

**PANEL DYFARNU CYMRU
ADJUDICATION PANEL FOR WALES**

NOTICE OF DECISION

TRIBUNAL REFERENCE NUMBER: APW/005/2010-011/CT
RESPONDENT: Councillor Patrick Heesom
RELEVANT AUTHORITY(IES): Flintshire County Council

1. A Case Tribunal convened by the President of the Adjudication Panel for Wales has considered a reference in respect of the above Respondent.
2. In a letter dated 22 July 2010, the Adjudication Panel for Wales received a referral from the Public Services Ombudsman for Wales ("the Ombudsman") in relation to allegations made against Cllr Patrick Heesom. In summary, the allegations were that Cllr Heesom had breached Flintshire County Council's Code of Conduct by failing to show respect and consideration for officers of the Council; using bullying or harassing behaviour, attempting to compromise the impartiality of officers and, in so doing, conducting himself in a manner likely to bring his office or the Council into disrepute.
3. The Case Tribunal sat in North Wales for a total of 58 days before concluding its adjudication on 19 July 2013. The Case Tribunal found by unanimous decision that Cllr Heesom failed to comply with Flintshire County Council's Code of Conduct as follows:

2001 Code of Conduct

- 3.1 Conduct towards officers of the Council at a meeting of the People Performance Overview and Scrutiny Committee on 14 February 2007 (paragraph 4(a) - Failure to show respect and consideration for others).
- 3.2 Conduct relating to a proposed mutual exchange by Council housing tenants between 27 April 2007 and 21 November 2007 (paragraphs 4(a) and 4(b) – conduct which compromises, or which is likely to compromise, the impartiality of the authority's employees).
- 3.3 Writing an inappropriate letter to a Council housing tenant on 9 August 2007 (paragraphs 4(a) and 6(1)(b) – bringing the office of member or the authority into disrepute).

2008 Code of Conduct

- 3.4 Conduct towards an officer of the Council prior to a Sheltered Housing Visioning Day on 7 November 2008 (paragraph 4(b) - Failure to

show respect and consideration for others; and paragraph 4(c) – Using bullying behaviour or harassing any person).

3.5 Making inappropriate comments about an officer of the Council on an unidentified date after August 2008 (paragraph 4(b)).

3.6 Conduct towards an officer of the Council at a meeting on 4 July 2008 (paragraphs 4(b) and 4(c)).

3.7 Conduct towards officers of the Council at a meeting on 18 December 2008 and at a homelessness interview on 25 February 2009 (paragraph 4(b)).

3.8 Conduct towards officers of the Council at a Head of Housing selection meeting on 12 February 2009 (paragraph 4(b)).

3.9 Conduct towards officers of the Council at Head of Planning selection meetings on 29 January 2009 and 6 February 2009 (paragraphs 4(b) and 4(c)).

4. The Case Tribunal found that Cllr Heesom did not breach the Code of Conduct as follows:

2001 Code of Conduct

4.1 Comments made about the Council's Adult Social Care Directorate at a meeting of the People Performance Overview and Scrutiny Committee on 14 February 2007 (paragraph 4(a)).

4.2 Writing an inappropriate letter to a Council housing tenant on 9 August 2007 (paragraph 7(a) – using position improperly to confer on, or secure, for any person ...an advantage or disadvantage).

2008 Code of Conduct

4.3 Conduct towards an officer of the Council at a Sheltered Housing Visioning Day on 7 November 2008 (paragraphs 4(b), 4(c) and 6(1)(a - bringing the office of member or the authority into disrepute).

4.4 Comments made about an officer of the Council on 14 November 2008 (paragraph 4(b)).

4.5 Conduct towards an officer of the Council at a meeting on 4 July 2008 (paragraph 4(d) – conduct which compromises, or is likely to compromise, the impartiality of those who work for the Council).

4.6 Conduct towards officers of the Council at Head of Housing selection meetings on 18 and 19 February 2009 (paragraphs 4(b) and 4(c)).

4.7 Conduct towards officers of the Council at a meeting of the Community and Housing Overview and Scrutiny Committee on 7 January 2009 (paragraphs 4(b) and 4(c)).

5. The Case Tribunal decided by unanimous decision that Cllr Heesom should be disqualified for 2 years and 6 months from being or becoming a member of Flintshire County Council or of any other relevant authority within the meaning of the Local Government Act 2000, with effect from the date of this notice.

6. Flintshire County Council and its Standards Committee are notified accordingly.

7. The Respondent has the right to seek the leave of the High Court to appeal the above decision.

8. The Case Tribunal's full reasons will be published on the Adjudication Panel for Wales' website in due course.

Signed.....



Date... 19 July 2013.....

Hywel James
Chairperson of the Case Tribunal

Peter Davies
Tribunal Member

Susan Hurds
Tribunal Member