

## **CODE OF CONDUCT COMPLAINT CDC 21/003**

### **MONITORING OFFICER'S REPORT**

COMPLAINANT: CLLR BABLIN MOLIK

RESPONDENT: CLLR MICHAEL MICHAEL

#### **Complaint**

1. On 13<sup>th</sup> April 2021, Cllr Molik made a complaint to the Monitoring Officer (MO) alleging that in email correspondence between Cllr Molik and Cllr Michael regarding green waste collections dated from 9<sup>th</sup> April 2021 to 12<sup>th</sup> April 2021, Cllr Michael had attacked her and become personal in his responses to the questions she asked him in order for her to respond to a resident.
2. Cllr Molik supplied copies of the email correspondence as evidence to support her complaint.
3. Cllr Molik said that Cllr Michael's conduct constituted unacceptable bullying behaviour, in breach of the Members' Code of Conduct.

#### **Informal Resolution**

4. The Monitoring Officer confirmed that the complaint fell within the scope of the Local Resolution Protocol approved by Council.
5. With the agreement of Cllr Molik, the Monitoring Officer contacted Cllr Michael and asked if he would be prepared to apologise to Cllr Molik in order to informally resolve this matter in accordance with the Local Resolution Protocol. Cllr Michael made clear that he would not apologise.
6. On 16<sup>th</sup> April 2021, Cllr Molik confirmed that she wished to pursue her complaint. She said she was aware of multiple occasions when Cllr Michael had behaved in a similar way and that she did not think his behaviour was appropriate, professional or acceptable.

#### **Referral to the Hearings Panel**

7. On 13<sup>th</sup> May 2021, in accordance with the Local Resolution Protocol, the Monitoring Officer referred Cllr Molik's complaint to the Hearings Panel for determination.
8. As the Monitoring Officer had advised on the complaint and attempted to resolve it informally, she asked the Deputy Monitoring Officer to advise the Hearings Panel on this matter and make all necessary arrangements.

Davina Fiore

Director of Governance and Legal Services and Monitoring Officer

2<sup>nd</sup> November 2021