panel to raise any issues or clarify any matters with the Monitoring Officer or Investigating Officer's report and to question and clarify matters with any of the witnesses called (if any).
- c) The Subject Councillor to raise any issues or clarify any matters with the Monitoring Officer or Investigating Officer's report and to question and clarify matters with any of the witnesses called (if any).

#### **3. Subject Councillor or their representative**

- a) The Subject Councillor to respond to the investigation report and call such witnesses as they consider necessary (if any) and make representations.
- b) The Monitoring Officer, Investigating Officer or their representative to raise any issues and to question or clarify any matters with the Subject Councillor and to question or clarify any matters with any of the witnesses called (if any).
- c) The Standards Committee/Hearing Review Panel to raise any issues, question or clarify any matters with the Subject Councillor.

#### **4. Independent Person**

- a) The Independent Person to provide their views.
- b) The subject Councillor to seek any points of clarification from the Independent Person or ask any questions.
- c) The Monitoring Officer, Investigating Officer or their representative to seek any points of clarification from the Independent Person or ask any questions.
- d) The Standards Committee/Hearing Review Panel to seek any points of clarification from the Independent Person or ask any questions.

#### **5. Standards Committee/Hearing Review Panel Deliberations**

- a) The Review Panel to retire, along with the representative from Democratic Services/designated Legal Advisor to the Panel to determine whether there has been a breach of the Code of Conduct.
- b) The Standards Committee/Review Panel to resume the Hearing to report the decision:
  - If further information or clarification is required, this will be reported and a decision taken as to whether an adjournment or postponement is necessary
  - If no breach of the Code of Conduct, the Hearing ends
  - If there has been a breach of the Code of Conduct, the Hearing will continue

#### **6. Breach of the Code of Conduct**

- a) Monitoring Officer, Investigating Officer or their representative to outline possible sanctions.
- b) The Subject Councillor to respond with any mitigation.
- c) The Independent Person to provide their views on appropriate sanctions.
- d) The Review Panel determines appropriate sanctions.

#### **7. End of Hearing**

A Decision Notice to be produced and published to all parties within 5 working days.