

Dorset Council – Complaint No. 013/20

Investigation in respect of an alleged breach of the Shaftesbury Town Members' Council Code of Conduct adopted on 18 June 2019

Investigation undertaken by Jacqui Andrews, Service Manager, Democratic and Electoral Services, Dorset Council

Background

Section 27 of the Localism Act 2011 requires relevant authorities to promote and maintain high standards of conduct by members of the authority and, under section 28, to have mechanisms in place to investigate allegations that a member has not complied with the Code of Conduct.

On 3 June 2020, complaint number 013.20 was considered by an assessment meeting, together with the views of Dorset Council's Independent Person. It was agreed that on the information provided they were satisfied that the complaint should be investigated further.

Introduction

In order to be able to carry out a thorough investigation of the complaint raised in respect of Councillor Karen Tippins and Councillor Peter Yeo, I took the opportunity to view, in detail, the following:

- Shaftesbury Town Council's Code of Conduct adopted on 18 June 2019
- Shaftesbury Town Council's Bullying and Harassment Policy dated 28 February 2017
- A video recording of Shaftesbury Town Council's Full Council meeting dated 14 April 2020 (NB – In accordance with the Town Council Standing Orders, the recording of this meeting has now been removed from the website following the signing of the minutes)

To supplement the information provided to me and available in the public domain on the Shaftesbury Town Council website, I also met virtually with the following people in order to seek their comments on a number of issues:

- Cllr Welch – 12 June 2020
- Cllr Karen Tippins – 18 June 2020
- Cllr Peter Yeo – 9 July 2020

A record of our discussions is attached at Appendices A, B and C – Councillors Welch and Tippins have agreed the statements attached as a true reflection of our discussion.

Councillor Yeo was given the opportunity to agree the notes as an accurate record of what was said during the interview but has, instead, chosen to rewrite the interview record. Councillor Yeo's extensive changes are shown in red on the second version attached at Appendix D. During all the interviews I was accompanied by a note taker and I am satisfied that the original version of the interview with Councillor Yeo was an accurate record of what was actually said. The changes made by Councillor Yeo are additional points or expanded points which he has made in hindsight.

It is not my intention to set out everything said in the interviews, a record of which can be found in the appendices, but I refer to any issues within the main body of the report that I believe are pertinent to this investigation.

Details of Complaint 013/20

A complaint was made by Cllr Welch alleging unacceptable behaviour towards an individual, namely himself, at a meeting of the Shaftesbury Town Council on 14 April 2020. The complaint stated as follows:

"Normally I would never consider this an option, filing a complaint about fellow councillors when issues should be able to be sorted in house. But after the meeting on the 14th April EFC I feel that this is necessary. Two councillors broke many policies during a meeting. Below I will list those that are relevant;

Bullying and Harassment Policy 5.1.2 D (Intentional Harassment) E (Bullying)
https://www.shaftesbury-tc.gov.uk/images/Data_Transparency/2017_05_09_-_STC_Bullying_and_Harassment_Policy.pdf

Members Code Of Conduct 2.2 B,C,G <https://www.shaftesbury-tc.gov.uk/wp-content/uploads/2019/08/Code-of-Conduct-Members-Adopted-18th-June-2019.pdf>

These policies were breached in a meeting discussing the Town Councils reaction and community response to COVID-19 in which I made a statement about the town council being an independent body and should protect our community how we see fit. I was then called an "idiot" by both Karen and Peter, the Chairman asked if Karen would be willing to retract her remark but she was not.

The meeting was recorded so there is video evidence of this occurring and myself, the Clerk or the Chairman would be willing to share this information. Personally I feel like this type of behaviour is unacceptable at public meetings and that I feel like there is a complete lack of respect for myself as an individual.

I completely understand that this is a very busy period for Dorset Council as you are also coordinating a response to COVID-19. Therefore I would like to state that I understand if more vital work needs to be completed first and that this complaint can be pushed back to however long you need for the more pressing matters."

At an assessment meeting on 3 June 2020, it was agreed that the complaint warranted investigation.

Undisputed facts

The undisputed facts of this case are that:

- At 42 minutes and 40 seconds Councillor Tippins says “What an idiot, Welch you’re an idiot, Councillor Welch, you’re an idiot”.
- At 42 minutes and 50 seconds the Chairman asks Councillor Tippins to retract her comments, to which she responded “No, he’s thick”.
- At 42 seconds, Councillor Yeo says “She’s got a point”.

Findings

Councillor Welch’s complaint suggests there has been a breach of the Shaftesbury Town Council’s Bullying and Harassment Policy. However, having read the Policy, it is clearly aimed at protecting employees of the Town Council, and does not, therefore directly apply to members. However, if this has been adopted by the Town Council (it is headed on the website as “draft”) it might be anticipated that the spirit of the Policy would apply to members in their interactions with one another. However, although the Bullying and Harassment Policy does not appear to apply to this complaint, paragraph 2.2 (b) of the General Obligations of the Members’ Code of Conduct states that a Members “must not bully any person”.

Councillor Welch also alleges that there has been a breach of the Shaftesbury Town Council’s Members’ Code of Conduct that was adopted on 18 June 2019 (specifically 2.2 (b), (c) and (g) set out below). I would suggest that paragraphs 2.1 (a) and (b) should also be considered:

2. General Obligations

2.1 A Councillor must:

- (a) comply with this Code of Conduct and any other of the Council’s policies, protocols and other procedures relating to the conduct of councillors;
- (b) treat others with respect;

2.2 A Councillor must not –

- (b) bully any person;
- (c) intimidate or attempt to intimidate any person who is or is likely to be –
 - (i) a complainant,
 - (ii) a witness, or
 - (iii) involved in the administration of any investigation or proceedings, in relation to an allegation that a councillor (including them) has failed to comply with this Code of Conduct; or
- (g) behave in a way which could reasonably be regarded as bringing their office or the Council in to disrepute.

Throughout the conversation I had with Councillor Tippins, she was keen to speak of actions she was alleging against other Councillors outside of the meeting on 14 April in terms of a “campaign” to remove her from the Town Council. I do not believe that it is for me to comment on these allegations as part of the complaint received from

Councillor Welch. It is for Councillor Tippins to raise her allegations through the appropriate channels. My only remit is to investigate the comments made by Councillor Tippins and Councillor Yeo in the meeting of 14 April.

It was clear from the outset of the meeting on 14 April 2020 that tensions were high, and the subject matter of the meeting had already generated strong feelings outside of a formal Committee setting. Holding meetings “virtually” with a livestream to YouTube was a new way of working for the Town Council following the introduction of Regulations passed to enable Councils to continue with the democratic decision making processes whilst the country was fighting the coronavirus pandemic. Whilst virtual meetings were a new way of working, the obligation to comply with the Code of Conduct remained unchanged.

I have viewed the meeting of 14 April 2020 on a number of occasions. It should be noted that in accordance with the Town Council’s standing orders, the recording of the meeting has now been removed from the website, but I was given a copy of the recording for the purpose of this investigation.

In her statement, Councillor Tippins stated that no-one knew that the meeting was being recorded. Whilst I’m not aware of what was in any correspondence to Councillors about the arrangements for the meeting prior to it taking place, in response to Councillor Yeo’s request for a recorded vote, the Chairman clearly stated that the meeting was being recorded (at 2 minutes and 5 seconds) so Councillors were all aware that a recording of the meeting was being made. However, the issue of whether it was being recorded is not strictly relevant to this investigation which is in respect of the conduct of Councillors at that meeting, not an issue of whether or not the meeting was recorded.

It was clear that there was no consensus of opinion on the issue being discussed at the meeting and there was an obvious tension from the outset. At a very early point in the meeting when Councillors were talking over one another in a heated exchange, the Chairman muted all Councillors (at 5 minutes 45 seconds) and reminded them of the need to be respectful of one another and to respect each other’s views – a helpful reminder that the Code of Conduct should be adhered to during the conduct of the meeting.

It has to be expected that debate and having different views are all part of healthy democracy – Councillors can be expected to express, challenge, criticise, and disagree with views, ideas and opinions. However, it is important that this is done in a civil manner. Rude and offensive behaviour lowers the public expectations and confidence in elected members, and no-one should be expected to accept an unreasonable or excessive personal attack. I am of the view that the body language of Councillor Tippins, when referring to Councillor Welch as “an idiot” was aggressive as she leant forwards towards the camera and her voice was loud and the tone was harsh.

Bullying has a number of definitions and can be subjective – what one person may see as bullying might be considered by another as simply a rude remark. Some people also consider that a person can only be bullied if there is an “imbalance of power”. Although Councillors are equal in status in their role, some may consider that experience gives them greater “power” over another. In my view, there is clearly

a case of bullying if the person making the allegation is caused either physical or mental/emotional harm, and/or if they are humiliated or hurt.

Councillor Welch refers to being “cut off” by Councillor Tippins and that her comments were “terrible”. Councillor Welch clearly felt upset by the comments as he says that he “hated it”, and after the meeting spoke to the Town Clerk as he was considering his position and whether he wished to continue in the role.

In her statement, Councillor Tippins spoke about the issue of PPE that was the subject of debate of the meeting of 14 April, and set out details of the varying views on this topic. Councillor Tippins made a number of allegations about interests held by other members but these are all irrelevant to the complaint I have been asked to investigate ie the offensive references she made to Councillor Welch. Councillor Tippins alleges that the meeting was orchestrated by the other Councillors to “bait” her, but I do not find this explanation credible. If, as Councillor Tippins states, she felt “baited” into name-calling, and it was a “heat of the moment” comment, she would have taken the opportunity to apologise when invited to do so by the Chairman. Instead, Councillor Tippins chose to respond “No, he’s an idiot”, compounding the insult already made. Whilst I accept Councillor Tippins had been through a recent traumatic and incredibly emotional experience when her mother passed away, and could accept that she may have made an ill-informed spur of the moment mistake in her offensive comments to Councillor Welch, her failure to take the opportunity to apologise when invited to do so by the Chairman demonstrated to me a lack of remorse or any indication that she considered her behaviour to be inappropriate.

Councillor Tippins said that other Councillors were allowed to shout at her throughout the meeting. I have watched the recording of the meeting on a number of occasions and whilst Councillors did ask challenging questions of Councillor Tippins, there was only point when Councillor Hollingshead did shout at Councillor Tippins calling her a liar (NB – at a subsequent meeting of Full Council on 2 June 2020 Councillor Hollingshead made a public apology to the Council for his comments). Councillor Tippins noted in the complaint that Councillor Welch had indicated that he was willing to accept an apology, and she was of the view that he could have diffused the situation if he had simply asked for an apology rather than supporting a vote of no confidence in Councillor Tippins. I would suggest that, equally, Councillor Tippins could have diffused the situation by offering an apology to Councillor Welch before he was compelled to submit a complaint of an alleged breach of the code of conduction.

In respect of the comment, “She’s got a point” made by Councillor Yeo, he would not confirm, when asked directly, that this comment was made in respect of Councillor Tippins’ name-calling of Councillor Welch, but inferred his comment was made in response to a number of points raised by an employee of the Town Council and Councillor Tippins earlier in the meeting. In my view, this is just not credible as Councillor Yeo would have made this comment at the time the statements with which he agreed were made. I would suggest that to any viewer of the meeting, Councillors Yeo’s comment “She’s got a point” was in direct response to Councillor Tippins saying “No, he’s thick” when invited by the Chairman to apologise for earlier name-calling.

I have watched the recording of this meeting on a number of occasions and it is clear that there are some very real tensions between the Councillors, and from the statements appended to this report it is clear that the tensions go beyond the discussions about the provision of PPE.

Conclusion

On concluding my investigation, I am of the view that Councillor Tippins and Councillor Yeo are both in breach of the Code of Code as follows:

2. General Obligations

2.1 A Councillor must:

- (b) comply with this Code of Conduct and any other of the Council's policies, protocols and other procedures relating to the conduct of councillors;

Conclusion: in my opinion, both Councillor Tippins and Councillor Yeo were in breach of the Code of Conduct for the reasons set out below.

- (b) treat others with respect;

Conclusion: in my opinion, both Councillor Tippins and Councillor Yeo failed to treat Councillor Welch with respect and are therefore in breach of paragraph 2.1(b) of the Members' Code of Conduct. Whilst Councillors are entitled to disagree with another Councillor's views, this should always be expressed in a civil and professional manner. The name-calling by Councillor Tippins was childish, unprofessional and wholly disrespectful. Councillor Tippins failed to take the opportunity to apologise when invited to do so by the Chairman and, in fact, added a further insult. Whilst in my opinion the breach by Councillor Yeo was mild as his comment was less direct, it was clear in my view that he was referencing the comments directed by Councillor Tippins at Councillor Welch, and demonstrated a lack of respect for a fellow Councillor.

2.2 A Councillor must not –

- (b) bully any person;
- (c) intimidate or attempt to intimidate any person who is or is likely to be –
 - (i) a complainant,
 - (ii) a witness, or
 - (iii) involved in the administration of any investigation or proceedings, in relation to an allegation that a councillor (including them) has failed to comply with this Code of Conduct; or

Conclusion: Whilst this paragraph of the Code is perhaps less clear as whether someone has been bullied or not can be subjective, Councillor Welch was clearly upset by the comments directed at him by Councillor Tippins - his reaction in consideration his future position with the Town Council indicates

that he was humiliated/offended/affected by the comments and therefore this could be considered as bullying.

(g) behave in a way which could reasonably be regarded as bringing their office or the Council in to disrepute.

Conclusion: the Full Council meeting on 14 April 2020 was a meeting in public that was live-streamed to the internet, and a recording of the meeting was subsequently uploaded to the Shaftesbury Town Council website. Whilst some Councillors claimed that they did not know the meeting was being recorded, this is, in fact, irrelevant. The Code of Conduct applies whether a meeting is being recorded or not. The actions of both Councillor Tippins and Councillor Yeo (to a lesser extent) were clearly likely to have an adverse impact on other Councillors and the Council as a whole. The fact that the meeting became the subject of an article in a number of national newspapers demonstrated that the impact was far-reaching, and in my view is likely to lower the public's expectations and confidence in its elected members. I therefore consider that both Councillor Tippins and Councillor Yeo have brought their office and the Council in to disrepute, breaching paragraph 2.2 (g) of the Members' Code of Conduct.

Jacqui Andrews
Service Manager, Democratic and Electoral Services
21 August 2020

Meeting with Councillor Mathew Welch

Date: 11.00am Friday 12 June 2020

I explained to Councillor Welch that the purpose of the meeting was to gather information to enable me to understand that facts as he saw them, and to enable me to formulate my report and any conclusions for consideration by the assessment meeting.

Cllr Welch's complaint referred to the conduct of both Councillor Tippins and Councillor Yeo at a meeting of Shaftesbury Town Council's Full Council on 14 April 2020. Councillor Welch confirmed that he was aware that the meeting was being live streamed and that a recording of the meeting would be uploaded to the Town Council's website until the minutes of the meeting had been approved.

I invited Councillor Welch to explain to me the circumstances surrounding the incident that resulted in him making a complaint.

Councillor Welch said that at the meeting on 14 April he was making a point that he felt that the Town Council should be able to help the community, and he was trying to make the point to other Councillors that the Town Council could make a difference. He said that the fact that he was cut off whilst speaking and called "idiot" and "thick" was terrible – Councillors Welch commented that he had "hated it". He explained that because of his temperament, he tried to "smile it off" at the meeting, but explained that he had called the Town Clerk afterwards, and said that he didn't feel that he could deal with this type of behaviour any more, and questioned whether he wanted to stay on the Town Council because of this type of abuse. Councillor Welch explained that this wasn't the first occasion when he had been personally verbally attacked, and last year, when he first joined the Town Council, Councillor Yeo had approached him outside of the Town Hall and started abusing him. Councillor Welch said that he went into the Town Council offices and asked the staff what to do. Councillor Welch said that the staff had advised that he could make a formal complaint but resisted doing so as he felt that things would get better.

Councillor Welch said that conduct of Councillor Tippins and Councillor Yeo at the meeting of 14 April 2020 had been the final straw and he felt he had no choice but to submit a formal complaint.

Councillor Welch referred to the press articles in the Daily Mail and the Independent following the live-broadcast of the meeting on 14 April 2020, and the negative light that this projected onto the Town Council. Councillor Welch felt that some of the comments, in response to the newspaper article, about Councillor Tippins were disgusting, and was also upset about comments made about all of the Councillors.

Whilst Councillor Welch understood that challenge and differing opinions were all part of political debate, he felt that the comments made by Councillor Tippins went beyond what could be considered usual debate, and were personal attacks, not political comments, and this was exacerbated by Councillor Yeo's comment about Councillor Tippins' remarks ie "she has a point". Councillor Welch said that there

had been no approach by Councillor Tippins or Councillor Yeo to apologise for their comments at the meeting of 14 April 2020.

Councillor Welch said that there had been further conduct that had meant he questioned whether he wanted to stay on the Town Council, and referred to the Full Council meeting on 2 June where he alleges that Councillor Yeo was in breach of the Members' Code of Conduct when he used the terms "bullsh*t" and "w*nker" in a livestream meeting in public. Whilst Councillor Welch said that the comments were not directed at him, he felt that Councillor Yeo's actions were a clear breach, bringing the Council in to disrepute.

To finish, Councillor Welch said that he was currently "embarrassed" to be a part of the Town Council with all the complaints that were being made, and he felt that something needed to be done. He said that he submitted his complaint following an accumulation of lots of incidents that he felt had reached a peak.

Councillor Welch wanted it to be noted that he had received huge support from other Councillors and the Town Clerk, and that was why he had currently decided to remain in his position as Councillor.

Jacqui Andrews
Service Manager, Democratic and Electoral Services

12 June 2020

Statement agreed by Councillor Mathew Welch by email 14:53, 12 June 2020

Meeting with Councillor Karen Tippins

Date: 9.30 am, Thursday 18 June 2020

I explained to Councillor Tippins that the purpose of the meeting was to enable me to understand that facts as she saw them, and to explore the issues raised in the complaints and gather information to enable me to formulate my report and any conclusions for consideration by the assessment meeting.

Councillor Tippins confirmed that she had received copies of complaint number 008/20 (Mrs C) and 013/20 (Councillor Welch).

Complaint 013/20

In respect of the Full Council meeting on 14 April 2020, I asked Councillor Tippins if she was content to agree as an undisputed fact that she referred to Councillor Welch as an idiot 3 times and then declined to apologise when requested by the Chairman stating “No, he’s thick”?

Councillor Tippins responded that if it was in the video recording then she did. I asked Councillor Tippins if she had watched a copy of the recording to which Councillors Tippins responded that she had, so I asked if she accepted that she did use those words, which Councillor Tippins confirmed. However, Councillor Tippins pointed out that this was in the context of a lengthy and bad tempered meeting within which she felt had variously been accused of being a “liar” and “killing people”. Councillor Tippins said it was her suspicion that many of these comments were planned to provoke her.

I asked Councillor Tippins if she was aware that the meeting was being live broadcast, that it was a meeting in public and that a recording would be available after the meeting? Councillor Tippins confirmed that she was not aware of this, She stated that this method of Zoom meeting was her first, and that she and others had technical issues. Councillor Tippins said that there was no ‘practice run’ or any statement from the Town Clerk on processes and procedures, especially surrounding the fact the Zoom meeting was going directly onto YouTube nor the use of ‘mute’ or the Town Clerk using ‘Chat’. Councillor Tippins said she was certainly not aware that “a person unknown would be passing information to the “Mail online” website, resulting in some very unpleasant comments being made against “ her. (*‘Yelling Grandmother’ Daily Mail Online*)

I advised that whilst I was not going to comment on the topic of the meeting, I was keen to hear Councillor Tippins’ response to the complaint made about her conduct, and invited Councillor Tippins to give me her views on the circumstances that have given rise to the complaint.

Councillor Tippins explained that the circumstances were exceedingly difficult for her as she had recently lost her mother who had passed away in a care home, and whilst trying to deal with her bereavement was receiving a number of phone calls from people who were concerned about the actions of other Councillors. Councillor

Tippins explained that concerns had been raised about requests by Councillors Welch and Prichard on behalf of their charity, Friends of Westminster Memorial Hospital, to the Town Council for the procurement of Covid-19 antibody test kits to be administered outside Westminster Memorial Hospital, Shaftesbury (tents were to be erected by Councillor Brown's company at cost). Councillor Tippins was concerned about this request so undertook some research which led her to the view that the tests were not allowed to be used by the NHS. This was because, at this time of the end of Mar-2020 the NHS and Public Health England (PHE) had stated that no Covid-19 Antibody Tests on the market were regarded as reliable or authorised for safe usage by the NHS. Councillor Tippins challenged the request by Councillor Prichard/Welch, arguing that their financial request might be "ultra vires" and all councillors received an email from Councillor Welch saying that his charity (Friends of Westminster Memorial Hospital) required more than £30,000 from the Town Council to be purchased directly from their stated supplier that was not PHE endorsed, for purchasing the Covid-19 Antibody Test kit. Councillor Tippins explained that she contacted a number of organisations, Life Science Company Director (husband's contact), Westminster Memorial Hospital, Shaftesbury and Dorset HealthCare University NHS Foundation Trust, Poole. The NHS organisations stated to Councillor Tippins that they hadn't been consulted by Councillor Prichard and Welch regarding administering Covid-19 Antibody Tests outside Westminster Memorial Hospital, Shaftesbury and the NHS would never ask for money from the Town Council for any medical supplies/equipment and never would (because legally the NHS are responsible for all medical supply procurement). The NHS put a confirmation statement in writing for Councillor Tippins.

Councillor Tippins said that she explained to the Town Clerk, Clare Commons, that she was unable to attend the Zoom meeting on the Councillor Prichard/Welch request for Antibody Test kits because Councillor Tippins mother had died in a care home. Councillor Tippins had requested formally to Mrs Commons that her personal emails were not to be forwarded to other Councillors. However, Mrs Commons forwarded the email to all councillors that her mother had passed away and Councillor Tippins said that she felt that the councillors didn't have any sympathy and, in fact, wanted to use this against her.

Councillor Tippins said that at the meeting on 14th Apr 2020 she was accused of putting the lives of NHS staff at risk and betraying the Town Council, and said that she was called a liar five times by Councillor Hollingshead. (Councillor Tippins provided a link to the YouTube clip - <https://www.youtube.com/watch?v=D6tnxz18sFI>)

Councillor Tippins also said that Councillor Brown said "how could someone deny PPE for people who would die without them". Councillor Tippins said that the Chairman had muted her and was allowing other Councillors to be abusive and shout at her for over 1 hour without Councillor Tippins being able to respond.

Councillor Tippins advised that Councillor Prichard said in his view she had wasted Dorset Health Care valuable time, and risked the lives of the most vulnerable in the community and frontline staff and asked why she was "playing games with people's lives?" Councillor Tippins said that she responded that she felt that PPE was the responsibility of the employer and that she had confirmation from the NHS, Dorset Healthcare, Poole, that they hadn't asked for the money from the Town Council for PPE and never would do. Councillor Tippins said that Councillor Welch then started demanding PPE for his brother which, she said, he hadn't made a declaration of

interest in respect of. Councillor Welch's brother worked at Tesco, and Councillor Tippins said that he started saying PPE should be given to key workers including his brother who worked at Tesco's. This was the subject of a further Code of Conduct request against Councillor Welch which Councillor Tippins had made.

Councillor Tippins said that with regard to the whole charity situation, she felt something was wrong. Certain Councillors were closely involved with the Charity and she felt that there was a conflict of interest, and having looked into the charity she learnt that it had no published constitution. She said that there was another charity with virtually the same name that had been operating for 40 years. Councillor Tippins said that the Treasurer of the latter charity had resigned and said that under no circumstances should Julian Prichard (Chair of both Charities) be asking for money from the Town Council as a councillor and the Trustees weren't consulted and hadn't voted on this financial request from the Town Council. Councillor Tippins said that, apparently, "Mr Prichard has told the former Treasurer 'I can do what I want'".

Councillor Tippins repeated that on 14th Apr 2020 Councillor Welch had asked for the Town Council to supply PPE for his brother working at Tesco because his parents were fragile. She said that he was told twice by Brie Logan (a Council employee) that PPE was not to be diverted from frontline key workers for non-clinical workers. Councillor Tippins felt that Councillor Welch was disrupting proceedings and demanding PPE and that he kept on referring to key workers. Councillor Tippins felt that during the meeting the other Councillors were inferring that residents in care home residents were "vermin" – she explained that the councillors were referring to residents as if they were 'infecting care-workers' with Covid-19. But, Councillor Tippins further explained that it isn't the residents in care homes that were the risk to infecting careworkers, that it was the other way around. Councillor Tippins explained that it was the careworkers coming into the care homes that placed residents at risk of Covid-19. Many residents in carehomes, like her mother, rarely left their rooms and her mother never left the residential home since going into the home. Also, Councillor Tippins explained, that her mother had Advanced Vascular Dementia and Councillor Tippins believed that her mother found careworkers wearing face masks frightening. Councillor Tippins came to this conclusion because since lockdown at the residential home on 14th March, she received many phone calls from the home of her mother's increasing agitation. Councillor Tippins felt upset by the lack of compassion she perceived from the other Councillors and believed that they were using people's hardships and genuine upset to better their political careers.

Referring to the comments that are the subject of complaint 013/20, Councillor Tippins said "I spoke my mind".

Since the meeting on 14 April, Councillor Tippins suggested that Councillor Welch had been part of a "faction" trying to remove her from the Town Council. In reference to Councillor Welch, she said that he wanted his brother on the Town Council, and that she thought it was a complete shock to them when she was elected with either double or 3 times the number of votes of some of the other candidates, considerably higher than any other councillor currently on the Town Council.

Councillor Tippins suggested that the other Councillors were “in collusion” with the Town Clerk where she felt all the decisions were made, and said that they had reduced her to being a Councillor in name only. She felt that Councillor Welch was part of a group that were trying to exclude her, prevent her from voting and from speaking, and said that if she stood to speak she was told to sit down or interrupted or currently muted on Zoom.

Soon after 14 April meeting, Councillor Tippins said she received a letter from nine Town Councillors including a signature by Councillor Welch, demanding her resignation off the Town Council by a specified date and if she hadn’t resigned they would proceed with a public ‘Vote of no Confidence’ in an Extra Full Council (which the nine councillors did), alleging that she was “bullying” staff and councillors. Councillor Tippins said that Councillor Welch (with Councillor Proctor) had also sent Councillor Tippins a solicitor’s letter threatening legal court action which arrived the same time as the threatening letter from nine councillors demanding Councillor Tippins resignation off the Town Council. Councillor Tippins realised that she needed to obtain professional legal support because of Councillor Proctor and Welch’s legal court action threat. Councillor Welch has also signed a petition which was made public on Facebook seeking her resignation.

In respect of the 14 April meeting broadcast using the Zoom platform, Councillor Tippins repeated that members weren’t told that it was being recorded and broadcast on the Town Council website. Councillor Tippins said that none of the Councillors had used Zoom for their meetings previously so didn’t really know how it worked properly and could only obtain access on her iPhone. Councillor Tippins hadn’t realised initially that she was being muted by Councillor Cook. Councillor Tippins felt that all the other members had scripted what they were going to say at the meeting and, with regard to the comments she made to Councillor Welch that were the subject of the complaint, she said that a snippet of the recording was taken and sent to the national papers and this appeared in the Daily Mail, the Times and the Independent. Councillor Tippins felt that Councillor Welch was part of a “smear campaign” and that other members were trying to mentally break her and trying to cause reputational damaged at a time when she had experienced a personal trauma and was suffering the effects of bereavement.

Councillor Tippins said that she had engaged a solicitor to look through the legal court action threat she’d received from Councillor Welch and Proctor she had received and the comments that had been made on Facebook calling her “evil” and making other unpleasant comments.

Councillor Tippins said that she had been getting considerable support from the community and that many people were furious with how she was being treated. Her solicitor had looked at the Full Council meeting and the ‘vote of no confidence’ and had written to the Town clerk concerning it, resulting in an adjournment, and also the letter signed by Councillor Welch seeking her resignation and alleging that she had bullied staff and caused staff mental anxiety since her day of election. Councillor Tippins had felt it necessary to go to the expense of engaging a solicitor to protect herself from what was going on.

Councillor Tippins referred to an occasion when she was threatened with arrest at a Council meeting after Councillor Hollingshead had dialled ‘999’ falsely reporting ‘Breach of the Peace’ whilst she was simply asking about process being followed

and said that in response to her complaint, Jonathan Mair had said this was “tit for tat”, but that the Independent Police Commissioner was looking into the issue of potentially ‘wasting police time’ and/or ‘perverting the course of justice’.

In respect of the meeting of 14 April, Councillor Tippins said that she could have sat there, not said anything and not pointed out that in her opinion they weren’t following governance, but was concerned that it was the employers legal responsibility for supplying PPE and if the Town Council were involved in buying the wrong specification of PPE which resulted in Covid-19 deaths that the Town Council might be liable for ‘Corporate Manslaughter’. Councillor Tippins felt that the complaint and the other actions against her were an attempt to cause her reputational damage. Councillor Tippins alleged that the councillors were all told how to vote before meetings took place, receiving messages telling them what to say and how to vote.

Councillor Tippins said that there were two members of the Town Council, including herself, not following what they’re being told to do and said that they were being bullied and harassed, and that this happen at a time when Councillor Tippins was going through a traumatic time in her personal life.

Councillor Tippins felt that the way other members were talking in the 14 April meeting was as though she had killed people in Shaftesbury and ‘Councillor Tippins had betrayed the town of Shaftesbury’ statements were made multiple times, and she felt this was a deliberate attempt to bait her. Councillor Tippins said that sometimes debates did get very heated at Shaftesbury Town Council, and she didn’t know why but from time to time they do and very emotional, and she was surprised that this complaint had progressed to this stage especially when in the past a former Monitoring Officer, Stuart Caundle, had said he wasn’t interested in this type of complaint when it was a case of a disagreement between members.

She had previously resigned as a Town Councillor for personal reasons when she was a full-time carer for her parents and not because other Councillors had called for her resignation, and Councillor Tippins was adamant that whatever actions the other Councillors took she would not be resigning. She had felt it necessary to engage a solicitor as she felt that otherwise the situation would go on and on.

In response to my question seeking clarity on whether Councillors were told that the meeting was being recorded and live broadcast, Councillor Tippins confirmed that they were not advised that the Town Clerk was recording the Zoom video meeting and that she believed it was just a meeting of Councillors. I asked if Councillor Tippins was aware that members of the public were able to hear and see the meeting and she confirmed that she was aware that a member of the public, Richard Thomas, was “present”.

Councillor Tippins clarified that she did not know that the Town Clerk was going to upload the Zoom video onto YouTube and upload onto the Town Council website. This was the first time ever a video of a Town Council meeting had been put onto YouTube and placed on the Town Council website and councillors were not told that this is what the Town Clerk was going to do. She said that no Councillors nor Mr Thomas knew that it was being Video recorded and Councillor Tippins was initially unaware that she was being muted by Councillor Cook. She also said that she couldn’t see the “chat” facility available to other members. Councillor Tippins said that the meeting was immediately uploaded to YouTube once it had finished, and it was from here that a part recorded, without context snippet of the video was taken

and sent to Facebook 'This is Alfred', the national papers, Daily Mail online, (Salisbury Journal and Independent) to cause Councillor Tippins reputational damage and pressurise to resign off the Town Council. Councillor Tippins felt that this was orchestrated by the other members and that they were baiting her by saying she had put people's lives at risk.

I asked Councillor Tippins that if her initial comments referring to Councillor Welch were made in the heat of the moment, why she didn't take the opportunity to apologise when asked to do so by the Chairman but, instead, responded "No, he's thick"? Councillor Tippins said that she couldn't remember doing that, and that she was upset by the comments that had been made about residents in care homes, PPE and face masks.

Councillor Tippins suggested that the other Councillors had been irresponsible and trying to gain political "brownie points" out of people's devastation. Councillor Tippins felt that they had targeted her, trying to mentally break her at a time when she was suffering a personal trauma, and their actions had upset her. Councillor Tippins felt that her behaviour had to be considered in context as part of a meeting where others set out to provoke and upset her. Her Solicitor had suggested that a mediation process could be a solution, but unfortunately Jonathan Mair had vetoed this proposal in correspondence, which was a pity.

When asked if Councillor Tippins wanted to add any final points to her statement, she said that because so much has been thrown at her during the meeting on 14 April she hadn't noticed, and Mr Mair hadn't asked me to apologise to Councillor Welch, that the Councillor Welch would accept an apology to avoid this investigation on his Code of Conduct submission. She questioned why, when he had indicated when submitting his Code of Conduct complaint that he would accept an apology, Councillor Welch had signed the 'vote of no confidence', and why has he written a threatening letter saying that if she didn't resign from the Town Council within three or four days, they were going to go public with an extra Full Council and do a 'vote of no confidence'. Councillor Tippins felt that Councillor Welch could have diffused the situation by asking for an apology rather than taking the actions he had to escalate and damage relations.

When I asked if Councillor Tippins had any final comments, she said that she didn't feel that she was being treated fairly by Dorset Council. She expressed concern about Jonathan Mair's responses to the Code of Conduct complaints submitted by her and that she had been told that she must only correspond with Jonathan Mair through her solicitor and that she could not contact him directly. She was particularly concerned that Mr Mair had rejected her complaint that she had been excluded from all the committees. Councillor Tippins felt that Mr Mair was wrong to reject her complaint and said that she would be referring to case law to demonstrate this as she felt that the Town Council had removed voice and her right to vote. Councillor Tippins suggested that this may be related to political bias and gender.

Councillor Tippins said that she was not a political person, and that other Councillors were calling her "the most hated person in Shaftesbury" and that they viewed her as "evil". Councillor Tippins said that this was the third time she had been voted on to the Town Council and twice she'd obtained votes in excess of 900, no other councillor on the Town Council has her election records which she sees as a 'mandate' from the electorate. She felt she was being deprived by the 'faction' of

nine councillors of speaking and voting, and felt she was being mistreated and unfairly treated in Zoom meetings, by being muted excessively by the Chair.

Councillor Tippins said that the 14 April meeting was very emotive – and that people were being very critical at what was the worst time of her life. Councillor Tippins felt that right up to the time when she said what she said to Councillor Welch, she was being very rational, and other Councillors were just abusing her.

Councillor Tippins suggested that other women had “jumped on the bandwagon”, and felt that they just didn’t seem to like a woman in politics who had a voice. On the other hand, Councillor Tippins said she had received support from a gentleman who said it was “brilliant” to have someone that was “sparky and isn’t intimidated”.

Jacqui Andrews
19 June 2020

Statement agreed as amended by Councillor Tippins by email – 08.07.2020

Meeting with Councillor Peter Yeo

8 July 2020

I explained to Councillor Yeo that the purpose of the meeting was to enable me to understand that facts as he saw them, and to explore the issues raised to enable me to formulate my report any conclusions for consideration by the assessment meeting.

Complaint 013/20

The first complaint related to the Full Council meeting on 14 April 2020 that was live-streamed to the Shaftesbury Town Council website.

I asked Councillor Yeo if he was willing to agree as an undisputed fact that he did say “She’s got a point” (approximately 43 minutes in to the meeting) after Councillor Tippins was asked to apologise by the Chairman for referring to Councillor Welch as an “idiot” and as “thick”?

Councillor Yeo confirmed that “at some point in the meeting” he did say “She’s got a point”, but he did not say, as stated in Councillor Welch’s complaint, that he was thick and stupid. Councillor Yeo said that, in his view, the Business Manager had given a statement about the use of PPE saying “it should only be used for clinical uses and not wasted on people in other roles” and Councillor Tippins had reiterated this point and Councillor Yeo felt both the Business Manager and Councillor Tippins had a point.

I asked that, bearing in mind the meeting was being live-broadcast, how Councillor Yeo felt his comment might be perceived ie in respect of Councillors Tippins comment about Councillor Welch or in respect of previous comments about the use of PPE in clinical setting. Councillor Yeo reiterated that, in his view, Councillor Tippins had made some very good points, particularly in response to Councillor Welch’s comments that his brother, who worked in Tesco, should be receiving PPE when Councillor Tippins was quoting advice that PPE equipment should not be used on non-clinical priorities.

To be clear, I asked Councillor Yeo to confirm that he was saying that his comment “She’s got a point” was in reference to the discussion about PPE, and not in response to Councillor Tippins’ comment referring to Councillor Welch as “thick”? Councillor Yeo responded that he was making a point that Councillor Welch was failing to acknowledge that PPE should not be used for non-clinical purposes.

I asked Councillor Yeo if he wished to make any further comments in response to this complaint, and he confirmed that he didn’t.

Jacqui Andrews
9 July 2020

Statement not agreed by Councillor Yeo – his amendments are set out in red in Appendix D.

Meeting with Councillor Peter Yeo

8 July 2020

I explained to Councillor Yeo that the purpose of the meeting was to enable me to understand that facts as he saw them, and to explore the issues raised to enable me to formulate my report **and form** any conclusions for consideration by the assessment meeting.

Complaint 013/20

The first complaint related to the Shaftesbury Town Council (STC) Full Council meeting on 14 April 2020.

Cllr Yeo stated that this was a Zoom meeting that The Town Clerk then copied to the Worldwide 'Youtube' website without informing councillors (or Mr Thomas, a visible member of the public, without his permission) and which Mr James Thrift (Mrs Commons's friend), shared on two Shaftesbury Facebook groups. Mrs Commons then also uploaded the hyperlink to the Zoom meeting to the STC website. All of which were things that had never been done before and neither Cllr Tippins nor Cllr Yeo were informed of these actions in advance.

I asked Councillor Yeo if he was willing to agree as an undisputed fact that he did say "She's got a point" (approximately 43 minutes in to the meeting) after Councillor Tippins was asked to apologise by the Chairman for referring to Councillor Welch as an "idiot" and as "thick"?

Councillor Yeo confirmed that "at some point in the meeting" he did say "She's got a point". Cllr Yeo then pointed out the fact that Councillor Welch's complaint statement falsely states that Cllr Yeo had called him "thick and stupid" and that the Zoom meeting recording proves that at no time did Cllr Yeo call Cllr Welch either "thick" or "stupid" or "thick and stupid".

Councillor Yeo said that as well as Cllr Tippins having given numerous points as to why it was totally wrong for the Council to vote to give the Town Clerk the unscrutinised ability to spend up to £20,000 of tax payers money on PPE when no local organisations had requested anything, the 'Business Manager' Mrs Logan had also just given a statement from Dorset Health Care about the use of PPE saying to the effect that "it should only be used for clinical uses and **must not be** wasted on people in other **non-clinical** roles", **reiterating Councillor Tippins's point**. Councillor Yeo felt both the Business Manager and Councillor Tippins had a very good point.

I asked that, bearing in mind the meeting was being live-broadcast, how Councillor Yeo felt his comment might be perceived i.e. in respect of Councillor Tippins's comment about Councillor Welch or in respect of previous comments about the use of PPE **in clinical settings only**.

Councillor Yeo reiterated that, in his view, Councillor Tippins had made some very good points **and at this stage of the meeting the point that 'Business Manager' Mrs Logan had also had a very good point at this stage of the meeting** in response to

Councillor Welch's comments that his brother, who works in Tesco, which is a non-clinical role, should be receiving free PPE from Shaftesbury Town Council, even though that is Tesco's employers legal responsibility and would leave STC open to litigation if the PPE was substandard and failed to protect.

Cllr Yeo stated that he did not think Cllr Welsh really was feeling at all bullied by either Cllr Tippins or himself. Cllr Yeo stated that he believed Cllr Welch's real motive in making this code of conduct complaint was revenge vexatious, and even revenge, because his and other Councillors scheme for the charities that they were involved with to be given un-scrutinised access to £20,000 of STC funds, had been exposed and highlighted by Cllr Tippins and Cllr Yeo to the public during this public meeting.

Cllr Yeo reiterated that Cllr Welch and the faction of Councillors that he is part of were voting to give the Town Clerk the ability to spend up to £20,000 of STC council tax funds for up to one year with no scrutiny of the Full Council whatsoever.

Cllr Yeo stated this Full Council meeting was held because of a motion by Mayor Cllr Tim Cook (seconded by Cllr Hollingshead) following extensive lobbying of councillors by Cllr Julian Prichard, founder and trustee of the Charity 1184477 'Friends of Westminster Memorial Hospital' and a charity which could directly benefit from this un-scrutinised awarding of up to £20,000 of Shaftesbury Tax payers Council tax that was not meant for this purpose.

Cllr Welch is also a trustee of Charity 1184477 'Friends of Westminster Memorial Hospital'. (See attached screen shot).

The screenshot shows the Charity Commission profile for '1184477 - FRIENDS OF WESTMINSTER MEMORIAL HOSPITAL'. The header is green with the charity name and a 'NEWLY REGISTERED' badge. The left sidebar contains navigation links: 'Find charities', 'Charities', 'Charity overview', 'Contact & trustees', 'Charity framework', 'Charity details', 'Advanced Search', 'Charity search', and 'Name or number'. The main content area has a 'Contact' section with the charity's address (Westminster Memorial Hospital, Abbey Walk, Shaftesbury, SP7 8BD), telephone (01747851535), email (enquiries@friendsofwmh.org.uk), and website (www.friendsofwmh.org.uk). Below this is a 'Trustees' section with a list of trustees: Julian Prichard, Matthew David Welch, and Justine Elmendorff. A note states 'Click on a trustee to show other charities for which they also act as trustee'. To the right of the trustees list, it says 'Julian Prichard is also a trustee of:' followed by '281419 LEAGUE OF FRIENDS OF THE WESTMINSTER MEMORIAL HOSPITAL, SHAFTESBURY' and a green badge that says 'DUE DOCUMENTS RECEIVED'.

Charity Name	Registration Number	Status
FRIENDS OF WESTMINSTER MEMORIAL HOSPITAL	1184477	NEWLY REGISTERED

Contact

WESTMINSTER MEMORIAL HOSPITAL
ABBEY WALK
SHAFTESBURY
SP7 8BD

Tel: 01747851535
Email: enquiries@friendsofwmh.org.uk
Website: www.friendsofwmh.org.uk

Trustees

Click on a trustee to show other charities for which they also act as trustee

Trustee Name	Other Charities
Julian Prichard	281419 LEAGUE OF FRIENDS OF THE WESTMINSTER MEMORIAL HOSPITAL, SHAFTESBURY
Matthew David Welch	
Justine Elmendorff	

Julian Prichard is also a trustee of:

281419 LEAGUE OF FRIENDS OF THE WESTMINSTER MEMORIAL HOSPITAL, SHAFTESBURY

DUE DOCUMENTS RECEIVED

Cllr Yeo stated that the reason that Cllrs Prichard, Welch and Brown said anything at the start of this meeting about being directly involved in this local healthcare related charity that could benefit from the outcome of this meeting was because he had started to highlight the fact that they had not been forthcoming with their position as trustees or as an advisor in Cllr Brown's case.

Cllr Yeo stated that Cllr Prichard has since resigned as a Councillor over his involvement in this meeting and its motion which he, Cllr Welch, Cllr Brown and the majority of STC councillors voted for in this meeting, but which Cllr Tippins and Cllr Yeo did not vote for.

Cllr Yeo stated that he felt it was improper for Shaftesbury Town Council to be voting to use funds meant for other purposes to be handed out by the Town Clerk with no scrutiny at all from Full Council and for it to be spent on non-clinical uses of PPE and that the NHS Dorset Health Care had even written to Cllr Tippins to say they did not want and could not lawfully accept any funding or PPE from STC as she stated in this meeting.

To be clear, I asked Councillor Yeo to confirm that he was saying that his comment “She’s got a point” was in reference to the discussion about PPE, and not in response to Councillor Tippins’s comment referring to Councillor Welch as “thick”?

Councillor Yeo responded that he was making a point that Councillor Welch was failing to acknowledge that PPE should not be used for non-clinical purposes.

I asked Councillor Yeo if he wished to make any further comments in response to this complaint, and he confirmed that he did not.

Councillor Peter Yeo

27 July 2020