

Decision Notice: Breach of Newark & Sherwood District Council Code of Conduct

Complaint

On 10 October 2025, the Standards Complaints Hearing Panel (“the Panel”) sat at Newark & Sherwood District Council to determine three complaints regarding alleged breaches of the Newark & Sherwood District Council Member Code of Conduct (“the Code”) by District Councillor John Lee (“the Subject Member”).

The complaint had been referred for investigation by the Monitoring Officer in consultation with the Independent Person. In March 2025 independent investigators were appointed from East Midlands Councils (“the Investigator”). The investigation concluded that the Subject Member had breached the following paragraphs of the Code:

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1. Respect

As a Councillor you should

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

4. Confidentiality and Access to Information

As a Councillor you should:

- 4.1 not disclose information:
 - a) given to you in confidence by anyone
 - b) acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, unless:
 - i. you have received the consent of the person authorised to give it;
 - ii. you are 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:
reasonable and in the public interest; and
made in good faith and in compliance with the reasonable requirements of the local authority; and
you have consulted the Monitoring Officer prior to its release.

5. Disrepute

As a Councillor you should:

- 4.2 not bring your role or the local authority into disrepute.

Having considered the Investigator’s report and consulting with the Independent Person, the Monitoring Officer referred the matter for a local hearing. It was not considered appropriate to resolve by local resolution, although it was acknowledged that the Subject Member had offered apologies and to attend training, it was considered to be a belated offer.

The Panel, sitting on 10 October considered the following information:

- Report of the Monitoring officer
- Council's Arrangements for dealing with Code of Conduct Complaints
- Code of Conduct
- Hearing Procedure
- Investigator's report
- Schedule of Evidence
- Representations from the Subject Member's representative
- Local Government Association's Guidance on the Code of Conduct

During the hearing, the Panel heard from the following:

- Andrew Pritchard and Samantha Maher – the Investigators

The Complainant did not attend the hearing.

The Panel were advised by Francesca Whyley (legal officer) and heard the views of the Independent Person.

Full details of the complaints were set out in the agenda papers, in summary, the complainants alleged:

- 1) *On 25 November 2024 at a meeting of the Council's Policy & Performance Improvement Committee (PPIC) the Subject Member demonstrated a lack of respect to Councillor's Hall (not present at the Committee) and Pringle (Chair of the Committee) and in so doing, did not lead by example in a way which secured public confidence in the role of a councillor – and that as a result the Subject Member's conduct brought the Council into disrepute.*
- 2) *The Subject Member posted comments on the Johnno Lee facebook page on 29 January 2025 which he referenced at a meeting of Balderton Parish Council also on 29 January. The comments set out 10 specific service failures of Newark & Sherwood District Council which the Subject Member indicated were quoted from the Q2 Performance Report 2024/25. The Subject Member then clarified to the Monitoring Officer that the comments came from an LGA Corporate Peer Challenge report then that they came from both reports. It was alleged that the comments were not in fact taken from either report and were not factually correct. The posting and referencing of the comments by the Subject Member on 29 January 2025 therefore brought the Council into disrepute.*
- 3) *A draft copy of the investigation report was shared with the Subject member on 28 July 2025 inviting his comments. The Subject Member was advised the report was strictly confidential in line with the Council's procedure for dealing with investigations. Subsequently an email was sent by the Subject Member to four parish Councillors on 29 July referencing aspects of the draft investigation report and a facebook post the same day made by the Subject Member, also referenced the same comments. This is alleged to be a breach of confidence.*

Decision

In accordance with Sections 28 (6) and (7) of the Localism Act 2011, having carefully considered the allegation in accordance with the Council's Arrangements for Dealing with Complaints about breach of the Code of Conduct, having considered all the information before them and in consultation with the Independent Person, the Panel determined that the Subject Member had breached paragraphs 1, 4 and 5 of the Code. In that he had showed disrespect towards Councillor Pringle on 25 November 2025, he had, by posting comments on 29 January 2025 and reiterating those comments at a parish meeting brought the Council into disrepute and finally that the Subject Member had, by disclosing information from the draft investigation report on 29 July 2025 breached confidentiality.

The Panel did not find that the Subject Member had shown disrespect towards Councillor Hall on 25 November 2025, nor did they find that his actions on 25 November brought his role or the Council into disrepute.

Reasons for Decision

Section 27(2) of the Localism Act 2011 requires all relevant authorities to "adopt a code dealing with the conduct that is expected of members and co-opted members of the authority when they are acting in that capacity."

Newark & Sherwood District Council has adopted such a Code of Conduct which reflects this and states:

4.3 This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when your actions give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor.

The Panel accepted that on 25 November 2024 when the Subject Member spoke at the PPIC he was acting as a Councillor, and the Code was engaged.

The Panel determined that the posts on 29 January 2025 on the Johnno Lee facebook page, related to Council activities and as such the Code was engaged. The Panel were aware that some of the content of the facebook page may be handled by administrators but ultimately the page was in the Subject Member's name, and he was ultimately responsible for the postings. Similarly, when on 29 January 2025 he attended a meeting of the Balderton Parish Council, the Subject Member was attending in his capacity as a District Councillor, and the Code was engaged.

Finally, when the Subject Member received the draft investigation report, it specifically related to his role as a Councillor, he then contacted parish councillors and posted on his facebook page about that report which directly related to his role as a Councillor. The Code was therefore engaged.

The Panel considered the matter extremely carefully and came to the following conclusions:

In relation to alleged disrespect towards Councillor Hall at the meeting on 25 November 2024 the Panel considered all the information provided and the representations of the Subject Member Councillor Lee and watched the video footage of the meeting in the retiring room. On balance, whilst the Panel felt the quoting of Councillor Hall's post to be unnecessary, and politically motivated, it did not find on balance that the threshold for disrespect towards Councillor Hall was met.

In relation to alleged disrespect shown towards Councillor Pringle, the Chair of PPIC, on 25 November 2024, the Panel considered all the information and watched the video a number of times. The Panel considered the Subject Member's Article 10 right to freedom of expression and his right to robustly express his views in a political forum. On balance, however, the Panel found that the Subject Member's behaviour towards the Chair, Councillor Pringle did cross the threshold for disrespect.

The Chair of the Committee exercised his discretion in allowing the Subject Member to speak at the Committee as he was not a committee member. Once speaking Councillor Lee was overly assertive in his views, took the opportunity to make lengthy statements when asked by the Chair to state his question and walked out of the meeting mid discussion, still addressing the room as he left which was unprofessional and petulant. The Panel considered carefully whether the threshold for disrespect had been reached. On balance, the Panel determined that the Subject Member, in his behaviour specifically toward the Chair demonstrated disrespect. His actions and demeanour towards the Chair were rude, especially as the Chair had shown goodwill in allowing him to speak. PPIC is not a decision-making body but a scrutiny committee as such the Subject Member's conduct was unnecessary and disrespectful to the Chair.

The Panel considered whether the Subject Member's conduct at the meeting brought his office or the Council into disrepute. Whilst the Panel have determined that disrespect was shown towards Councillor Pringle as the Chair, the Panel did not find, on balance, that this brought the Subject Member's office or the Council into disrepute as it did not undermine necessarily the public's confidence in the Subject Member to undertake his role. It was however not the standard of behaviour the Panel would expect from Councillors.

In relation to the second complaint, the Panel considered the information before them and the posts and public comments made by the Subject Member about the performance of the Council on 29 January 2025. The Panel considered the Subject Member's Article 10 rights and his right to provide comments on matters of public interest such as the performance of the Council, however they determined that where negative comments are made publicly and expressed as fact, this will undoubtedly have an impact on the reputation of the Council and reflect badly on the ability of the Council to effectively perform its functions, which will impact the public's confidence in the organisation.

The Panel determined that whilst it is acceptable for Councillors to comment on performance, the comments made by the Subject Member which he claimed were referenced from the Performance Report for Q2 2024/25 and the Peer Review Performance Report have been considered and there is no correlation to the comments the Subject

Member made and the content of the reports. As such, the Panel found that the comments posted by the Subject Member were unfounded, had no factual basis and as such the posting of the comments brought the Authority into disrepute. The Panel felt that as the owner of the facebook page the Subject Member had overall responsibility to ensure accuracy of what was reported, and he continued to claim that the comments were from within the two reports previously mentioned which was not the case. Even when advised to remove the posts due to inaccuracy by the Monitoring Officer, the Subject Member did not remove them.

Finally, in relation to the third complaint in respect of confidentiality, the Panel considered the email to parish councillors and the post on facebook made by the Subject Member on 29 July 2025 in which he referenced the content of the draft Code of Conduct Investigation report. The Panel considered the guidance in relation to confidentiality. Investigations into the Code of Conduct are kept confidential at the investigation stage, the Subject Member, Councillor Lee was aware of that from the cover email he received in relation to the report and the Council's own arrangements for dealing with complaints. The Subject Member has referenced the reports in public, and he should not have done so as he was aware the information was confidential. The Panel therefore found that the Subject Member had breached the code of conduct by failing to maintain confidentiality.

Sanctions

Having determined that the Code had been breached by the Subject Member, the Panel sought representations from the Investigating Officer in relation to sanctions that the Panel may impose. The Panel also sought the views of the Independent Person.

The Panel considered the sanctions available to them under the Council's Arrangements for dealing with Code of Conduct Complaints. The Panel recognised that there had been efforts by the Subject Member to apologise to Councillor Pringle and took this into account as mitigation when considering appropriate sanctions.

The Panel also recognised that it had been some time since the Subject Member had attended training in relation to the Code of Conduct and that his actions demonstrated a lack of understanding in relation to the appropriate use of social media.

The Panel imposed the following sanctions:

- The Panel determined that the Subject Member should attend training in relation to the Code of Conduct which should include training on the use of social media and confidentiality.
- The Panel determined that their findings should be reported to Council.

Please note, there is no right of appeal against a decision of the Hearing Panel. If the Complainant feels the Council have failed to deal with the complaint properly, he/she may complain to the Local Government and Social Care Ombudsman PO Box 4771, Coventry, CV4 0EH.