

# Case Summary - Ellistown and Battleflat Parish Council (NW Leicestershire)

**Case no.** SFE-000114 SFE-000129  
**Member(s):** Councillor Wayne McDermott  
**Date received:** 01 Dec 2010  
**Date completed:** 31 Mar 2011

## **Allegation:**

The member failed to treat others with respect.

## **Standards Board outcome:**

The ethical standards officer found that the member did breach the Code of Conduct but that no further action was required

## **Case Summary**

It was alleged that during a Council meeting Councillor Wayne McDermott was disrespectful and abusive to another councillor. It was alleged that Councillor McDermott shouted expletives, kicked chairs over in the Council chamber and frightened other councillors with his behaviour. It is also alleged that, immediately after the meeting, Councillor McDermott continued his disruptive behaviour in the street.

The Ethical Standards Officer found that during the Council meeting the clerk walked out of the meeting because she was upset at the way she was being treated. Councillor McDermott blamed another councillor for what appeared to be the clerk's resignation. Councillor McDermott lost his temper and swore several times at the councillor. During his outburst Councillor McDermott stood directly opposite the councillor while still shouting and swearing. After leaving the meeting the atmosphere between councillors remained somewhat heated, however Councillor McDermott had calmed down considerably and did not either shout or swear when in the street.

The Ethical Standards Officer was of the view that Councillor McDermott's behaviour was rude, offensive and intimidatory. While Councillor McDermott has indicated that he was to a certain extent provoked by the way others had treated the clerk, his reaction was grossly disproportionate and strayed well beyond the realm of what is permissible under the Code. The Ethical Standards Officer considered that Councillor McDermott had failed to comply with Ellistown and Battleflat Parish Council's code of conduct.

In coming to her finding on the matter the Ethical Standards Officer considered that

the unpleasant atmosphere at the meeting and the dysfunctional history of the Council, neither of which Councillor McDermott can be held wholly responsible for, is likely to have contributed to his outburst. The Ethical Standards Officer took that view that while Councillor McDermott's conduct was completely unacceptable, his subsequent resignation from the Council meant that in the circumstances no further action is necessary.

## **Relevant paragraphs of the Code of Conduct**

Paragraph 3:

“(1) You must treat others with respect.

**26 May 2011**