

Statement by Councillor Samuel England, relating to the findings of the investigation SC 2010/10 & SC 2020/01

4 complaints lodged against myself were amalgamated and investigated together. Each complaint alleged that I had breached North Lincolnshire Council's Code of Conduct, specifically sections 3.1. You must treat others with respect and courtesy, & 3.2. You must not bully or harass any person.

NLC have decided to find me guilty of breaching the Code of Conduct on the 3rd complaint only, and exonerated me from any wrongdoing or breach in the other 3 complaints.

The 3rd complaint by Miss Vicky Haines Clerk to Goxhill Parish Council is subjective, supported only by 3 emails, hearsay, personal opinion and anecdotal evidence.

NLC have stated that they have no evidence to suggest that any claims made by Miss Haines are factual.

I have been found guilty of breaching the code of conduct based on 3 emails sent to Miss Haines whom I contacted in a professional manner to highlight a Child Safeguarding issue at Goxhill Parish Council. I followed GPC policy, a policy which Miss Haines had written and that had been approved at a meeting presided over by Miss Haines. (Full Council Meeting July 4th 2019)

The emails that I sent to Miss Haines, the Clerk of Goxhill Parish Council, in her capacity as the **Designated Child Protection Person**, are published below.

The emails are factual and were sent to Miss Haines to highlight a child safeguarding concern as per the council's policy.

Email 1:

Dear Vicky

I am emailing you as both the Proper Officer of GPC and the Senior Child Protection Person at GPC.

I hope you are aware of the recent email exchanges between councillors, some suggesting and supporting the use of covert surveillance/ wildlife cameras in the park (Mike and Marion) and some advising against such behaviour (myself and Jack). (Freda has both supported and advised against)

I would hope that as our Senior Child Protection Person you have already advised Mike that he shouldn't be installing any cameras in a public place, even if he claims it is for wildlife purposes.

I haven't seen any comments from yourself on this matter in any capacity, so can only assume you have remained silent, when in my opinion you should be taking charge and advising councillors accordingly, for both their own protection and the protection of GPC.

Following suggestions made by Mike claiming he can film whoever he likes whenever he likes, without permission (adults or children) on the park/ playing field, I sought advice from the safeguarding lead at Baysgarth school and the Police on this matter.

The Safeguarding lead at Baysgarth School was shocked and disgusted at the idea of someone placing cameras in a public area, and would be keen to know if any students from her school were being secretly filmed by either an individual or GPC as an authority.

The Police Sergeant who called me yesterday evening (Sergeant Jamie Allen) was equally as shocked at this idea, especially as it was being suggested by an ex-police officer. I informed him of the content of Mike's emails and he clearly stated that Mike is wrong.

Even if Mike decides to install his personal cameras for his own personal use using PINAC as his reference point (PINAC are an American media group who predominantly film the police in the USA), as a body/ authority who have been made aware of his intent, and as he is the chair of the authority (GPC), the Parish Council itself would be at fault.

Sergeant Allen then stated that in order to install any sort of remote surveillance in any public location, GPC or an individual would need permission and licenses from the Data Commissioner and the whole process would need to be well documented and displayed.

Any attempt to secretly place surveillance equipment in a public area should be reported to the police and they will deal with the issue. Only with support from RIPA (Regulation of Investigatory Powers Act) would we or an individual be allowed to place cameras in a public place in order to gather evidence secretly. Sergeant Allen then stated that even if the issue was progressed this permission would not be granted.

He also mentioned that if cameras were found on the park and the public/ parents were made aware, this could be very damaging for GPC.

Sergeant Allen and his policing team are not planning to intervene in this matter at present, however has given me his contact details should I have any further concerns on this issue.

I feel I have done all I can for the moment to hopefully prompt a change in attitude from our chairman, and will leave it to you as the Proper Officer to advise your councillor accordingly.

If you would like to discuss this matter further, please don't hesitate to call me.

*Kind regards
Sam*

Reporting a child safeguarding concern to the Clerk of a council in their official capacity as Designated Child Protection Person.

The email is innocuous.

Miss Haines denied any knowledge of any incident I had highlighted or concern I raised, despite being copied into all previous emails.

Email 2:

Vicky

I can see that you have been copied in to every email regarding this issue. The email trail is titled MUGA Repair.

If you are claiming that you are unaware of Mike's suggestion to place a camera in the park, I find that hard to believe, however will forward you all the relevant emails so you can familiarise yourself with the conversations that have taken place recently via email.

I am alerting you to this issue and trust you will act appropriately.

Please could you respond to say you have read and received them.

*Kind regards
Sam*

This email is not contentious.

Innocuous again.

Email 3: Sent after Miss Haines, the Designated Child Protection Person treated my concerns as a disagreement between councillors and refused to act appropriately.

Dear Vicky

A very lengthy email in response to a child protection/ safeguarding concern I alerted you to as our designated child protection person, and not one reference to this issue whatsoever from yourself, ERNLCCA or the chairman (Mike).

You appear to be distancing yourself from your responsibility as our child safeguarding lead, which shows a lack of professionalism and understanding of basic child protection policy, in my opinion.

This is not a disagreement between councillors, this is me as an elected member of GPC alerting you to the worrying intent of another elected member of GPC to install covert cameras on GPC property, which is wrong on many levels.

To say I am disappointed is an understatement, and what is even worse is that there is still no indication from yourself or the chair to confirm that covert cameras will not be placed in the park/ playing field.

I feel that you and the chair are failing the electorate in your responsibilities in your roles as Designated Senior Child Protection person and Deputy Designated Child Protection Person, and I don't think ERNLCCA are the right body to be advising on this issue.

This issue is not about codes of conduct being broken, and further standards complaints to NLC Monitoring Officer. This is about whether we as an independent body can actually follow laws and protocol for the benefit of our electorate, and for the safeguarding of all users of all facilities we own and manage.

*Kind regards
Sam*

This is the final email I sent Miss Haines. It is in no way disrespectful or discourteous, and was in no way intended to cause upset.

I could not have reported my concerns to the other NAMED person on the child safeguarding policy, owing to the fact the other person was the subject of my concerns, Mike Gathercole.

Grave errors had taken place within Goxhill Parish Council and the people responsible for their rectifications (Miss Haines and Mike Gathercole) had not fulfilled their roles properly.

Sadly, at this point I became the focus of the issue. A complaint against me was lodged with NLC and was investigated.

The complaint itself was subjective and alleges misconduct and breaches of the Code of Conduct by me, based on personal opinion, not on facts.

I have in no way been insulting towards Miss Haines, and there is no evidence whatsoever to suggest I have been.

The complainant, Miss Haines states in her interview with NLC that she did not know she was the **Designated Child Protection Person** at Goxhill Parish Council. This is untrue, as I have already stated.

I was in attendance at the meeting on 4th July 2019 where Miss Haines presented a policy she had written to the council and proceeded to preside over a Parish Council Meeting where the Child Protection Policy she wrote was approved, signed and witnessed. (Minutes 1907/12)

Miss Haines states in her complaint:

"After enduring many months of bullying from Cllr Sam England both via email and in public council meetings has resulted in me taking sick leave due to stress"

This statement by Miss Haines is nonfactual. As I have already stated I have been exonerated from all other allegations and accusations where allegations of bullying have been cited.

The claim that Miss Haines had time off sick due to the nature of the emails she had received is also nonfactual. There is no evidence to suggest this ever happened, and no evidence to substantiate this claim has been forthcoming, according to both the investigating officer and their final report.

The findings of complaint number 3, a complaint from 1 person against another have been shared with all councillors in Goxhill. This is not fair or just.

This is not the proper way to publish the findings of any complaint.

In addition, no part of the investigation relating to complaints 1, 2 or 4 should be considered as part of complaint 3. This includes large parts of the report in which my conduct and character have been questioned.

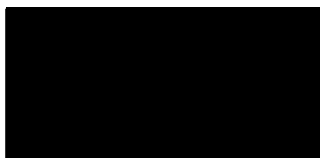
I respectfully request that North Lincolnshire Council retract their decision to find me guilty of breaching the Code of Conduct.

Any reference to a child safeguarding issue has been lost in the investigation, in the need to find me guilty of breaching the code of conduct.

Something, which the investigating officer told me **he felt under pressure to do.**

The complaint is vexatious, nonfactual and wholly subjective. It is not evidence based and is nothing more than a tool for Miss Haines to deflect from the fact she had herself not acted properly in her role as **Designated Child Protection Person** for Goxhill Parish Council.

Cllr Samuel England.



11/2/22

Norma Stevenson

From: [REDACTED]
Sent: 11 February 2022 13:42
To: [REDACTED]
Subject: Litigation Matter: Sam England
Attachments: NLC Statement.pdf

Dear David,

Please find attached the statement we discussed today, signed and dated.

I trust you will send this to NLC on my behalf.

The monitoring officer dealing with the complaint is Dean Gillon. His email is:
Dean.Gillon@northlincs.gov.uk

Please also act on my behalf to respond to the unreasonable request that I attend a hearings panel on either Monday 28 February at 5.00pm, or Friday 4th March at 10.30am.

North Lincs Council Democratic services are well aware that I am a teacher and work full time. I have offered my availability previously, but this appears to have been completely disregarded. NLC expect me to finish work after a long and stressful school day and then present myself to a hearings panel on Monday evening, 28th February, ill prepared and after rushing to meet their timetable. Should I be unable to meet this appointment they then expect me to take time off work to meet at 10.30am on Friday 4th March when I should be teaching.

I find these arrangements wholly unacceptable and ask at least that further dated in March be investigated.

I am surprised that the dates suggested above are so soon and my availability has been ignored. I am taking a school trip out of the country on Saturday 12th February and won't be back in England until Monday 21st February.

I have complied with the whole investigation, without exception, since it began in November 2020 and don't understand and don't appreciate the pressure NLC are now subjecting me to.

The person dealing with the hearings panel is also Dean Gillon. His email address is:
Dean.Gillon@northlincs.gov.uk

Kind regards
Sam England