

Hearing Sub Committee

Sandbach Town Council

Date: Thursday, 7th October, 2021

Time: 10.00 am

Venue: Crewe

1. **CEC arrangements for dealing with standards complaints (extract relating to hearings)** (Pages 1 - 4)
2. **STC Code of Conduct** (Pages 5 - 20)
3. **Investigation report and appendices** (Pages 21 - 332)
4. **30 July 2021 Letter to Cllr Jack** (Pages 333 - 334)
5. **04 August 2021 Correspondence from Cllr Jack** (Pages 335 - 336)
6. **16 August 2021 Letter to Cllr Jack** (Pages 337 - 338)
7. **16 August 2021 Determination notice** (Pages 339 - 340)
8. **Correspondence from Cllr Jack** (Pages 341 - 346)
9. **17 August 2021 Email file note** (Pages 347 - 352)
10. **24 August 2021 Email from STC** (Pages 353 - 354)

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Hearing Sub-Committee

Where the Monitoring Officer considers that it is in the public interest for the matter to be considered by Hearing Sub-Committee, a Sub-Committee will be convened to determine whether the subject member has failed to comply with the code of conduct.

Pre-Hearing Process

The Monitoring Officer will normally conduct a pre-hearing process within 3 months of receiving the Investigating Officer's report. The subject member will be required to give his/her response in writing to the report. This is done to establish what is likely to be agreed and what is likely to be in dispute at the hearing.

On receiving the subject member's response, a meeting of the Hearing Sub-Committee will then be convened. The Hearing Sub-Committee will comprise three elected members of the Audit and Governance Committee plus an Independent Person, who has not previously been consulted on the complaint.

As part of this meeting, the Chairperson of the Hearing Sub-Committee (appointed from the elected members present) may issue directions about the way in which the hearing will be conducted, for example agreeing the number and identity of witnesses. Directions may be given either before or at the hearing taking account of the advice of the Monitoring Officer. Any meeting to deal with pre-hearing process issues will be held in private without the complainant or the subject member present.

Prior to a hearing, any documentation issued or exchanged during the process must be treated by all recipients as confidential unless and until the sub-committee agrees that the press and public should not be excluded from the meeting at which the allegations are going to be heard. This is because meetings of the Hearing SubCommittee are subject to the normal rules for publication of council agendas and access to information. At the point the sub-committee agrees that the meeting should be held in public, the investigator's report will be made available to the press and public in attendance at the meeting.

Hearing Process

At the hearing, an appointee of the Monitoring Officer will present to the sub-committee, calling witnesses as necessary (which may include the complainant), the case that the subject member has failed to comply with the code of conduct. The subject member will then have an opportunity to give his/her evidence, to call witnesses and to make representations about why he/she considers that he/she did not fail to comply with the code of conduct. Normal hearing rule will apply in terms of their being opportunities to question witnesses and test evidence, furtherance to the principles of natural justice.

If the subject member (or appointed representative) is not present, then the sub-committee will consider whether to proceed to hear the case and make a decision in absence, or whether to adjourn the hearing to another time or date. If the subject member has indicated that the hearing should carry on without him/her this will normally happen.

On conclusion of the evidence, the Hearing Sub-Committee will decide, with the benefit of any advice from the Independent Person, whether there has been a breach of the code of conduct.

If it concludes that the subject member did not breach the code of conduct it will dismiss the complaint and no further action will be taken. In that event, the sub-committee may still make general recommendations to the council or its members on any remedial actions if considers necessary to address the issues raised.

Where the Hearing Sub-Committee determines that the member has failed to comply with their code of conduct, the Chairperson will inform the subject member of this finding. The Independent Person will give his/her views on the matter, which will be recorded in the minutes of the meeting. The Chairman of the Hearing SubCommittee will explain the reasons why any advice from the Independent Person has or has not been followed in giving its decision.

The Hearing Sub-Committee will then consider what action, if any, it should take as a result. The Hearing Sub-Committee will give the subject member an opportunity to make representations about that and will consult the Independent Person deciding what action, if any, to take.

Remedies

The Council has delegated to the Hearing Sub-Committee powers to take action in respect of individual members as may be necessary to promote and maintain high standards of conduct. Accordingly, the Hearing Sub-Committee may –

- Censure or reprimand the subject member;
- Publish its findings in respect of the subject member's conduct;
- Report its findings to Cheshire East Borough Council or make recommendations to the town or parish council for consideration;
- Recommend to the member's Group Leader (or in the case of ungrouped members, recommend to Council or to committees) that he/she be removed from any or all committees or sub-committees of the Council;
- Recommend to the Leader of the Council that the member be removed from the Cabinet, or removed from particular portfolio responsibilities;
- Instruct the Monitoring Officer to, or recommend that the town or parish council, arrange training for the member;
- Recommend to the Council or town or parish council to remove the subject member from all outside appointments to which he/she has been appointed or nominated by the Council or by the town or parish council; •

- Withdraw or recommend to the town or parish council that it withdraws facilities provided to the member by the Council, such as a computer, website and/or email and Internet access if relevant to the subject matter of the complaint;
- Exclude, or recommend that the town or parish council exclude the member from the Council's offices or other premises, with the exception of meeting rooms as necessary for attending Council, Cabinet, committee and sub-committee meetings if relevant to the subject matter of the complaint.

The Hearing Sub-Committee has no power to suspend or disqualify a member or to withdraw a member's allowance. It also cannot impose a sanction on a town or parish councillor, it can only make recommendations to the member's town/parish council as to what action should be taken. Whilst the town/parish council cannot overturn a finding of breach, it can accept, modify or reject the sub-committee's recommendations.

The Chairperson of the Hearing Sub-Committee has the right to depart from the Hearing Sub-Committee procedure, in consultation with the Sub-Committee's legal advisor, at any hearing where he/she considers that it is sensible to do so to deal with the case fairly and effectively.

Following the Hearing

At the end of the hearing, having consulted with and considered the views of the Independent Person, the Chairperson of the Hearing Sub-Committee will announce the decision of the sub-committee on the day.

As soon as possible but in any event within 10 working days the Monitoring Officer will prepare a formal decision notice in consultation with the Chairperson and will send a copy to you, to the subject member concerned, and to the town or parish council, if relevant. He/she will also make that decision notice available for public inspection by way of publishing the minutes of the meeting and will report the outcome to the Audit and Governance Committee as part of its bi-annual report on standards matters.

Appeals

With the exception of external legal and Local Government Ombudsman processes, there is no right of appeal for you or for the subject member against a decision of the Monitoring Officer or of the Hearing Sub-Committee.

Reports to the Audit and Governance Committee

The Monitoring Officer will present a report to the Audit and Governance Committee at appropriate intervals giving details of;

- (a) the number of complaints received, broken down into borough and town/parish;
- (b) the paragraphs alleged to have been breached;
- (c) the status of complaints in progress;
- (d) the outcome of complaints, where concluded;

(e) what action has, where appropriate, been taken.

Document Retention

The documentation relating to a complaint will be retained for 6 years from the conclusion of the complaint, irrespective of the outcome of the complaint. For the avoidance of doubt, minutes of the Hearing Sub-Committee will be retained in the same way as the minutes of other council decision making bodies

Sandbach Town Council

Member Code of Conduct

This Code is based on the adopted CEC Code of Conduct, there has been no modification, with the exception of tailoring for STC.

- In all instances, reference to the Monitoring Officer refers to the CEC Monitoring Officer, who is responsible for receiving and addressing all complaints re. STC Councillors.
 - In all instances, reference to the Audit and Governance Committee Refers to a Committee of Cheshire East Council.
- 1 Sandbach Town Council has adopted this Code of Conduct to promote and maintain high standards of conduct and underpin public confidence in the authority and its Members and co-opted Members (referred to collectively in this Code as “Members”).
 - 2 The Code has been adopted under the Localism Act 2011 and is based on the following core principles of public life:
 - 2.1 Selflessness
 - 2.2 Integrity
 - 2.3 Objectivity
 - 2.4 Accountability
 - 2.5 Openness
 - 2.6 Honesty
 - 2.7 Leadership
 - 3 The Code sets out general obligations about the standards of conduct expected of Members and co-opted Members of the authority, together with provisions about registering and declaring interests.

General obligations

- 4 Whenever you are acting as a Member or co-opted Member of this authority you must act in accordance with the following obligations:

Selflessness

- 4.1 You must act solely in the public interest and must never use or attempt to use your position improperly to confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, friends or close associates.

Integrity

- 4.2 You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.

Objectivity

- 4.3 When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.

- 4.4 You should remain objective, listen to the interests of all parties appropriately and impartially and take all relevant information, including advice from the authority's officers, into consideration.
- 4.5 You should exercise independent judgement. Although you may take account of the views of others (including a political group), you should reach your own conclusions on the issues before you and act in accordance with those conclusions.

Accountability

- 4.6 You are accountable to the public for your decisions and you must co-operate fully with whatever scrutiny is appropriate to your office, including appropriate scrutiny by local residents.

Openness

- 4.7 You must be open and transparent where possible about your decisions and actions and the decisions and actions of your authority. You should be prepared to give reasons for those decisions and actions.

Honesty

- 4.8 You must declare any personal, pecuniary and non-pecuniary interests that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests as set out in Part 2 below.
- 4.9 You must only use or authorise the use of the authority's resources in accordance with the authority's requirements. You must, when using or authorising the use of such resources, ensure that they are used for proper purposes only. Resources must not be used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity in force from time to time.

Leadership

- 4.10 You must promote and support high standards of conduct when serving as Member of the authority, by leadership and example, championing the interests of the community.
- 4.11 You should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in you.

Respect for Others

- 4.12 You must treat others with courtesy. You should engage with colleagues and staff in a manner that underpins mutual respect and courtesy, essential to good local government.
- 4.13 You must not:
 - (i) do anything which may cause your authority to breach any equality laws;

- (ii) compromise or attempt to compromise the impartiality of anyone who works for, or on behalf of, the authority;
- (iii) bully¹ any person, including other Councillors, officers of the authority or members of the public
- (iv) intimidate or attempt to intimidate any person who is or is likely to be a complainant, a witness, or involved in the administration of any investigation or proceedings in relation to an allegation that a Member (including yourself) has failed to comply with his or her authority's code of conduct.

Information

4.14 You must not disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except² where:

- (i) you have the written consent of a person authorised to give it;
- (ii) you are required by law to do so;
- (iii) the disclosure is made to a professional third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person, or
- (iv) the disclosure is reasonable, in the public interest; and made in good faith and in compliance with the reasonable requirements of the authority.

4.15 You must not prevent another person from gaining access to information to which that person is entitled by law.

Gifts and Hospitality

4.16 You must within 28 days of receipt, notify the Town Clerk in writing of any gift, benefit or hospitality with a value in excess of £100 which you have accepted as a Member from any person or body other than the Authority (a form is available for this purpose). The Town Clerk will place your notification on a register of gifts and hospitality.

Registering and Declaring Interests

Registering and Declaring Interests – General Requirements

- 5 You must, within 28 days of:
- the adoption of this Code
 - taking office as a Member
 - becoming aware of any new interest not already registered
 - becoming aware of any change to any interest already registered
- notify the Monitoring Officer in writing of any disclosable pecuniary interest, or other type of interest as defined by this Code.

(1) Bullying" may be characterised as offensive, intimidating, malicious, insulting or humiliating behaviour and includes "cyber bullying". It may happen once or be part of a pattern of behaviour. It can be contrasted with the legitimate challenges a member may make in challenging policy or scrutinising performance. You may challenge others as to why they hold their views but must take care to raise issues in the appropriate forum and in an appropriate way. Ideas and policies may be robustly criticised but individuals should not be subject to unreasonable or excessive personal attack.

(2) It is your responsibility to ensure that any judgement you make in relying on any exception will stand up to rigorous objective scrutiny. In the case of any doubt advice should be sought from the Monitoring Officer or an independent qualified legal advisor.

- 6 If you become aware of any such interest not already registered (or the subject of pending notification) during the course of any meeting of the authority at which you are in attendance then you must disclose the interest to meeting as soon as you become aware, take the action required by the Code depending on the nature of the interest and notify the Clerk of the Meeting of the interest in accordance with the provisions of this Code.

Sensitive Interests

- 7 A 'sensitive interest' is described in the Localism Act 2011 as an interest the nature of which is such that the Member and the authority's Monitoring Officer consider that disclosure of the details of the interest could lead to the Member or a person connected with the Member being subject to violence or intimidation.
- 8 Where you consider that you have a sensitive interest, and the Monitoring Officer agrees, that part of the register recording that interest will be will not be published or made available for public inspection. A declaration of interests must still be made at a meeting where relevant, but the sensitive information need not be disclosed.

Disclosable Pecuniary Interests

- 9 A disclosable pecuniary interest is defined by statute and is subject to change from time to time.
- 10 Unless dispensation has been granted, if you are present at any meeting of the authority and you have a disclosable pecuniary interest in any matter to be considered or being considered at the meeting, you must leave the room while any discussion or voting on that matter takes place. You may not participate in any discussion of the matter at the meeting and you may not participate in any vote taken on the matter.
- 11 You must not discharge or participate in the discharge of any function related to any matter in which you have a disclosable pecuniary interest.
- 12 Failure to comply with these requirements of the Code may amount to a criminal offence.

Other Interests – Personal Interests

- 13 In addition to disclosable pecuniary interests referred to above, you must also declare personal interests.
- 14 You have a personal interest in any business of the authority where the business of the authority relates to or is likely to affect any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority.
- 15 You will also have a personal interest in any business of the authority where the business of the authority relates to or is likely to affect any body exercising functions of a public nature, which is directed to charitable purposes or whose principle purposes includes influencing public opinion or policy where you are a member of that body or in a position of general control or management.
- 16 The CEC Audit and Governance Committee may, from time to time, prescribe certain bodies the membership of which amounts to a personal interest.

- 17 You will also have a personal interest in any business of the authority where a decision in relation to that business might reasonably be regarded as affecting your wellbeing or financial position or the wellbeing or financial position of a relevant person to a greater extent than the majority of other Council tax payers, ratepayers, or inhabitants of the electoral division or ward, as the case may be, affected by the decision.
- 18 For the purposes of this Code, a relevant person is:
- 18.1 a member of your family or any person with whom you have a close association, or
 - 18.2 any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors, or
 - 18.3 any person or body in whom such persons have a beneficial interest and a class of securities exceeding the nominal value of £25,000 or one hundredth of the total issued share capital of that body.
- 19 Unless your personal interest also amounts to a prejudicial interest, a disclosable pecuniary interest or pre-determination, you may remain in the meeting and take part in the debate and vote.

Other Interests – Prejudicial Interests

- 20 You will have a prejudicial interest if you have a personal interest in any business of the authority and where that personal interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest and where that business:
- 20.1 affects your financial position or the financial position of a relevant person or body described in paragraph 14 or 15 above, or
 - 20.2 relates to the determination of any approval, consent, licence, permission or registration in relation to you or any relevant person or body described in paragraph 14 or 15 above.
- 21 Where you have a prejudicial interest, you may not participate in any discussion of the matter at the meeting or in any vote taken on the matter at the meeting. You are also required to leave the room where the meeting is taking place during the discussion and vote. However, you may attend the meeting and make representations, answer questions or give evidence provided that the public are also allowed to attend the meeting for the same purpose and you leave the meeting immediately after having done so.

Pre-Determination and Bias

- 22 Separately from considerations as to personal, prejudicial or disclosable pecuniary interests, Members must be mindful of falling foul of the general obligations of this code by taking part in decisions where they are biased or have pre-determined the matter in question.
23. Simply put, a Member will be biased or will have pre-determined a matter if they approach a matter with a closed mind. That is to say if they have made up their mind which way they will decide a matter before all of the relevant considerations are presented and debated in the appropriate decision making forum.
24. Previous actions or statements of a member will not be taken by themselves as proof of determination. A member may be pre-disposed to a certain point of view, however notwithstanding any predisposition, Members need to be careful to ensure they

approach and, insofar as is possible, are seen to approach decisions with an open mind.

- 25 Particular scenarios to be mindful of are where a Member, in some other role, is seen to be a promoter or advocate for a proposal which later comes before them for decision. A risk arises when there has been significant personal involvement in preparing or advocating the proposal such that a Member may become or may be perceived by the public as being no longer able to approach the decision with an open mind.
- 26 If you feel that you have pre-determined a matter you should say so. You should not speak or vote on the proposal. You may, however, make representations on the proposal if a member of the public also has the right to do so. You are not legally obliged to leave the room for the remainder of the debate and vote but in most circumstances doing so will counter any suggestion that you influenced the remaining Members by your continued presence. If you do not leave the room, as a minimum you must withdraw to the public area of the meeting room for the whole of the consideration of the matter, whether or not you are also exercising your right to speak.
- 27 If in any doubt you should seek advice from the Monitoring Officer.

Further Information

- 28 The Monitoring Officer, in consultation with the Chairman of the Audit and Governance Committee, will publicise from time to time arrangements for dealing with complaints made against Members that their conduct has breached the requirements of this code. The Monitoring Officer will publicise from time to time a Monitoring Officer Protocol reflecting current trends in Member Conduct matters in order to provide guidance on how emerging or common issues will be approached

Dispensations

- 29 The Council may grant you a dispensation, but only in limited circumstances, to enable you to participate and vote on a matter in which you have a prejudicial or disclosable pecuniary interest.

GUIDANCE

Extract from the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012

- The following categories are Disclosable Pecuniary Interests
- M” denotes the relevant Elected Member
- The regulations apply if the disclosable pecuniary interest is yours, your spouse’s or civil partner’s or is the pecuniary interest of somebody with whom you are living as a husband or wife or as if you were civil partners

<i>Subject</i>	<i>Prescribed description</i>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a Member, or towards the election expenses of M. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992(1).
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.

List of suggested dispensations (Note: this differs from the current list granted by Council and differences have been highlighted.)

- housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
- school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
- statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
- an allowance, payment or indemnity given to Members;
- any ceremonial honour given to Members;
- setting Council Tax or precept under the Local Government Finance Act 1992 (or any subsequent legislation);
- setting a Local Council Tax Reduction Scheme or Local scheme for the payment of business rates (including eligibility for rebates and reductions) for the purposes of the Local Government Finance Act 2012 (or any subsequent legislation);
- an interest arising from your membership of another council; and

- i) To the extent that it may amount to a prejudicial or disclosable pecuniary interest, any allowance or other remuneration received from the Council in respect of Council duties or directorships of Council owned ASDVs.

Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— <div style="margin-left: 40px;"> (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class. </div>

Register of Members' Interests – Sandbach Town Council

Councillor:

Ward:

Notes:

- 1) Elected Members should consult the guidance notes that accompany this form and the Member Code of Conduct prior to completing the Register of Interest form. Whilst Members may seek advice from the Monitoring Officer on registering their interests, whether to register an interest is ultimately the responsibility of each individual Member.
- 2) Members need not register interests which the Monitoring Officer has agreed rank as “sensitive interests”. Please see the Member Code of Conduct or contact the Monitoring Officer for further information on sensitive interests.

A. DISCLOSABLE PECUNIARY INTERESTS

Under the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 and Sandbach Town Council's Member Code of Conduct, as an elected or co-opted member of Sandbach Town Council, you must register your own disclosable pecuniary interests, as defined in the six categories set out below, together with those of your spouse or civil partner [or a person with whom you live as a spouse or civil partner] of which you are aware.

If you fail to do so, and then participate (speak or vote or both) at a Council or committee meeting, you may be committing a criminal offence.

Subject	Prescribed description	Details of Interest	Person with the interest (Member/spouse/civil partner)
(1) Employment <i>Note: show every employment that has to be declared for income tax purposes</i> <i>Note: Where any office is held, give the name of the person/body which made the appointment</i>	<p>Employment, office, (job), trade, business or vocation you, your spouse or civil partner have, for which you, your spouse or civil partner receive any benefit or gain (i.e. profit, salary or benefit in kind)</p> <p>Include a short description of the activity e.g. 'Accountant' or 'Farmer' and the name of any employer or body, firm or company which you, your spouse or civil partner own or in whose securities you, your spouse or civil partner have any beneficial interest. This must include any remuneration as a Director.</p>		
(2) Sponsorship <i>Note: state the amount or value of any payment/expenses received. Payments include expenses paid by a political party</i>	<p>Any person or body (other than the Borough Council) who has made any payment to you in respect of your election or any expenses you have incurred in carrying out your duties as a Borough Councillor. Please also include any payment or financial benefit received from a Trade Union.</p>		
(3) Securities <i>Note: It is not necessary to declare the nature or size of the</i>	<p>Please give details of any body which has a place of business or owns land in the Borough Council's area and in which you, your spouse or civil partner have a beneficial</p>		

<i>holding, simply the name of the company or other body.</i>	interest (a shareholding) of more than £25,000 (nominal value) or more than 1/100 th of the total share issue of that body (whichever is the lower) or if there is more than one class of share, the total nominal value of shares in any class of that body of more than 1/100 th of the total shares of that class.		
(4) Contracts for Goods, Works or Services with the Council <i>Note: This relates to any current or ongoing contract for goods and services</i>	Please give details of any current, existing contracts for goods, works or services between the Borough Council and you, your spouse or civil partner any body, firm or company by which you, your spouse or civil partner are employed or which you, your spouse or civil partner own or in which you, your spouse or civil partner have a beneficial interest, referred to at 3 above.		
(5) Land and Licences <i>Note: this should include your own home or the home of your spouse/civil partner that is within CE borough and any property for which you, your spouse or civil partner receives rent or are mortgagees</i>	The address or other description (sufficient to identify the location) of any land or property in the Borough Council's area in which you, your spouse or civil partner have a beneficial interest. Please indicate whether you, your spouse or civil partner are the owner, lessee or tenant. You should include land in which you, your spouse or civil partner may have a licence, alone or with others, to occupy for a period of one month or longer. You must also include, for example, any allotments you, your spouse or civil partner rent or use		

(6) Corporate Tenancies: Land leased from Cheshire East Borough Council / Sandbach Town Council <i>Note: This applies to any corporate tenancy from Sandbach Town / Cheshire East Council</i>	Please give the address or other description (sufficient to identify the location) of any land leased or licensed from the Town / Borough Council by you, your spouse or civil partner or any body, firm or company by which you, your spouse or civil partner are employed or which you, your spouse or civil partner own or in which you, your spouse or civil partner have a beneficial interest (specified at 3 above).		

B PERSONAL INTERESTS

Under Sandbach Town Council's Member Code of Conduct, as an elected or co-opted member of Sandbach Town Council, you must register the following Personal Interests. Failure to register and/or declare personal interests, or take appropriate action when a personal interest is capable of prejudicing your participation in Council business, can leave the Council open to challenge, impact upon the reputation of the authority and result in a Member being found to be in breach of the Member Code of Conduct.

Description	Name of body	Nature of interest
A position of general control or management of any body to which you have been appointed or nominated by Sandbach Town Council		
A position of general control or management of any body exercising functions of a public nature		

A position of general control or management of any body directed to charitable purposes		
A position of general control or management of any body whose principle purposes include influencing of public opinion or policy (including any political party or trade union)		
Membership of any body specified by CEC's Audit and Governance Committee	Not Applicable	Not Applicable

Please note that in addition to classes of personal interest set out above, you will have a personal interest in any business of the authority where a decision in relation to that business might reasonably be regarded as affecting your wellbeing or financial position or the wellbeing or financial position of a “relevant person” to a greater extent than the majority of other Council tax payers, ratepayers, or inhabitants of the electoral division or ward, as the case may be, affected by the decision. Due to the nature of such interests, it is not practical to seek to register the same, but you must make an appropriate declaration and take appropriate action (where the personal interest is also a prejudicial interest) if you are present when such business arises.

Please see the Member Code of Conduct and the guidance notes for a definition of a “relevant person” and for further information on prejudicial interests, pre-determination and bias.

C DECLARATION

As a member/co-opted member (*delete as appropriate*) of Sandbach Town Council, I hereby give notice to the Monitoring Officer for Cheshire East Council of those disclosable pecuniary interests and personal interests which I am required to declare under the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 and Sandbach Town Council's Member Code of Conduct.

I understand that in so doing I must also declare not only my own interests but also any disclosable pecuniary interest of my spouse or civil partner or person with whom I am living as such (and of which I am aware). Where there are no such interests under any heading I have endorsed the form “none”.

I understand that, if I become aware of any new disclosable pecuniary interest or registrable personal interest, or change to any disclosable pecuniary interest or registerable personal interest, I must within 28 days of becoming aware of this notify the Monitoring Officer (by writing to the Town Clerk). I understand that if I become so aware whilst present during the course of business which relates being transacted, I must also make the appropriate declaration at that time and take appropriate action.

I understand that if I fail to comply with Sandbach Town Council’s Member Code of Conduct or I:

- (i) omit any information that should be included in this Notice;
- (ii) give false or misleading information; or
- (iii) neglect to keep my register entries and/or declarations up to date,

that this may be a criminal offence and/or amount to a breach of the Code of Conduct and will be dealt with accordingly.

Signed :

Date:

**Please complete your form electronically and return it to the Town Clerk by email to:-clerk@sandbach.gov.uk
Copies will then be forwarded to ChALC and CEC for retention and display of information.**

Sandbach Town Council

Councillors and Officers

Declaration of Hospitality, Gifts and Other Benefits Form

Offers of hospitality, gifts or other benefits, whether accepted or not, must be formally registered using this form, within 10 working days of offer.

Officers should, wherever practicably possible, seek approval from their Line Manager BEFORE acceptance of any offers of hospitality, gifts or other benefits.

Name (block capitals)	
Contact Telephone No.	

I confirm that I have been offered hospitality/gift(s)/other benefit as follows:

Details of hospitality/gift/other benefit		
Date of hospitality/gift/other benefit		
Estimated value		
Organisation/person offering hospitality/gift/other benefit		
If you have refused the hospitality or refused/returned the gift, please tick box	<input type="checkbox"/>	

Signed	Date
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Sandbach Town Council

Weightmans reference: SIG/W15383/504

Report of an investigation into an allegation concerning the conduct of
Councillor David Jack



Simon Goacher, Partner
Weightmans LLP
100 Old Hall Street
Liverpool L3 9QJ

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Summary

1. Complaints were made by a number of people, details of whom are set out below, that Cllr David Jack, a member of Sandbach Town Council ("the Council"), failed to comply with the Council's Code of Conduct ("the Code").
2. The complaints are made by;
 - a. Mia Sykes;
 - b. Robert Walker; and
 - c. Cllrs Corcoran, Hegarty and Smith.
3. The complaints state that Cllr Jack failed to comply with the Code as follows;
 - a. Mia Sykes complains that Cllr Jack;
 - i. Made derogatory and offensive comments about her on Facebook on 25 September 2020 stating "mental health written all over them" and further, "you write blogs about your mental health. I'd suggest you check the law with regards to defamation and libel. You are a pathetic child being manipulated by political forces. Show me an example of a racist comment I've made. You won't. You fake feign (sic) of fear is wasted on the majority of this town. You have created kre (sic) hatred than solved. You are a spoikt (sic) little brat who hasn't even lived in the real world yet. Get a job. Get a life and grow the fuck up. I'll not be apologising or resigning or taking any notice of a bunch of crettibs (sic) like you and your illk (sic). Goodnight"; and
 - ii. On 24 September 2020 made a video recording of her and another person speaking at a council meeting without their permission and put the video on YouTube.
 - b. Mr Walker complains that Cllr Jack;
 - i. Sent him an email on 22 September 2020 at 10.42 stating "Don't contact me again, you clearly have mental health

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- issues & are becoming rather tiresome with your allegations and threats. If it continues, I shall seek an injunction”;
- ii. That Cllr Jack has referred to him in emails to him and to other councillors in a way which is derogatory and discriminatory.
- c. Cllrs Corcoran, Hegarty and Smith complain that Cllr Jack;
- i. made a complaint about a letter which they sent to the local press and the contents of that complaint were incorrect;
 - ii. posted details of a confidential complaint on social media; and
 - iii. had been offensive and abusive towards employees and members of the Council in emails and on social media, in particular,
 - (a) In emails dated 2 July 2020, 26 January 2021, 4 February 2021 and 8 February 2021 calling Cllr Hegarty a “doughnut” referring to his IQ and referring to Cllr Corcoran as having an “autistic illness”;
 - (b) In an email of 12 February 2021 calling Mr Walker a mental showcase and an utter cretchin (sic); and
 - (c) In an email of 13 February 2021 describing members as scum, gutter rats and filthy scum.
 - (d) A post on Facebook in which he stated; “Donal Hegarty even your best mates think your (sic) a pisshead”. There was also a picture of an apparently drunk golfer with a trolley under this post; and
 - (e) A post on Facebook claiming that staff of the Council had asked for more money to work from home.
4. I have investigated these complaints and concluded that Cllr Jack **has failed** to comply with the Code. The reasons are set out in this report.

Relevant Legislation

- 5. The Localism Act 2011 (“the 2011 Act”) governs standards of conduct for members of relevant authorities in England with effect from July 2012. Under the 2011 Act, the Council:

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- a. is under a duty to promote and maintain high standards of conduct;
 - b. must adopt a Code of Conduct which is consistent with the statutory principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership;
6. The 2011 Act requires a principal authority to have in place arrangements for investigating allegations of failure to comply with the Code, and taking decisions about them, including appointing one or more independent persons, one of whose views must be sought before a decision is made, and one of whose views may be sought by the member against whom an allegation is made.
7. The Council adopted a Code of Conduct ("the Code") with effect from September 2014 (SG1). Cheshire East Council ("the principal authority") has adopted arrangements for dealing with allegations that a member of any local council in its area has failed to comply with the Code (SG2).
8. So far as material, the Code provides as follows:
 - 4.10 You must promote and support high standards of conduct when serving as Member of the authority, by leadership and example, championing the interests of the community.*
 - 4.12 You must treat others with courtesy. You should engage with colleagues and staff in a manner that underpins mutual respect and courtesy, essential to good local government.*
 - 4.14 You must not disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where:*
 - (i) you have the written consent of a person authorised to give it;*
 - (ii) you are required by law to do so;*

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- (iii) *the disclosure is made to a professional third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person, or*
- (iv) *the disclosure is reasonable, in the public interest; and made in good faith and in compliance with the reasonable requirements of the authority.*

9. Section 27 of the 2011 Act provides that a local authority's code of conduct shall apply to members "when they are acting in that capacity."
10. The meaning of and extent of "official capacity" was considered by the courts in the cases of *(R) Mullaney v The Adjudication Panel for England [2009] EWHC 72 (Admin)* ("the Mullaney case") and *Livingstone v APE [2006] EWHC 2533 (Admin)* ("the Livingstone case"). These cases were considered under the Local Government Act 2000 which set out the legal framework governing member conduct in England prior to its repeal by the Act. However, the principles set out in the decisions in those cases remain relevant to the current law.
11. In the Mullaney case, Charles J recognised that applying the term, "is inevitably fact sensitive and whether or not a person is so acting inevitably calls for informed judgment by reference to the facts of the given case." In that case the councillor trespassed on premises and made a video to highlight alleged breaches of planning law and named and shamed the owner. The Council stated that he was not acting in his capacity as a councillor. However, the court did not accept this. Charles J stated:

I acknowledge that there would be advantage in certainty as to where the line is to be drawn between these activities and thus as to when the Code applies and when it does not. But to do that the language of the Code would have to be explained and thus added to, paraphrased or qualified and it seems to me that given that it uses ordinary English words (and is based on ordinary English words used in the statute, namely "in performing his functions" see s. 52(2)) this would be

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inappropriate and would potentially lead to the error being made of applying guidance as to the application of a test as if it was itself such a test.

12. Charles J further stated:

in my view magnetic or core factors in it, which found my view that the Appeals Committee is plainly right, are that the taking and publication of the video was a continuum of steps taken in respect of the property by the Claimant on behalf of a constituent as (and identifying himself as) a Councillor by making "Councillor Enquiries", his membership of the Planning Committee, his legitimate and keen interest in the building as a Councillor (who is interested in planning matters) and his identification of himself as a Councillor on the video and in its publication

13. In the Livingstone case, Collins J stated, "official capacity will include anything done in dealing with staff, when representing the Council, in dealing with constituents' problems and so on." In the Livingstone case the then Mayor of London had attended an official engagement in his capacity as the Mayor. As he was leaving the function he was confronted by a journalist. Mr Livingstone likened the journalist to a concentration camp guard. The Court held that the comments were not made by Mr Livingstone in his capacity. Collins J stated:

The Tribunal correctly decided that the appellant was not in his official capacity when he made the remarks in question. It is not in my view even arguable that when making them he was performing his functions as Mayor.

14. Any allegation of a failure to comply with the Code must also be carefully considered in the light of the Articles of the European Convention on Human Rights as embodied in to UK law by the Human Rights Act 1998. Article 10 of the Convention states:

1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and

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impart information and ideas without interference by public authority and regardless of frontiers...

2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of...public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others...

15. The way in which Article 10 rights should be considered in relation to code of conduct allegations was dealt with in the case of *Heesom v Public Services Ombudsman for Wales [2014] EWHC 1504 (Admin)* (“the Heesom case”). It is recognised that enhanced protection is given to “political expression.” In the Heesom case it was stated:

16. While freedom of expression is important to everyone, Strasbourg has recognised the importance of expression in the political sphere. It has long-recognised that what is said by elected politicians is subject to enhanced protection”, i.e. a higher level of protection, under article 10.

17. In the Heesom case the judge reviewed the previous case law on Article 10 and derived the following principles:

i) The enhanced protection applies to all levels of politics, including local (Jerusalem, especially at [36]).

ii) Article 10 protects not only the substance of what is said, but also the form in which it is conveyed. Therefore, in the political context, a degree of the immoderate, offensive, shocking, disturbing, exaggerated, provocative, polemical, colourful, emotive, non-rational and aggressive, that would not be acceptable outside that context, is tolerated (see, e.g. de Haes at [46]–[48], and Mamère at [25]: see also Calver at [55] and the academic references referred to therein). Whilst, in a political context, article 10 protects the right to make incorrect but honestly made statements, it does not protect statements

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which the publisher knows to be false (R (Woolas) v Parliamentary Election Court [2012] EWHC 3169 at [105]).

iii) Politicians have enhanced protection as to what they say in the political arena; but Strasbourg also recognises that, because they are public servants engaged in politics, who voluntarily enter that arena and have the right and ability to respond to commentators (any response, too, having the advantage of enhanced protection), politicians are subject to “wider limits of acceptable criticism” (see, e.g., Janowski at [33]; but it is a phrase used in many of the cases). They are expected and required to have thicker skins and have more tolerance to comment than ordinary citizens.

iv) Enhanced protection therefore applies, not only to politicians, but also to those who comment upon politics and politicians, notably the press; because the right protects, more broadly, the public interest in a democracy of open discussion of matters of public concern (see, e.g., Janowski at [33]). Thus, so far as freedom of speech is concerned, many of the cases concern the protection of, not a politician's right, but the right of those who criticise politicians (e.g. Janowski, Wabl and Jerusalem). Castells, of course, was both; the senator criticising politicians within the Spanish Government through the press.

v) The protection goes to “political expression”; but that is a broad concept in this context. It is not limited to expressions of or critiques of political views (Calver at [79]), but rather extends to all matters of public administration and public concern including comments about the adequacy or inadequacy of performance of public duties by others (Thorgeirson at [64]: see also Calver at [64] and the academic references referred to therein). The cases are careful not unduly to restrict the concept; although gratuitous personal comments do not fall within it.

vi) The cases draw a distinction between fact on the one hand, and comment on matters of public interest involving value judgment on the other. As the latter is unsusceptible of

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proof, comments in the political context amounting to value judgments are tolerated even if untrue, so long as they have some – any – factual basis (e.g. Lombardo at [58], Jerusalem at [42] and following, and Morel at [36]). What amounts to a value judgment as opposed to fact will be generously construed in favour of the former (see, e.g., Morel at [41]); and, even where something expressed is not a value judgment but a statement of fact (e.g. that a council has not consulted on a project), that will be tolerated if what is expressed is said in good faith and there is some reasonable (even if incorrect) factual basis for saying it, “reasonableness” here taking account of the political context in which the thing was said (Lombardo at [59]).

vii) As article 10(2) expressly recognises, the right to freedom of speech brings with it duties and responsibilities. In most instances, where the State seeks to impose a restriction on the right under article 10(2), the determinative question is whether the restriction is “necessary in a democratic society”. This requires the restriction to respond to a “pressing social need”, for relevant and sufficient reasons; and to be proportionate to the legitimate aim pursued by the State.

viii) As with all Convention rights that are not absolute, the State has a margin of appreciation in how it protects the right of freedom of expression and how it restricts that right. However, that margin must be construed narrowly in this context: “There is little scope under article 10(2) of the Convention for restrictions on political speech or on debate on questions of public interest” (see, e.g., Lombardo at [55]–[56], Monnat at [56]).

ix) Similarly, because of the importance of freedom of expression in the political arena, any interference with that right (either of politicians or in criticism of them) calls for the closest scrutiny by the court (Lombardo at [53]).

18. In the Heesom case, the court endorsed a three stage approach to dealing with Article 10 in code of conduct cases as follows:

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- a. Does the conduct alleged amount to a breach of the Code, putting aside Article 10 considerations?
- b. If so, does this finding in itself or the imposition of a sanction prima facie a breach of Article 10?
- c. If so, was the restriction involved one which was justified by reason of the requirements of Article 10(2)?

Members' official details

19. Cllr Jack has been a member of the Council since May 2019. He is listed on the Council's website as being a member of the following committees:

- Assets & Services Committee
- Conditions Survey Sub-Committee
- Small Common Redevelopment Sub-Committee
- Community & Environment
- Events Sub Committee
- Planning & Consultation Committee

Background

20. The complainants allege that Cllr Jack has engaged in a series of abusive and vitriolic attacks on them and others through emails and social media posts over a period of months.
21. One particular incident which caused concern which does not form part of the investigation but which has been cited by a number of people to provide context is Cllr Jack's involvement with a Facebook page called the "Sandbach Sarcastic Society." Cllr Jack was formerly an admin on the page and an active poster. I understand that it has now been closed but there is a similar page called "Sanderley Edge and Knutsbach Life Chat." In response to comments about a Black Lives Matter ("BLM") protest in Sandbach a member of the page posted a photograph of a klu klux klan outfit with the comment, "I'll bring my raincoat just in case."

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22. This post understandably provoked outrage and criticism. Cllr Jack did not post it but he has been criticised for failing to condemn it or, as admin of the page, to remove it.
23. Cllr Jack states that he is not a racist but he is highly critical of the BLM movement and this has led to friction which has contributed to the issues between Cllr Jack and Ms Sykes (who is an active supporter of BLM) in particular but is also a feature of comments from the other complainants.
24. Examples of the email comments that the complainants refer to include:

2 July 2020 at 18.05

In an email from Cllr Jack's Council email account addressed to the all councillors he stated:

Sam I have dozens of emails as do many others from your personal accounts.

Does your autism affect your memory and ability to understand what you write and where?

You can use the accessibility (sic) features on your computer and phone so that each account has different colours. I'm sure some one (sic) will show you how if you ask.

Regards

David Jack

18 October 2020 at 10.29

In an email from Cllr Jack's Council email account addressed to the monitoring officer of the principal authority and Mr Walker he stated:

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Clearly the woke wettness (sic) is infectious and simple words are twisted and portrayed as something else.

It's about time this harassment by the left was brought to task and stopped.

I'm sick and tired of these people including Robert Walker who has serious mental issues attacking my name without fact or foundation.

They don't like it when I retaliate and think I have to cow down to people who don't even live in our town.

I invite you to involve the police. I have nothing to hide but their continual course of action will certainly have to be answered.

Regards

David Jack

27 November 2020 at 10.05

In an email from Cllr Jack's Council email account addressed to Cllrs Price Jones and Smith he stated:

Quite clearly a pair of clever dicks who think they have more powers than they actually do, especially piss head Smith who has referred to me on a couple of occasions as unelected.

I shall be taking it up directly face to face with you both over the coming days. Your days of threats and undemocratic rule are coming to an end.

Regards.

David Jack

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26 November 2020 at 2.37pm

In an email from Cllr Jack's Council email account addressed to Cllrs Price Jones and Smith and copied to others he stated

So the council don't like straight hard questions and now you seek to use emergency powers to silence any work as an elected councillor.

A complete and utter fucking joke the lot of you.

If it's a war you want then that's what you will get, sick of your virtue signalling attitudes that do nothing for the future of this town.

Dictators is the only thing that describes you in ordinary language.

8 January 2021 at 5.08pm

In an email from Cllr Jack's Council email account addressed to Cllr Price Jones he stated:

I'll not be playing your games. If staff want answers then they can email me direct. You might think this some sort of fun but I think it's fucking pathetic. Grow a pair geriant (sic) or fuck off sending me this type of enquiry.

*Regards
David Jack*

8 January 2021 at 17.18

In an email from Cllr Jack's Council email account addressed to Cllr Price Jones he stated:

You will reap the whirlwind you and your loonies in labour have sown at the next council meeting. The public can see what complete arse holes the lot of you are.

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Regards

David Jack

18 January 2021 at 11.16

In an email from Cllr Jack's Council email account addressed to Mr Walker he stated:

Go play your games elsewhere dickhead.

Remind me how many times the police have had to speak to you about your violent approach to women in the street.

Regards.

David Jack

18 January 2021 at 11.25

In an email from Cllr Jack's Council email account addressed to Mr Walker he stated:

So the number of women, including your neighbour and their daughter, are all liars then?

You are a dangerous deluded nut job who needs sectioning.

Everyone locally knows who you are.

Now jog on and play your games elsewhere with your dribbling mate price Jones.

Regards

David Jack

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18 January 2021 at 11.30

In an email from Cllr Jack's Council email account addressed to Mr Walker he stated:

Trampoline.....

Or has your mental health erased your memory.

Go play with your parking cones.

And who the hell thought nominating you the chair of partnership was a good idea is obviously as stupid as you.

Regards.

David Jack

18 January 2021 at 13.03

In an email from Cllr Jack's Council email account addressed to Mr Walker he stated:

How about you get yourself booked in to a therapist or gp and get some medication and counselling. You clearly need it.

Regards.

David Jack

18 January 2021 at 13.19

In an email from Cllr Jack's Council email account addressed to Mr Walker he stated:

Im (sic) sure he will confirm what a vile and nasty piece of work you have been towards many women in this town.

Ive (sic) taken the liberty to copy him in on the emails.

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18 January 2021 at 13.59

In an email from Cllr Jack's Council email account addressed to Mr Walker he stated:

I shall not be replying to any more of your stupid, wild looney emails any further.

Don't waste your time contacting me any further.

Regards

David Jack

18 January 2021 at 14.11

In an email from Cllr Jack's Council email account addressed to Mr Walker he stated:

Shut the fuck up and annoy someone else.

Regards.

David Jack

26 January 2021 at 14.25

In an email from Cllr Jack's Council email account addressed to other councillors he stated:

Seems donal (sic) is having a slow news day by rehashing old news.

For the record I didn't ca (sic) him a donut (sic) because of his hair style.

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I called him a doughnut to exemplify his IQ. There is a difference if you are going to accuse me of things at least get the facts behind the reasons right.

Good luck with issuing libel proceedings.

4 February 2021 at 17.56

In an email from Cllr Jack's Council email account addressed to other councillors he stated:

Will there be provision for a doughnut seller and a hair restorer stand on the new market??

Asking for a friends (sic) friend.

4 February 2021 at 19.41

A perfect example of the starzi (sic) like behaviour from sandbach councillors.

No evidence.

No report.

No facts.

Just a labour lie that misled the public.

Oxygen thieves at best.

<https://youtu.be.BGcBSUYLYIk>

Regards

David Jack

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8 February 2021 at 13.07

In an email from Cllr Jack's Council email account addressed to other councillors he stated:

They are a bit wordy and complicated for many labour members those forms.

Can they be filled in with crayons?? Asking for Donal.

9 February 2021 at 08.46

In an email from Cllr Jack's Council email account addressed to other councillors he stated:

Which reminds me why did price Jones (sic) and flaval (sic) support Robert Walker as chairman for the partnership?

A man with a history of violence towards Women in this town, who harasses children and women on green Street and who is a serial liar with serious mental health issues.

Even Hoffman described Mr walker (sic) as a nutcase.

Perhaps the judgement of the Mayor and Mayor to maybe be is somewhat broken.

And these are people who taught our kids. God help the next generation.

Regards.

David Jack

9 February 2021 at 12.49

In an email from Cllr Jack's Council email account addressed to councillors he stated:

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Why are we doing a wellbeing event when the partnership are doing it already? Seems like a lot of effort to repeat a good format event already underway in planning and progress with the appropriate groups.

Or is this price Jones (sic) and his mate Robert Walker virtue signalling again?

You do know Robert Walker made all that nonsense up at public questions when he spoke. No one in parliament has ever heard of him. No such organisations have heard of him.

Regards.

David Jack

12 February 2021 at 09.00

In an email from Cllr Jack's Council email account addressed to all councillors he stated:

Last night, the Mayor's favorite (sic) mental showcase, Robert Walker, validated himself as a member of the North West disability group as if that was some big honcho position tgat (sic) qualifies him.

Im (sic) a member of the national trust, doesn't mean I know Jack about history.

Nice to see the Mayor continues to invite these utter cretins to speak at council and just spout vexatious crap.

Still. At least we all now cocoran (sic) knows nothing about cricket.

Regards

David Jack

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13 February 2021 at 21.11

In an email from Cllr Jack's Council email account addressed to all councillors he stated:

If you wanted examples of how scum like crane operate on social media with her gang of happy clappers to coordinate hate campaigns work, look no further.

Her and her ilk have less than 27 months till they are expelled for being the gutter rats that they ar (sic). Filthy socialist scum that don't think twice about lying and fabricating lies. Caught out time and time again as nothing but self serving (sic) liars.

Get it through your thick fucking skulls, I will not be resigning. I will do everything in my powers to show the electorate what filthy utter scum bags you really are.

It's not going too well for you as it is. Game on.

And just to spell it out once more.

I'M NOT RESIGNING. JOG ON. PLAY GAMES WITH SOMEONE WHO GIVES A FUCK. END OF MESSAGE.

This email referred to a social media post by Cllr Laura Crane in response to a post from a member of the public complaining about Cllr Jack's behaviour.

22 February 2021 at 12.37

In an email from Cllr Jack's Council email account addressed to the clerk, Mr Walker and Jackie Weaver of Cheshire Association of Local Councils ("ChALC") and copied to all councillors he stated:

How dare you even mention the events of platt avenue (sic) and the house fire.

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You utter scum bag. You had no involvement in that matter and I am disgusted by your comments.

You are a filthy liar and suffering either severe mental health issues or are a disgusting human piece of filth who thinks they can comment as they see fit with no consequences.

You have repeatedly been told by the police not to continue to contact me.

Clearly you think this advice from them not of concern. You can now suffer the consequences of your ongoing behaviour.

Regards.

David Jack

25. Examples of the social media comments that the complainants refer to are:

Facebook post 25 September 2020

In response to concerns raised by Ms Sykes Cllr Jack posted:

mental health written all over them

He then posted:

you write blogs about your mental health. I'd suggest you check the law with regards to defamation and libel. You are a pathetic child being manipulated by political forces. Show me an example of a racist comment I've made. You won't. You fake feign of fear is wasted on the majority of this town. You have created more hatred than solved. You are a spoikt (sic) little brat who hasn't lived in the real world yet. Get a job. Get a life and grow the fuck up. I'll not be apologising or resigning or taking any notice of a bunch of crettibs (sic) like you and your illk (sic). Goodnight

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Facebook post undated

Local nut job on it again.

Its ok for this Spoilt little twat to call me everything under the sun, but when I tell her to fuck off she lays complaints and causes trouble.

Spoilt little brat whose parents never had the bollocks to say no to her.

And yes publishing this constitutes a breach of the code of conduct of an elected member you know what, I'm sick and tired of this constant attack by people who don't know and don't even live in the town.

The post then including a photograph of complaint form which Ms Sykes had made against Cllr Jack.

Facebook post undated

Cllr Jack commented on a post with a picture of a golfer apparently drunk:

Donal Hegarty even your best mates think your (sic) a piss head.

*Massive following of48.
Pmsl.*

Facebook post undated

Donal Hegarty fuck me you discovered social media.

Surprised you can still see the screen after all the scotch you consume in a day.

What's it like being so vile that even half the labour group think your (sic) a thicko clown too?

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Doughnut oh heck it's me. The unelected Councillor of sandbach that doesn't think the public should be consultaed (sic) in (sic) anything.

Still, won't get reelected dinosaur piss head.

Facebook post undated

I have no idea. It's madness. But council staff want extra money for working from home. Disgusts me.

26. In his response to the Monitoring Officer about the complaint by Mr Walker Cllr Jack wrote:

Mr walker (sic) is a local Labour Party member and has serious mental health issues.

I currently have the police investigating him over harrasment (sic) and threats to both myself, my wife and my family.

He has sent over 800 emails to myself, family members, friends, local businesses and many others including press and media.

He has constantly attacked my character without respite. The cheshire (sic) police investigation reference is IML 923160

He is neither a member of any disability organisation nor an appointed member of any government panel.

He was not a candidate for the partnership and didn't have a valid nomination.

He has harassed many other members of the public and local businesses as well as the town clerk and the partnership chair.

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The complaint he has submitted was written between the Mayor cllr Price Jones and the portfolio holder at Cheshire East cllr flavall (sic).

You will also note he ask for me to be removed from office, a power that isn't available.

As for my membership of a selarcastoc (sic) page, that has nothing to do with my role as a Councillor and is done a member of the public. The page no longer exists in any event.

I trust this matter will immediately be dismissed as without merit and politically motivated and malicious as well as vexatious.

27. In his response to the Monitoring Officer regarding the complaint by Ms Sykes, Cllr Jack stated:

You can ring me to discuss this like adults or in the alternative you can go and make your decisions as usual without any consideration for my side. I won't be opening any encoded emails from you in future.

Your process is corrupt and your officers a waste of time who clearly have no powers.

Play games with someone else. I for one couldn't give a shit anymore.

Regards

David Jack

28. In his response to the Monitoring Officer regarding the complaint by Cllrs Corcoran, Hegarty and Smith he stated:

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You know what, tell the monitoring officer to stick his standards up his arse.

It really is a kangaroo court and a witch hunt now.

No equality or even handedness at all.

I'll not be responding to anything any further.

In any event you have no powers and I shall continue on council until my term ends.

He could of course call me but then he's just a coward who hides behind his title.

Regards

David Jack

Summary of the Facts and Evidence Gathered

The evidence obtained

29. The following witnesses were interviewed during the investigation:

Mia Sykes (SG3)
Robert Walker (SG4)
Cllr Corcoran (SG5)
Cllr Hegarty (SG6)
Cllr Smith (SG7)
Cllr Jack (SG8)

30. All have confirmed written records of their interviews save for Mr Walker who asked for some amendments to be made to the note of his interview. I raised some queries about this and he has not fully responded to these. The note attached is the original one I prepared based on my notes and has not been agreed by him.

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31. My interview with Cllr Jack related only to the complaint by Ms Sykes because at the time I spoke with him I had only very recently been instructed to also investigate the complaint against Mr Walker. I did mention that complaint to Cllr Jack and advise him that when I had time to review it fully I would invite him to an interview in respect of that complaint. He told me that Mr Walker was facing criminal action, that he did have mental health issues and the police considered him a threat to the public. He also stated Mr Walker was being told by the labour party to trigger complaints.
32. I emailed Cllr Jack (SG9) the draft note of my interview with him and also asked:

I would be grateful if you could send me copies of any threatening messages/emails/social media posts from Ms Sykes which you have.

You also mentioned that [REDACTED] was dealing with this. I would be grateful if you could provide me with their contact details and also any correspondence which you have had with the police about the issues you mentioned to me.

I would also be grateful if you could provide me with full details of the information which you have about the police caution issued which you referred to and anything you have in writing about that from the police.

33. Cllr Jack responded (SG10) stating;

I agree with the contents of the statement and am happy for it to go to the monitoring officer.

However let me remind you that cec and the standards committee have no power to intervene with a police investigation.

They have no statutory powers and are not party to the criminal proceedings that may arise.

Sam cocoran and Kathryn flaval reported openly in council last Thursday that this complaint was being investigated.

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It is my contention that they have fettered this complaint and continue to do so by publicly commenting on it.

I have no faith in any fair hearing and as such will play no further role in jumping through hoops for this process.

I supplied all of the screen shots to the monitoring officer previously.

34. I replied to Cllr Jack (SG11) stating;

Thank you for your prompt response.

You are of course right that the police investigation and its conclusions are separate from any standards complaint.

They are governed by different legal frameworks and different standards of proof apply.

The purpose of asking for the information about the police, and I assume your reason for mentioning it, is that evidence held by the police may be relevant to the standards investigation and vice versa. I have conducted many standards complaints where there have been parallel but separate police investigations. This was the reason why I asked for the details of the police issues which you raised with me so that I can fully explore any relevant evidence held by the police. If you do not supply with any then I will, of course be unable to verify the position regarding any police investigation and any consideration I may give to it in respect of the complaint is likely to be limited as a result.

Therefore, I would be grateful if you could provide me with the information requested which relates to issues which you have raised as being relevant.

35. Cllr Jack responded (SG12) stating;

I have no confidence that Sam cocoran (sic) won't interfere and fetter ay (sic) police investigation.

He has already attempted to interfere in an investigation and has been undermining the process from day one.

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He has already briefed committee members on me and told them how to vote.

You really don't understand how corrupt he is.

36. I responded to Cllr Jack (SG13) stating;

Thank you for your email.

On the basis that you are unwilling to supply me with any details of the police investigation to which you referred in your interview I will proceed to produce my reports based on the evidence available to me.

37. I was then instructed to also investigate the complaints by Cllrs Corcoran, Hegarty and Smith and I invited Cllr Jack to be interviewed so that he could provide his response to the complaint and any evidence he wished me to consider. He responded (SG14):

No. Enough is enough.

This is a witch hunt and the monitoring officer has refused to speak to me or assist me.

I will not submit to this constant barrage of bullying and intimidation.

I have a meeting on Tuesday morning with Cheshire police to take things further against several of these people.

In any event the monitoring officer has absolutely no powers to remove me From council. Therefore is a meangless (sic) process.

I am a busy working professional Who gives up his time voluntarily, I will devote any more time to a broken and corrupt standards system.

38. I wrote again to Cllr Jack (SG15) stating:

Thank you for your email.

I note that that you do not want to be interviewed in respect of either of the complaints by Mr Walker or Cllrs Corcoran, Hegarty and Smith. If you have any evidence you wish to

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submit in respect of these complaints I would be grateful if you could submit them by no later than 5.00pm on Monday 8 June. If you do not submit any I will proceed to write my draft reports based on the evidence available.

39. Cllr Jack responded (SG16) stating:

Like I said. It's a fettered and corrupt process with no purpose other than to belittle and humiliate and intimidate me.

I have withdrawn my consent to be held by any part of the voluntary code of conduct.

40. Cllr Jack also sent me a link to a video posted by Ms Sykes on YouTube which can be seen at <https://protect-eu.mimecast.com/s/FHabC8223CX2o45hnKKK-?domain=m.youtube.com> . He stated:

And when mia says she is just a member of the public scared by me.

Take a look at the crap. She posts on YouTube. A confirmed blm activist who actively goes out to find confrontation.

41. Mr Walker advised me by email (SG17) on 10 June 2021 that;

Having just come from a meeting with Cheshire Constabulary that have confirmed that Councillor Jacks (sic) allegations of harassment towards him are false and without foundation [REDACTED] an [REDACTED] were interviewed

No evidence was provided that as claimed i harassed him and his family via email and certainly not over 80 times as claimed. No phone records were provided By Jack but mine were made available.

I do feel i believe that this was possible an attempt to waste Police time and once again slander my good name including in the press. I believe Jack has a track record of slandering

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*people that he can not (sic) relate to in any shape or form.
This i believe includes the disabled, women, BME etc basically
anybody that questions his odd belief systems.*

*I trust that these factors will be taken into account in your
investigations,public enquiry and any subsequent reporting*

42. I responded to Mr Walker (SG18) stating:

Thank you for your email.

*Do you have anything in writing from the police to confirm
this? If so I would be grateful if you could provide me with a
copy.*

*If you do not have anything in writing from the police it
would be very helpful if you could ask them to confirm this in
writing and then provide me with a copy.*

43. Mr Walker responded (SG19), copying in [REDACTED] stating:

*I will pass this request onto [REDACTED] straight away by
way of this reply email.*

*[REDACTED] Please furnish Simon Goacher with the information
that he has requested*

44. At the time of writing this report I have not received any response from [REDACTED] or Cheshire Police. I wrote to Mr Walker advising him that if I did not receive anything from the police then I would have to finalise my report based on the information which I have in my possession.

45. Mr Walker provided me with emails which the Council had sent to him in response to a data subject access request (SG20). This included several emails from Cllr Jack.

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46. The principal authority's monitoring officer described the process leading to my instructions and supplied me with relevant documentation, including the following:

- The complaints (SG21)
- Correspondence regarding the complaints (SG22)

Evidence of Mia Sykes

47. Ms Sykes confirmed that she had made a complaint to the monitoring officer of the principal authority that Cllr Jack had failed to comply with the code of conduct of the Council.
48. Ms Sykes stated that Cllr Jack made a video recording of her and another person when they attended a virtual meeting of the Council without their consent and put it on his YouTube channel. She stated that she believed that Cllr Jack had posted it on Facebook as well. Ms Sykes stated that she did not know if Cllr Jack had posted the recording on Facebook because he has blocked her on Facebook.
49. Ms Sykes stated that Cllr Jack then made a misogynistic comment about her and also commented about her mental health when she had raised the issue.
50. Ms Sykes stated that this had been a long time coming. She stated that it had not been the first time that Cllr Jack had attacked her on Facebook. She stated that this was the final thing and she felt that she needed to report it. She stated that she would send me screenshots of other posts where Cllr Jack had made comments about her.
51. Ms Sykes stated that there had also been a worrying data breach where Cllr Jack had posted the details of the complaint on his personal Facebook page. She stated that she would not have known about it if a friend had not pointed it out to her. Ms Sykes stated that Cllr Jack called her a local "nut job" and other vitriol. She stated that this had been quite damaging and she had reported it to the principal authority. She stated that the principal authority told her that the data breach was an issue for the Council but the Council

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had told her it was an issue for the principal authority. She stated that by the time they had messed her around the deadline for reporting the breach had been missed. She stated that she was not sure what had happened about it.

52. Ms Sykes stated that her friend had also been subjected to similar attacks by Cllr Jack. She explained that she and her friend are members of BLM Sandbach and Cllr Jack is always singling them out and picking on them. She stated that another person has also been subject to similar things on social media.
53. I asked Ms Sykes if the Council meeting was being streamed. She stated that the audio of the meeting was made available but it was not video streamed or recorded. She stated that no permission was given or asked to video participants. She stated that Cllr Jack had no permission to video her.
54. Ms Sykes explained that she had been asking a question in the public part of the Council meeting. She stated that they did an update on BLM events that they were doing in Sandbach. She stated that most councillors are supportive of what they do but Cllr Jack disagrees with what they say and do and is inappropriate. She stated that they had asked what the Council was going to do about Cllr Jack's behaviour in the meeting and he recorded it and put it on YouTube. She stated that she thought he had deleted it but it had been on there for about a week.
55. I asked Ms Sykes if she had reported Cllr Jack's actions to Facebook or YouTube. She stated that the administrator of the Facebook page had taken Cllr Jack's comments about her down. She stated that she had not reported him to YouTube.
56. Ms Sykes stated that Cllr Jack had put screenshots of her personal Facebook page and her twitter page on a chat and people made sexist comments like "she fancies you" and "she wants to have sex with you."

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57. Ms Sykes stated that Cllr Jack also comments about her mental health. She stated that she is open about her mental health and has a blog about it but what they have said about it worries her.
58. Ms Sykes stated that she is in Sandbach a lot (when COVID allows) and is worried if Cllr Jack and his friends see her they will say something to her. She stated that she is very open about her anti-racism views and if someone from the far right got her details she was worried what might happen. She stated that she did not know what Cllr Jack or his friends was capable of.
59. She stated that she has anxiety and now worries about what she puts on social media because of what has been said. She stated that it is not good for the principal authority to allow this. She stated that she had requested confidentiality as she knew that her name would be posted. She stated that this had been preventable and caused her a lot of stress.
60. Ms Sykes also referred to a comment on Sandbach Sarcastic Society Facebook page saying "is that her sex face" which went unchallenged by Cllr Jack.

Evidence of Robert Walker

61. Mr Walker confirmed that he had submitted a complaint that Cllr Jack had failed to comply with the Council's code of conduct. Mr Walker confirmed that the contents of the complaint were accurate and that he wished to pursue it.
62. Mr Walker stated that IPSA and Cheshire Police were now involved in respect of the issues in the complaint. He stated that Cllr Jack has now flipped this and said that he is being harassed. Mr Walker stated that he is aware that others have also complained about Cllr Jack and he has advocated on behalf of another person who has complained as a mental health consultant.
63. Mr Walker stated that the context of his complaint has been documented quite widely. He stated that the principal authority and the Council have sufficient evidence in relation to that. He stated

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that Cllr Jack's behaviour has been belligerent and discriminatory. Mr Walker stated that he had never met Cllr Jack and had never spoken to him until approximately 14 months ago when Mr Walker had donated some hanging baskets to a local pub to raise money for a muscular dystrophy charity. Mr Walker stated that Cllr Jack had commented on social media that Mr Walker was brown nosing the Mayor because he had been photographed with the Mayor, who is a friend, with the hanging baskets.

64. Mr Walker stated that Cllr Jack had also recently commented on Mr Walker's partner on social media, saying that she was an alcoholic simply because he had posted a picture of her having a drink. Mr Walker stated that Cllr Jack is a very divisive gentleman.
65. Mr Walker stated that Cllr Jack had now made comments that Mr Walker was a member of The Labour Party. Mr Walker stated that he was not a member of The Labour Party and had never been a member of The Labour Party. He stated that he had no time for politics. He works with vulnerable people and none of the political parties have helped them so he has no time for them.
66. I explained that I had been provided with copies of email correspondence attached to Mr Walker's complaint by the principal authority and there were three emails from Councillor Jack included within those emails, which made comments about Mr Walker. Mr Walker stated that there were many more emails than that and he had made a subject access request to the Council and this had copies of all the emails where Cllr Jack had made comments discrediting him. He stated that the emails were either defamatory or slanderous. He stated that the clerk has copies of all of these emails. I stated that I would ask Mr Walker sign a written consent for the clerk to disclose those emails to him.
67. He stated that he had originally contacted Cllr Jack about dog fouling in the town. He stated that Cllr Jack then became adversarial about it. He stated that Cllr Jack was in cahoots with the Sandbach Sarcastic Society which is now Sanderley Edge and Knutsbach Sarcastic Society. He stated that Cllr Jack had been a moderator of

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the Sandbach Sarcastic Society Facebook page and there had been racist overtones on that page.

68. Mr Walker stated that he believes that Cllr Jack is a misogynist and possibly a racist and he certainly discriminates against people in relation to their mental health. Mr Walker stated that Cllr Jack has made derogatory comments and, for example, said that Labour were the lunatics taking over the asylum. He stated that Cllr Jack has also picked on a young student girl in a way that is totally abhorrent.
69. Mr Walker stated that he runs a company called Change Plus Limited and works with universities and the NHS. He stated that he had also been elected to the North West Regional Disability Groups which is linked in to the cabinet office. He stated that Cllr Jack had not bothered to check out what he had done and had simply dismissed Mr Walker's links to disability groups.
70. I asked Mr Walker why he had contacted Cllr Jack about dog fouling, rather than the principal authority. Mr Walker stated that he is a lay person and does not know the vagaries of who does what within local government. He stated that Cllr Jack is his elected town ward councillor and so was his first port of call.
71. Mr Walker stated that Cllr Jack had said that he had shouted at women in the street and shouted at people on trampolines. He stated that this was bizarre and Mr Walker does not have neighbours with trampolines. Mr Walker stated that Cllr Jack gaslights people he thinks do not fit into his beliefs, values or motivation. Mr Walker stated that he has asked Cllr Jack to meet with him face to face but he is not prepared to do that. Mr Walker stated that Cllr Jack is a keyboard warrior.
72. I asked Cllr Walker about claims by Cllr Jack but complaints were being coordinated by Cllr Corcoran, the leader of the principal authority. Mr Walker stated that he had never met Cllr Corcoran. Mr Walker reiterated that he is not a labour party member and is not political. He stated that he feels that neither main party has done anything for people in this country. He stated that when he had saved a hospital in Macclesfield three years ago, he had spoken to

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Cllr Corcoran saying that he wasn't speaking up for mental health. Mr Walker stated that he believes Cllr Jack is deluded, narcissistic and dangerous.

73. I stated that Cllr Jack had stated that Mr Walker had sent over a 100 emails to him and his family and had harassed him and his family. Mr Walker stated that he had never met Cllr Jack's family. He stated that Cllr Jack should be able to provide evidence if that were true but it is not. Mr Walker stated that he has given a raft of documents to the police and provided a statement. Mr Walker stated that Cllr Jack is claiming in the press that he has harassed Cllr Jack on the telephone. Mr Walker stating that he has complained about IPSA about this.
74. Mr Walker stated that he can provide his phone records to show that he has not done this. He stated that the only emails he has sent to Cllr Jack have been to his Council address. He stated that Cllr Jack never backs up what he claims.
75. Mr Walker stated that the police had told him that they might need to speak to him under caution. He stated that a complaint had been made by another councillor about Cllr Jack but Cllr Jack had got away with it because the CPS had said that it was tit for tat. Mr Walker stated that that is why Cllr Jack does this and complains about other people. Mr Walker stated that he has never spoken to any of Cllr Jack's family members and doesn't know who they are. Mr Walker stated that he is willing to produce his phone records and has said that to the police.
76. Mr Walker stated that another person has a whole portfolio of evidence relating to matters involving Cllr Jack. He stated that this includes evidence that a person had threatened to fire bomb him and Cllr Jack was linked to that.
77. Mr Walker stated that a person who is linked to Cllr Jack, had also mocked up a photograph of Mr Walker in a Nazi uniform. He stated that this was threatening and Cllr Jack had commented on it.

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78. He stated that Cllr Jack had called the Mayor a dribbling Mayor. He stated that he plays badminton with the Mayor but that doesn't make him a labour party supporter. Mr Walker stated that Cllr Jack is raising this all because he did not get the role as deputy Mayor.
79. Mr Walker stated that Cllr Jack is paranoid about The Labour Party but should not assume that everybody supports Labour. He states that Cllr Jack talks about Marxists all the time but Mr Walker does not know any Marxists in Sandbach

Evidence of Cllr Corcoran

80. Cllr Corcoran explained that he is a member of the Council and has been since 2007. He confirmed that he had also been a member of the principal authority since 2011 and had been Leader of the principal authority since 2019.
81. Cllr Corcoran confirmed the contents of the response which he had sent to the principal authority's monitoring officer following a complaint against him and other councillors by Councillor Jack. He confirmed that the contents of this response were correct and that he wished this to proceed as a complaint that Cllr Jack had failed to comply with the Council's code of conduct.
82. Cllr Corcoran explained that there is a lot of history behind the complaint. Cllr Corcoran stated that he had first met Cllr Jack at an election count where Cllr Jack had stated that he had fallen out with The Conservative Party on a West Midlands council. Cllr Corcoran stated that at that time Cllr Jack came across as quite plausible. Cllr Corcoran stated that he knows that it is true that Cllr Jack did stand for The Conservatives in a West Midland council. He stated that Cllr Jack explained that he had moved to Sandbach and since then had a violent altercation with at least one person and there is video of that on Ms Sykes' Facebook page.
83. Cllr Corcoran stated that when Cllr Jack came onto the Council, he gave him the benefit of the doubt. He stated that a restraining order had been made against Cllr Jack to stop him harassing Cllr Merry and the clerk to the Council. Cllr Corcoran stated that Cllr Jack had

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come onto the Council in May 2019 when there had been four candidates for five vacancies. Cllr Corcoran stated that Cllr Jack had become the chair of the finance committee but fairly soon after he came onto the council issues arose with him. He stated that as soon as anyone challenges Cllr Jack he will attack them. Cllr Corcoran stated that if you asked Cllr Jack for evidence of what he is saying, he will just escalate his attack and will never produce any evidence, he just makes allegations which become more extreme. Cllr Corcoran stated that the complaints against Cllr Jack are not all orchestrated by him.

84. Cllr Corcoran explained that the letter which councillors had written to the local newspaper, which had led to Cllr Jack's complaint, arose because members of the Council were getting a lot of complaints from members of the public about Cllr Jack's behaviour. Cllr Corcoran explained that they wanted to make it clear that they did not want to be associated with Cllr Jack and did not approve of what he was doing.
85. Cllr Corcoran stated that the fact that Cllr Jack is claiming that all the complaints are orchestrated by him suggests that Cllr Jack has a vendetta against Cllr Corcoran. Cllr Corcoran stated that he thought this was an example of what is known as Freudian transference.
86. I stated that Cllr Jack had said that Mr Walker was in cahoots with Cllr Corcoran in putting in complaints against Cllr Jack. Cllr Corcoran stated that this was not the case. He stated that he does not know whether Mr Walker is a member of The Labour Party. He stated that Mr Walker is certainly not an active member of The Labour Party. Cllr Corcoran stated that Cllr Jack makes these allegations and it was almost impossible to disprove something. Cllr Corcoran stated that he did know that Cllr Jack was a Liberal Democrat candidate for Stoke-on-Trent North in the 2010 General Election but stepped down after racist comments were sent from his email account. Cllr Corcoran stated that Cllr Jack claims that his email had been hacked. Cllr Corcoran stated that he had asked Cllr Jack for evidence of this; to the only evidence Cllr Corcoran had found was a Liberal Democrat blog which mentioned it. Cllr Corcoran stated that he had asked for more evidence as Cllr Jack

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had said that there was a police investigation and the Deputy Prime Minister's office had been involved. Cllr Corcoran stated that he had said to Cllr Jack that there must be something more than this in writing to prove what he is saying but the evidence was not forthcoming. He stated that Cllr Jack does not provide the evidence to support the comments that he makes.

87. Cllr Corcoran stated that the letter that the councillors had written to the newspaper did not directly accuse Cllr Jack of racism. Cllr Corcoran stated that others had accused Cllr Jack of platforming racism and there were racist comments on Facebook page which Cllr Jack was a moderator for.
88. Cllr Corcoran stated that a town councillor had suggested that staff should be paid for their use of their homes as an office, an allowance of a few pounds per week. He stated that Cllr Jack had suggested that the staff had asked for this and this led to the staff being attacked on social media. Cllr Corcoran stated that this had been due to be discussed in a personnel committee and was on the agenda as an exempt item so Cllr Jack was breaching confidentiality by raising it in the press and also what he was said was incorrect because the proposal came from a town councillor, not from the staff themselves.
89. Cllr Corcoran stated that emails from Cllr Jack are abusive and the decision had been taken by the Mayor to restrict Cllr Jack's ability to email staff. Cllr Corcoran stated that Cllr Jack's emails to him are also abusive.
90. Cllr Corcoran stated that he would be astonished if Cllr Jack had attended any training on the code. He stated that Cllr Jack had posted a video of him burning a copy of one of the complaints that had been made against him. He stated that Cllr Jack sees complaints being made against him under the code of conduct as a badge of honour. Cllr Corcoran stated that at the Council's AGM, Cllr Jack had said that no allegation had been upheld against him so he was saying that he had not been found guilty of breaching the code but there is also a document which Cllr Corcoran has sent to the monitoring officer where Cllr Jack has posted a complaint

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against him stating that he knows that he is breaching the code and there have been several articles in the local papers stating that David Jack has been found guilty of breaching the code”.

91. Cllr Corcoran stated that he believed that Cllr Jack was deliberately escalating things in order to obtain publicity.

Evidence of Cllr Hegarty

92. Cllr Hegarty confirmed that he is a member of the Council. He stated that he had been a member for just over a year since before the pandemic. He had stated that he had been co-opted on to a vacancy. He said that he is relatively new to Sandbach and has only lived there for five years. He stated he came from Surrey and he had worked for Surrey County Council for 20 years and in local government for 35 years. Cllr Hegarty stated the Councillor Jack was an eye opener to him. He stated he had never experienced behaviour like that of Cllr Jack in his life before. He stated that the more that you respond to Cllr Jack, the more he seems to get off on it.
93. Cllr Hegarty confirmed the contents of the response which he had sent to the principal authority's Monitoring Officer, following a complaint made against him and other Councillors by Cllr Jack. Cllr Hegarty confirmed that he wished this response to proceed as a complaint that Cllr Jack had failed to comply with the council's code of conduct.
94. Cllr Hegarty stated that he does not react to Cllr Jack or get sucked into this world. He stated that just that week, Cllr Jack had been having a go at staff of the council because it's Business Development Worker had been getting trade into the area, through a Veggie Fayre. He stated that Cllr Jack had gone on to the Sarcastic Society Facebook page, saying that this boiled his piss, and asking when we stopped liking meat and comments such as that.
95. Cllr Hegarty stated that two members of staff of the council had complained about this sort of thing by Cllr Jack. He stated that Cllr

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Jack has an obnoxious way with words but if you respond to him, he just gets more vile.

96. Cllr Hegarty stated that he had never spoken to Cllr Jack and had only met him on the night that he had been co-opted. He stated the Cllr Jack calls him "Doughnut" and makes reference to his intelligence, stating that he is stupid. Cllr Hegarty stated that he believes he is more intelligent than Cllr Jack from the way he acts and responds. Cllr Hegarty stated that Cllr Jack does not get the concept that they should be working together for the benefit of Sandbach. He stated that Cllr Jack has an obsession about Labour and The Labour Party.
97. I stated that others had suggested that Cllr Jack calling him Doughnut was in some way a reference to his Irish Heritage and was discriminatory. Cllr Hegarty stated that he did not read anything like that into it. He stated that he believed that it related to his lack of hair and then Cllr Jack had responded it was not his lack of hair but his lack of intelligence. Cllr Hegarty stated that Cllr Jack had put this in emails and at the Council. He stated that Cllr Jack called this normal banter but there is no respect shown by Cllr Jack.
98. Cllr Hegarty stated that he took offence to Cllr Jack calling him a "pisshead". He stated that Cllr Jack had posted a video of drunken golfer, staggering behind a golf trolley, saying that his is what Cllr Hegarty's friends thought of him. Cllr Hegarty stated that probably Cllr Jack thinks because he is Irish, he must drink, but he stated that Cllr Jack does not know him. Cllr Hegarty stated that he plays golf but he does not go out to get drunk. Cllr Hegarty stated that he did not know where it came from, it was an unsolicited attack by Cllr Jack. Cllr Hegarty stated that Cllr Jack will have a pop at anyone who has a Labour label in terms of who they represent.
99. Cllr Hegarty stated that Cllr Jack had been chair of a subcommittee for promoting the use of a small communal area of the town. Cllr Hegarty explained that he had been voted in as Chair and that led to Cllr Jack having a pop at him to undermine his credibility.

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100.I stated that Cllr Jack had suggested there was a conspiracy against him, coordinated by Cllr Corcoran and Labour. Cllr Hegarty stated that this is total nonsense. He stated that his was Cllr Jack's standard response to everything and it has to be his way or no way.

101.Cllr Hegarty stated that he is a Labour supporter but it is a broad church. He stated that he is a sensible person with good life experience in local government and has worked in a number of different places. He stated that there was no conspiracy and he was doing this to give something back to the community he lived in. Cllr Hegarty explained that he had worked in social care and so he worked with dementia friendly Sandbach. Cllr Hegarty stated that he did not see why he should get slagged off by Cllr Jack for doing this. He stated that for him, it is about achieving things, not talking about it and he did not feed into Cllr Jack's nonsense. Cllr Hegarty stated that he is not a friend of Cllr Corcoran or part of any cabal.

Evidence of Cllr Smith

102.Cllr Smith confirmed that he is a member of the Council. He explained that he had been a member of the Council since 2015 (except for a 3 months period in 2019). Cllr Smith confirmed that he had submitted a response to the monitoring officer of the principal authority to a complaint which had been made against him by Cllr Jack. Cllr Smith confirmed that the contents of that response were correct and that he wished that to be treated as a complaint that Cllr Jack had failed to comply with the Council's code of conduct.

103.Cllr Smith explained that the Council had received a number of complaints from members of the public about Cllr Jack's behaviour and a number of people were asking them to kick Cllr Jack off the Council but the Council did not have the power to do that. Cllr Smith stated that he thought that people thought they were being soft on Cllr Jack. He stated that Cllr Jack had upset members of the public and staff and some people were fearful of him.

104.Cllr Smith stated that he had other emails from staff which he did not include with his response because he had not asked for their

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permission. He stated that the only one which was included was the one from the Acting Clerk at the time, because that was already in the public domain. He stated that another member of staff felt their stress levels soaring because of Cllr Jack's public comments about the staff. He stated that staff had also told him that they were fearful of Cllr Jack because Cllr Jack had said what he had done to people who caused him problems before. He stated that this member of staff had sent an email to all councillors except for Cllr Jack but he was not sure whether he should include this in his response.

105. Cllr Smith explained that they had taken advice from the ChALC. He stated that ChALC had advised that the Council had a duty of care to its staff so they blocked Cllr Jack's email access to staff.

106. Cllr Smith stated that Cllr Jack has also insulted various councillors. AS stated that for example Cllr Jack keeps calling Cllr Hegarty "doughnut" and says that he has a low IQ. Cllr Smith stated that he felt that this was a racist trope against Irish heritage.

107. Cllr Smith stated that Cllr Jack has also insulted Mr Walker who is a member of the North West Disability Group, a group which stands up for disabled people. Cllr Smith stated that Cllr Jack has called him a mental case and an utter cretin.

108. Cllr Smith stated that Cllr Jack has also called Councillor Corcoran autistic.

109. Cllr Smith stated that what was sent in in response to a complaint was just the tip of the iceberg. He stated that there is all sorts of stuff which Cllr Jack has put on social media. He stated that Cllr Jack used to run the Sandbach Sarcastic Society Facebook page which was full of racist comments including a photo of Ku Klux Klan outfit. He stated that last time he looked at Cllr Jack's Facebook page that was still on there.

110. He stated that Cllr Jack had called him a "pisshead". Cllr Smith stated that Cllr Jack has a thing about the Labour Group. He stated that Cllr Jack had put in an email that the Labour Group was a

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complete an utter joke and said that if it was war that it wanted then that is what it would get. He stated that Cllr Jack had wanted to discuss a confidential item at a meeting in public and when Cllr Smith had said that he could not Cllr Jack left calling him an arsehole and then put it on the internet. He stated that the letter of complaint about Cllr Jack's behaviour which some labour councillors had written to the local newspaper was not bullying, as Cllr Jack claimed, it was calm and measured.

111. I asked Cllr Smith about claims by Cllr Jack that the complaints were orchestrated by Cllr Corcoran and the Labour Group. He stated that they originally supported Cllr Jack to be Chair of the Finance Committee but because of the way he acted Cllr Jack had been replaced. Cllr Smith stated that there is a Labour majority on the Council. Cllr Smith stated that they have never called Cllr Jack names all they had done was called out his bad behaviour.

112. Cllr Smith stated that his personal view is that Cllr Jack likes the drama and likes to be at the centre of things. He stated that it was not just the Labour Group that has fallen out with Cllr Jack, staff, members of the public and councillors from other parties have as well. Cllr Smith stated that this was quite unprecedented. He stated that he had been a councillor previously in his early thirties as well and could never remember anything like Cllr Jack's behaviour. He stated that it is not a political disagreement it is just personal abuse from Cllr Jack.

113. Cllr Smith stated that the effect on the staff has been worse than on the councillors. He stated that there are others who I might want to interview in respect of the complaint. He referred to a number of officers and the Mayor Geraint Price Jones who has been more involved in the staffing issues.

Evidence of Cllr Jack

114. Cllr Jack confirmed that he has been a member of the Council since May 2019. He stated that he had been involved in local politics for 32 years and had been a local councillor elsewhere. He confirmed

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that he had attended council training sessions and was very aware of what is and is not acceptable under the Code of Conduct.

115. I explained that he was investigating a complaint which had been made to the monitoring officer of the principal authority by Ms Sykes about him filming her and another person at a Council meeting without her consent and then placing that on YouTube and also in relation to comments which he had made on Facebook.

116. Cllr Jack stated that he had no confidence in the process. He stated that Cllr Corcoran the leader of principal authority runs a cult in the principal authority and uses every weapon to attack his political opponents who are fed by him and organised by him. Cllr Jack stated that he had been attacked on social media for something that he didn't write, didn't see and didn't comment on solely because he was a member of a Facebook page. He stated that solely based on a screenshot of that post the principal authority monitoring officer had deemed him racist.

117. Cllr Jack stated that he had been awarded the status of an honorary Sikh as a result of the work that he had done on race relations. He stated that he is not a racist. He stated that 84 complaints had been made to the principal authority which had been orchestrated by Cllr Corcoran. He stated that they had demanded that he went on his knee and apologised. He stated that he had been targeted and his family had been targeted, including his daughter and his mother.

118. He stated that people had complained that he had published their address. He stated that they had written an open letter to the Mayor of the Council with their addresses on so they had already put it into the public domain. He stated that they also had targeted his supporters and friends.

119. Cllr Jack stated that there are two ongoing police investigations into the people who are harassing him. He stated that Ms Sykes has used language in the past such as 'Fuck the Tories'. He stated that she says that she is afraid but she does not live in the area, she does not live in Sandbach. He stated that she and others have caused chaos and he will not apologise to them. He stated that 18 minutes

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of a the Council meeting had been handed over to them and they had vilified him and he has not been allowed to respond.

120. He stated that the meeting that the complaint related to had been recorded by him and by the Council. He stated that others have also recorded him. He stated that the law allows him to record council meetings and that there is no breach of the code of conduct in doing so.

121. He stated that at the time the complaint was made the acting monitoring officer of the Council was a former labour councillor and portfolio holder at either Bury or Bolton Council. He stated that the acting monitoring officer had also been an active member of BLM. He stated that this was being driven by BLM which is a Marxist Anarchist Organisation. He stated that the complaints have been made against him because he had embarrassed the autistic Labour leader of the principal authority and Cllr Corcoran has used this with his cult to attack Cllr Jack. Cllr Jack stated that he had responded full throttle and attacked the cult and that is local politics. He stated that he would not be apologising or withdrawing anything which he had said.

122. He stated that the meeting referred to of the Council was a public meeting held on Zoom and was recorded and placed on the Council website. He stated that the legislation on recording meetings is very clear and there is nothing to prevent recording.

123. I asked Cllr Jack about the comments on Facebook. He stated that there had been 18 minutes of him being vilified in a public meeting and he had been muted and switched off and could not respond so he had said what he wanted to on Facebook. He stated that there had been an article in response attacking him so he went to social media because it was his only avenue of responding to the untrue allegations against him. He stated that this needed to be measured and gauged against the attacks made on him.

124. Cllr Jack stated there had been a member of the public from Louisiana on the Zoom meeting saying they were afraid to come to Cheshire because it is more racist than the deep south of America.

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He stated that Ms Sykes had put things on social media like 'Fuck the Tories' and 'Fuck David Jack'. He stated that Ms Sykes does have mental health issues which she has publicised herself. He stated that if Ms Sykes attacks him for being racist without foundation then she should expect it back. Cllr Jack stated that frankly given what he has put up with he has bitten his tongue in terms of his response.

125. Cllr Jack stated that he has passed 100 messages to the police including ones threatening him and his daughter which have been made by this group and which they triggered. He stated that they have published his address on every BLM site in the country and brought Antifa into the town. Cllr Jack stated that he had a police officer on his door because of threats made to him and his family. He stated that Ms Sykes thinks she can fire all the bullets and then complains when he retaliates. He stated that one person has been cautioned about all of this.

126. Cllr Jack stated that he is a volunteer councillor working for the Council to make Sandbach a better place. He stated that the complainants are not ordinary members of the public they are members of The Labour Party and BLM, a Marxist Left Wing Organisation.

Findings of fact

127. The facts relevant to the complaints in the case are not in dispute. Cllr Jack has not denied sending the emails or making the posts on social media which have given rise to the complaints.

128. The relevant emails/posts are set out in paragraphs 24–25 above. These include a number of derogatory comments about other councillors and members of the public.

129. Cllr Jack states that the complaints are co-ordinated by Cllr Corcoran and are a conspiracy. However, they are there clearly in black and white and speak for themselves.

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130. Cllr Jack also claims that he is the victim here and he is the subject of harassment. He claims to have ample evidence of this in the form of hundreds of emails but he has not provided these. He has sent me one link to a YouTube video made by Ms Sykes (referred to at paragraph 40 above). In this recording Ms Sykes introduces herself and her views as a member of Cheshire Voices for Equality. She does refer to “weaponising” white privilege to help make changes. This language is a little unfortunate but it is obvious that she is not actually calling for any violent action but rather is asking people to utilise their privilege to support those who are discriminated against. She does not name Cllr Jack or anyone else and her tone is civil.

131. I have also been provided with Facebook posts from Ms Sykes on the BLM Sandbach page in which she refers to the Sandbach Sarcastic Society page and Cllr Jack and provides a link to the principal authority’s complaints page and calls on people to complain against Cllr Jack.

Reasoning as to whether there is a breach of the Code.

132. The relevant parts of the Code which I have considered during my investigation are paragraphs 4.10, 4.12 and 4.14.

133. The test in deciding whether or not there has been a breach of the code is objective: would a reasonable person aware of all the material facts and ignoring all immaterial factors consider that there has been a breach of the code?

134. The code of conduct only applies to the conduct of a member acting as a councillor and not at any other time. I have considered whether Cllr Jack was acting in his capacity as a councillor at the relevant times. In my view he was. This is because the emails were sent from his councillor email address and related to the conduct of council business and/or interactions between councillors and members of the public and him about council issues. In his Facebook profile Cllr Jack describes himself as an independent councillor. The Facebook posts objected to are about other councillors or members of the public relating to council business.

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Taking all these factors together I believe he was acting as a councillor when he sent the relevant emails and made the relevant posts on social media.

135. In my view all of the emails and Facebook posts contain comments by Cllr Jack which breach paragraph 4.10 and 4.12 of the Code. Each contain offensive and abusive language towards either other councillors or members of the public or both. They lack respect and civility and have no place in public life. The use of words such as “pisshead”, “fucking joke”, “fucking pathetic”, “dickhead”, “mental issues”, “mental showcase”, “happy clappers”, “doughnut”, “thicko clown”, “scum”, “gutter rats”, “local nut job”, “oxygen thieves”, “spoilt little brat” and “spoilt little twat” are gratuitously offensive. His derogatory references to mental health and autism are also particularly nasty and perpetuate negative perceptions and discriminatory antiquated attitudes towards these.

136. In publishing the details of Ms Sykes confidential complaint on social media he has also breached paragraph 4.12 of the Code. There can be no justification for his doing so other than seeking to intimidate Ms Sykes.

137. I have considered whether any interference with Cllr Jack’s Article 10 rights is justified. In my view it is amply justified in a democratic society. The comments he makes about others and the behaviours he exhibits have no place in civilised public debate. The limited restrictions placed upon him of a finding of a failure to comply with the Code are amply justified. It is unfortunate that the powers available to curb his behaviour are limited and it is cases such as this which have led the Committee on Standards in Public Life to call on the government to increase the powers available to deal with poor behaviour by members.

138. His comments mostly amount to gratuitous offensive and abusive comments and none of it could be dignified with the description of political expression.

139. Cllr Jack seeks to portray himself as a man more sinned against than sinning and yet despite claiming to have ample evidence of this he

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has provided none. Even if it were true that he was merely responding to abuse of others, which I do not believe to be the case, it would not mean that he had complied with the Code though it might offer some degree of mitigation. However, in any event he has failed to provide a single email or social media post from anyone else which is in any way comparable to the stream of contemptuous invective that he has engaged in.

140. In relation to the second element of Ms Sykes complaint I also find that this amounts to a breach of paragraphs 4.10 and 4.12 of the Code. Although the meeting of the Council on 23 September 2020 was a public meeting and there is a general right to film local authority meetings that does not extend to filming all participants without informing them or gaining their consent and putting them on YouTube and doing so demonstrated a lack of leadership on high ethical standards and a lack of respect and courtesy on the part of Cllr Jack. Cllr Jack stated that the films are recorded and placed on the Council's website. However, these are audio recordings and not video and it is a simple matter of courtesy to advise someone if you are recording them and in failing to do so in my opinion thus was a further failure to comply with the Code.

Finding

141. My finding is that there has been a **failure** to comply with paragraphs 4.10, 4.12 and 4.14 of the Council's Code of Conduct by Cllr Jack.

142. I am sending a copy of this report to the Monitoring Officer of the principal authority. In my view informal resolution is unlikely to be a successful or appropriate option in this case. Therefore, in my view the matter should be referred to a hearing before the Audit and Governance Hearing Sub-Committee.

Comments on the Draft Report

143. I sent the draft report to the complainants and Cllr Jack for their comments. A number of comments were received (SG23).

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144. Ms Sykes stated, "I have had a look and it seems all fine to me and I am happy to proceed with it!"

145. Cllr Corcoran initially raised some questions on the draft report which I responded to. He subsequently made some comments in relation to an inaccuracy in respect of the Council committees of which Cllr Jack is a member and a proof reading issue, both of which have been corrected.

146. Mr Walker sent an email with his comments. These were:

1. Have you scoped all the complainants with the monitoring officer, i believe that there maybe more?

2. You refer to the term enhanced protection in the draft. I do feel that Sandbach Town Council have failed in their duty to protect and safeguard the public including vulnerable people like me. This includes reasonable adjustments when it comes to communicating with elected officers on matters relating to their community.

I believe no individual should be subject to the level of abuse the complainants have, is there any case law relating to actions being taken by the public in such instances. I am sure that you will be familiar with Human Rights Law which includes My Human Rights:

a. That people working in public services must respect my rights and being able to talk to them about my care and treatment in my community. This could include my well-being and safety such as dog fouling, mobility access etc.

b. I believe my freedom to express my concerns with a local councillor has been compromised, why do i (sic) feel that this is the case. I believe this is the case because as the draft report has highlighted people just get abused when they use their freedom to express any concerns via a STC email address.

c. Right not to be discriminated against.

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I think and believe that Sandbach Town Council have failed in their duty in applying their Code of Conduct policy in a responsive, effective, caring and well-led manner. I believe that together with the government they have failed to apply the following aspects that are important to public office and services and these include;

- a. Fit and proper persons test including enhanced DBS checks*
- b. Nolan principles*
- c. Due diligence.*

3. Have you interviewed Cllr Hoffman regarding his comments as identified in the report? If it can be ascertained that he made such comments then i believe he also should be put through process!

4. Appears to be some ambiguity regarding the alleged numbers of emails i have sent David Jack, 50,100,800.

5. The lady in question was a business colleague partner but i (sic) feel an acquaintance/friend is more appropriate in this case(ref to drinking)

6. In section 73 evidence is misspelt.

7. It was myself that initially involved the Police and i believe their records will identify this, what Jack has done previously i believe in his defense (sic) he will claim tit for tat, undoubtedly a consummate professional in deceit and being divisive([REDACTED] Editor Sandbach Chronicle)

8. It is the IPSO not IPSA– I can not (sic) discuss their ongoing enquiry as it is confidential

In conclusion i believe the term "Balance of Probability's has to be considered does it not" i believe that Cllr David Jack is in fact all the things that have been referred to in the draft report,i put

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it to you that the whole political thing is just a game, a type of sport so to speak.

147. My responses to Mr Walker's points are:

1. I have covered all the issues referred to me by the Monitoring Officer for investigation and set out in Mr Walker's complaint.
2. I do not believe that Mr Walker is correct in his assertion that the Council is in breach of his rights. In any event my role was to investigate and reach conclusions on allegations that Cllr Jack failed to comply with the Code. In doing so I have weighed up the rights of all parties involved.
3. As far as I am aware Mr Walker has not made a complaint against Cllr Hoffman and if this not within the scope of my investigation. If Mr Walker wishes this to be considered as a complaint then he must submit it to the Monitoring Officer.
4. The figures in the report are taken from evidence provided to me. I am not able to assess which, if any, is accurate and it is not necessary to do so for the purposes of reaching conclusions in my investigation.
5. It is not entirely clear what Mr Walker is referring to here. In any event I do not consider it to be significant in relation to my findings.
6. This was a typo and has been corrected.
7. I do not believe that it is necessary or helpful to seek further evidence from the police. It will cause further delay, they may not provide it and it will not affect my conclusions on whether there has been a failure to comply with the Code, though if they are supportive of Cllr Jack's position it may provide him with some mitigation. Both Mr Walker and Cllr Jack have had ample opportunity to provide me with

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evidence on these issues and I have considered what evidence they have provided.

8. I appreciate that it is IPSO but I am also clear that Mr Walker actually said IPSA when I interviewed him and he did not amend this when he suggested amendments on the Note of his Interview. Ultimately as he did not agree a final note of the interview what I have included comes from the original draft note. If the complaint to IPSO is confidential then he should not have referred to it. As he chose to refer to it I have reflected it in my note and the report. I made it clear to him that details of his evidence could be made public. In any event the IPSO website states:

As part of our confidentiality procedures, newspapers or magazines are not allowed to publish any information which they receive as part of a complaint. As the person making the complaint, you are also not allowed to publish any information or correspondence which you receive from the publication.

All that has been referred to is the fact a complaint had been made so there can be no issue of breaching the confidentiality by disclosing information provided in the IPSO process. I have not reached any conclusions based on Mr Walker's evidence that he has made a complaint to IPSO as, of itself, this has no probative value in relation to the issues which I need to investigate.

148. Cllr Jack initially stated, "Like i (sic) said previously, do. What ever (sic) you want with it." However, he subsequently sent a further email which stated:

Just as a side note.

This was supposed to be a fact finding interview to take my statement for the committee hearing.

It was on one complaint, mia sykes (sic).

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Each and every complaint should be taken in their own merits and dealt with as separate (sic) complaints.

I was unaware of the majority of the complaints in the report.

I was also shocked to see that you have also made a predetermined judgement of wrong doing without any evidence what so ever and contrary to statutory law in some cases.

The whole process is corrupt and fettered from start to finish and does not provide for a fair hearing.

149. The comments made by Cllr Jack are simply untrue. He was advised by the principal authority's Monitoring Officer about all of the complaints and I invited him to attend interviews about the complaints made by Mr Walker and Cllrs Corcoran, Hegarty and Smith. He has had ample opportunity to put forward his version of events and his case in response to the complaints but has declined to do so. There are clear overlaps and links between the complaints so it is obviously sensible and desirable to deal with them together rather than separately which would lead to duplication and a waste of resources.

150. Cllr Jack's comment that, "you have also made a predetermined judgement of wrong doing without any evidence what so ever and contrary to statutory law in some cases" is also entirely misconceived and without substance.

151. The Principal Authority's arrangements for dealing with complaints state:

The investigating officer will send a copy of his/her final report to the Monitoring Officer. The report will include the Investigator's findings about whether or not, in the opinion of the Investigating Officer, the code of conduct has been breached and the Investigating Officer's recommendations as to remedies or further action.

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152. Therefore, not only can I reach a conclusion on whether or not I think Cllr Jack failed to comply with the Code it is the very purpose of my investigation to do so. He has failed to provide any specific information or analysis to support his contention that my findings are contrary to statute.

153. If the Monitoring Officer decides to refer my report to a hearing then Cllr Jack will get another opportunity to put his case to the sub-committee. Therefore, the process is entirely fair to him with ample safeguards to protect his rights.

Simon Goacher, Partner
Weightmans LLP
9 July 2021

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SG1	Council Code of Conduct
SG2	Cheshire East Council arrangements for dealing with complaints about members
SG3	Record of Interview of Ms Sykes
SG4	Record of Interview of Mr Walker
SG5	Record of Interview of Cllr Corcoran
SG6	Record of Interview of Cllr Hegarty
SG7	Record of Interview of Cllr Smith
SG8	Record of interview of Cllr Jack
SG9	Email from Simon Goacher to Cllr Jack
SG10	Email from Cllr Jack to Simon Goacher
SG11	Email from Simon Goacher to Cllr Jack
SG12	Email from Cllr Jack to Simon Goacher
SG13	Email from Simon Goacher to Cllr Jack
SG14	Email from Cllr Jack to Simon Goacher
SG15	Email from Simon Goacher to Cllr Jack
SG16	Email from Cllr Jack to Simon Goacher
SG17	Email from Mr Walker to Simon Goacher
SG18	Email from Simon Goacher to Robert Walker

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SG19	Email from Mr Walker to Simon Goacher
SG20	Emails from Mr Walker re data subject access request
SG21	Complaints
SG22	Correspondence regarding the complaints
SG23	Comments on Draft Report

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Sandbach Town Council

Weightmans reference: SIG/W15383/504

Report of an investigation into an allegation concerning the conduct of
Councillor David Jack

SG 1

Sandbach Town Council

Member Code of Conduct

This Code is based on the adopted CEC Code of Conduct, there has been no modification, with the exception of tailoring for STC.

- In all instances, reference to the Monitoring Officer refers to the CEC Monitoring Officer, who is responsible for receiving and addressing all complaints re. STC Councillors.
 - In all instances, reference to the Audit and Governance Committee Refers to a Committee of Cheshire East Council.
- 1 Sandbach Town Council has adopted this Code of Conduct to promote and maintain high standards of conduct and underpin public confidence in the authority and its Members and co-opted Members (referred to collectively in this Code as "Members").
 - 2 The Code has been adopted under the Localism Act 2011 and is based on the following core principles of public life:
 - 2.1 Selflessness
 - 2.2 Integrity
 - 2.3 Objectivity
 - 2.4 Accountability
 - 2.5 Openness
 - 2.6 Honesty
 - 2.7 Leadership
 - 3 The Code sets out general obligations about the standards of conduct expected of Members and co-opted Members of the authority, together with provisions about registering and declaring interests.

General obligations

- 4 Whenever you are acting as a Member or co-opted Member of this authority you must act in accordance with the following obligations:

Selflessness

- 4.1 You must act solely in the public interest and must never use or attempt to use your position improperly to confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, friends or close associates.

Integrity

- 4.2 You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.

Objectivity

- 4.3 When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.

- 4.4 You should remain objective, listen to the interests of all parties appropriately and impartially and take all relevant information, including advice from the authority's officers, into consideration.
- 4.5 You should exercise independent judgement. Although you may take account of the views of others (including a political group), you should reach your own conclusions on the issues before you and act in accordance with those conclusions.

Accountability

- 4.6 You are accountable to the public for your decisions and you must co-operate fully with whatever scrutiny is appropriate to your office, including appropriate scrutiny by local residents.

Openness

- 4.7 You must be open and transparent where possible about your decisions and actions and the decisions and actions of your authority. You should be prepared to give reasons for those decisions and actions.

Honesty

- 4.8 You must declare any personal, pecuniary and non-pecuniary interests that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests as set out in Part 2 below.
- 4.9 You must only use or authorise the use of the authority's resources in accordance with the authority's requirements. You must, when using or authorising the use of such resources, ensure that they are used for proper purposes only. Resources must not be used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity in force from time to time.

Leadership

- 4.10 You must promote and support high standards of conduct when serving as Member of the authority, by leadership and example, championing the interests of the community.
- 4.11 You should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in you.

Respect for Others

- 4.12 You must treat others with courtesy. You should engage with colleagues and staff in a manner that underpins mutual respect and courtesy, essential to good local government.
- 4.13 You must not:
- (i) do anything which may cause your authority to breach any equality laws;

- (ii) compromise or attempt to compromise the impartiality of anyone who works for, or on behalf of, the authority;
- (iii) bully¹ any person, including other Councillors, officers of the authority or members of the public
- (iv) intimidate or attempt to intimidate any person who is or is likely to be a complainant, a witness, or involved in the administration of any investigation or proceedings in relation to an allegation that a Member (including yourself) has failed to comply with his or her authority's code of conduct.

Information

4.14 You must not disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except² where:

- (i) you have the written consent of a person authorised to give it;
- (ii) you are required by law to do so;
- (iii) the disclosure is made to a professional third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person, or
- (iv) the disclosure is reasonable, in the public interest; and made in good faith and in compliance with the reasonable requirements of the authority.

4.15 You must not prevent another person from gaining access to information to which that person is entitled by law.

Gifts and Hospitality

4.16 You must within 28 days of receipt, notify the Town Clerk in writing of any gift, benefit or hospitality with a value in excess of £100 which you have accepted as a Member from any person or body other than the Authority (a form is available for this purpose). The Town Clerk will place your notification on a register of gifts and hospitality.

Registering and Declaring Interests

Registering and Declaring Interests – General Requirements

- 5 You must, within 28 days of:
- the adoption of this Code
 - taking office as a Member
 - becoming aware of any new interest not already registered
 - becoming aware of any change to any interest already registered
- notify the Monitoring Officer in writing of any disclosable pecuniary interest, or other type of interest as defined by this Code.

(1) Bullying" may be characterised as offensive, intimidating, malicious, insulting or humiliating behaviour and includes "cyber bullying". It may happen once or be part of a pattern of behaviour. It can be contrasted with the legitimate challenges a member may make in challenging policy or scrutinising performance. You may challenge others as to why they hold their views but must take care to raise issues in the appropriate forum and in an appropriate way. Ideas and policies may be robustly criticised but individuals should not be subject to unreasonable or excessive personal attack.

(2) It is your responsibility to ensure that any judgement you make in relying on any exception will stand up to rigorous objective scrutiny. In the case of any doubt advice should be sought from the Monitoring Officer or an independent qualified legal advisor.

- 6 If you become aware of any such interest not already registered (or the subject of pending notification) during the course of any meeting of the authority at which you are in attendance then you must disclose the interest to meeting as soon as you become aware, take the action required by the Code depending on the nature of the interest and notify the Clerk of the Meeting of the interest in accordance with the provisions of this Code.

Sensitive Interests

- 7 A 'sensitive interest' is described in the Localism Act 2011 as an interest the nature of which is such that the Member and the authority's Monitoring Officer consider that disclosure of the details of the interest could lead to the Member or a person connected with the Member being subject to violence or intimidation.
- 8 Where you consider that you have a sensitive interest, and the Monitoring Officer agrees, that part of the register recording that interest will be will not be published or made available for public inspection. A declaration of interests must still be made at a meeting where relevant, but the sensitive information need not be disclosed.

Disclosable Pecuniary Interests

- 9 A disclosable pecuniary interest is defined by statute and is subject to change from time to time.
- 10 Unless dispensation has been granted, if you are present at any meeting of the authority and you have a disclosable pecuniary interest in any matter to be considered or being considered at the meeting, you must leave the room while any discussion or voting on that matter takes place. You may not participate in any discussion of the matter at the meeting and you may not participate in any vote taken on the matter.
- 11 You must not discharge or participate in the discharge of any function related to any matter in which you have a disclosable pecuniary interest.
- 12 Failure to comply with these requirements of the Code may amount to a criminal offence.

Other Interests – Personal Interests

- 13 In addition to disclosable pecuniary interests referred to above, you must also declare personal interests.
- 14 You have a personal interest in any business of the authority where the business of the authority relates to or is likely to affect any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority.
- 15 You will also have a personal interest in any business of the authority where the business of the authority relates to or is likely to affect any body exercising functions of a public nature, which is directed to charitable purposes or whose principle purposes includes influencing public opinion or policy where you are a member of that body or in a position of general control or management.
- 16 The CEC Audit and Governance Committee may, from time to time, prescribe certain bodies the membership of which amounts to a personal interest.

- 17 You will also have a personal interest in any business of the authority where a decision in relation to that business might reasonably be regarded as affecting your wellbeing or financial position or the wellbeing or financial position of a relevant person to a greater extent than the majority of other Council tax payers, ratepayers, or inhabitants of the electoral division or ward, as the case may be, affected by the decision.
- 18 For the purposes of this Code, a relevant person is:
- 18.1 a member of your family or any person with whom you have a close association, or
 - 18.2 any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors, or
 - 18.3 any person or body in whom such persons have a beneficial interest and a class of securities exceeding the nominal value of £25,000 or one hundredth of the total issued share capital of that body.
- 19 Unless your personal interest also amounts to a prejudicial interest, a disclosable pecuniary interest or pre-determination, you may remain in the meeting and take part in the debate and vote.

Other Interests – Prejudicial Interests

- 20 You will have a prejudicial interest if you have a personal interest in any business of the authority and where that personal interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest and where that business:
- 20.1 affects your financial position or the financial position of a relevant person or body described in paragraph 14 or 15 above, or
 - 20.2 relates to the determination of any approval, consent, licence, permission or registration in relation to you or any relevant person or body described in paragraph 14 or 15 above.
- 21 Where you have a prejudicial interest, you may not participate in any discussion of the matter at the meeting or in any vote taken on the matter at the meeting. You are also required to leave the room where the meeting is taking place during the discussion and vote. However, you may attend the meeting and make representations, answer questions or give evidence provided that the public are also allowed to attend the meeting for the same purpose and you leave the meeting immediately after having done so.

Pre-Determination and Bias

- 22 Separately from considerations as to personal, prejudicial or disclosable pecuniary interests, Members must be mindful of falling foul of the general obligations of this code by taking part in decisions where they are biased or have pre-determined the matter in question.
23. Simply put, a Member will be biased or will have pre-determined a matter if they approach a matter with a closed mind. That is to say if they have made up their mind which way they will decide a matter before all of the relevant considerations are presented and debated in the appropriate decision making forum.
24. Previous actions or statements of a member will not be taken by themselves as proof of determination. A member may be pre-disposed to a certain point of view, however notwithstanding any predisposition, Members need to be careful to ensure they

approach and, insofar as is possible, are seen to approach decisions with an open mind.

- 25 Particular scenarios to be mindful of are where a Member, in some other role, is seen to be a promoter or advocate for a proposal which later comes before them for decision. A risk arises when there has been significant personal involvement in preparing or advocating the proposal such that a Member may become or may be perceived by the public as being no longer able to approach the decision with an open mind.
- 26 If you feel that you have pre-determined a matter you should say so. You should not speak or vote on the proposal. You may, however, make representations on the proposal if a member of the public also has the right to do so. You are not legally obliged to leave the room for the remainder of the debate and vote but in most circumstances doing so will counter any suggestion that you influenced the remaining Members by your continued presence. If you do not leave the room, as a minimum you must withdraw to the public area of the meeting room for the whole of the consideration of the matter, whether or not you are also exercising your right to speak.
- 27 If in any doubt you should seek advice from the Monitoring Officer.

Further Information

- 28 The Monitoring Officer, in consultation with the Chairman of the Audit and Governance Committee, will publicise from time to time arrangements for dealing with complaints made against Members that their conduct has breached the requirements of this code. The Monitoring Officer will publicise from time to time a Monitoring Officer Protocol reflecting current trends in Member Conduct matters in order to provide guidance on how emerging or common issues will be approached

Dispensations

- 29 The Council may grant you a dispensation, but only in limited circumstances, to enable you to participate and vote on a matter in which you have a prejudicial or disclosable pecuniary interest.

GUIDANCE

Extract from the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012

- The following categories are Disclosable Pecuniary Interests
- M" denotes the relevant Elected Member
- The regulations apply if the disclosable pecuniary interest is yours, your spouse's or civil partner's or is the pecuniary interest of somebody with whom you are living as a husband or wife or as if you were civil partners

<i>Subject</i>	<i>Prescribed description</i>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a Member, or towards the election expenses of M. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992(1).
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.

List of suggested dispensations (Note: this differs from the current list granted by Council and differences have been highlighted.)

- housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
- school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
- statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
- an allowance, payment or indemnity given to Members;
- any ceremonial honour given to Members;
- setting Council Tax or precept under the Local Government Finance Act 1992 (or any subsequent legislation);
- setting a Local Council Tax Reduction Scheme or Local scheme for the payment of business rates (including eligibility for rebates and reductions) for the purposes of the Local Government Finance Act 2012 (or any subsequent legislation);
- an interest arising from your membership of another council; and

- i) To the extent that it may amount to a prejudicial or disclosable pecuniary interest, any allowance or other remuneration received from the Council in respect of Council duties or directorships of Council owned ASDVs.

Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

Register of Members' Interests – Sandbach Town Council

Councillor:	Ward:
Notes.	

- 1) Elected Members should consult the guidance notes that accompany this form and the Member Code of Conduct prior to completing the Register of Interest form. Whilst Members may seek advice from the Monitoring Officer on registering their interests, whether to register an interest is ultimately the responsibility of each individual Member.
- 2) Members need not register interests which the Monitoring Officer has agreed rank as “sensitive interests”. Please see the Member Code of Conduct or contact the Monitoring Officer for further information on sensitive interests.

A. DISCLOSABLE PECUNIARY INTERESTS

Under the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 and Sandbach Town Council's Member Code of Conduct, as an elected or co-opted member of Sandbach Town Council, you must register your own disclosable pecuniary interests, as defined in the six categories set out below, together with those of your spouse or civil partner [or a person with whom you live as a spouse or civil partner] of which you are aware.

If you fail to do so, and then participate (speak or vote or both) at a Council or committee meeting, you may be committing a criminal offence.

Subject	Prescribed description	Details of Interest	Person with the interest (Member/spouse/civil partner)
<p>(1) Employment</p> <p><i>Note: show every employment that has to be declared for income tax purposes</i></p> <p><i>Note: Where any office is held, give the name of the person/body which made the appointment</i></p>	<p>Employment, office, (job), trade, business or vocation you, your spouse or civil partner have, for which you, your spouse or civil partner receive any benefit or gain (i.e. profit, salary or benefit in kind)</p> <p>Include a short description of the activity e.g. 'Accountant' or 'Farmer' and the name of any employer or body, firm or company which you, your spouse or civil partner own or in whose securities you, your spouse or civil partner have any beneficial interest. This must include any remuneration as a Director.</p>		
<p>(2) Sponsorship</p> <p><i>Note: state the amount or value of any payment/expenses received. Payments include expenses paid by a political party</i></p>	<p>Any person or body (other than the Borough Council) who has made any payment to you in respect of your election or any expenses you have incurred in carrying out your duties as a Borough Councillor. Please also include any payment or financial benefit received from a Trade Union.</p>		
<p>(3) Securities</p> <p><i>Note: It is not necessary to declare the nature or size of the</i></p>	<p>Please give details of any body which has a place of business or owns land in the Borough Council's area and in which you, your spouse or civil partner have a beneficial</p>		

holding, simply the name of the company or other body.	interest (a shareholding) of more than £25,000 (nominal value) or more than 1/100 th of the total share issue of that body (whichever is the lower) or if there is more than one class of share, the total nominal value of shares in any class of that body of more than 1/100 th of the total shares of that class.		
(4) Contracts for Goods, Works or Services with the Council Note: This relates to any current or ongoing contract for goods and services	Please give details of any current, existing contracts for goods, works or services between the Borough Council and you, your spouse or civil partner any body, firm or company by which you, your spouse or civil partner are employed or which you, your spouse or civil partner own or in which you, your spouse or civil partner have a beneficial interest, referred to at 3 above.		
(5) Land and Licences Note: this should include your own home or the home of your spouse/civil partner that is within CE borough and any property for which you, your spouse or civil partner receives rent or are mortgagees	The address or other description (sufficient to identify the location) of any land or property in the Borough Council's area in which you, your spouse or civil partner have a beneficial interest. Please indicate whether you, your spouse or civil partner are the owner, lessee or tenant. You should include land in which you, your spouse or civil partner may have a licence, alone or with others, to occupy for a period of one month or longer. You must also include, for example, any allotments you, your spouse or civil partner rent or use		

(6) Corporate Tenancies: Land leased from Cheshire East Borough Council / Sandbach Town Council	Please give the address or other description (sufficient to identify the location) of any land leased or licensed from the Town / Borough Council by you, your spouse or civil partner or any body, firm or company by which you, your spouse or civil partner are employed or which you, your spouse or civil partner own or in which you, your spouse or civil partner have a beneficial interest (specified at 3 above).	
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Note: This applies to any corporate tenancy from Sandbach Town / Cheshire East Council

B PERSONAL INTERESTS

Under Sandbach Town Council's Member Code of Conduct, as an elected or co-opted member of Sandbach Town Council, you must register the following Personal Interests. Failure to register and/or declare personal interests, or take appropriate action when a personal interest is capable of prejudicing your participation in Council business, can leave the Council open to challenge, impact upon the reputation of the authority and result in a Member being found to be in breach of the Member Code of Conduct.

Description	Name of body	Nature of interest
A position of general control or management of any body to which you have been appointed or nominated by Sandbach Town Council		
A position of general control or management of any body exercising functions of a public nature		

A position of general control or management of any body directed to charitable purposes		
A position of general control or management of any body whose principle purposes include influencing of public opinion or policy (including any political party or trade union)		
Membership of any body specified by CEC's Audit and Governance Committee	Not Applicable	Not Applicable

Please note that in addition to classes of personal interest set out above, you will have a personal interest in any business of the authority where a decision in relation to that business might reasonably be regarded as affecting your wellbeing or financial position or the wellbeing or financial position of a "relevant person" to a greater extent than the majority of other Council tax payers, ratepayers, or inhabitants of the electoral division or ward, as the case may be, affected by the decision. Due to the nature of such interests, it is not practical to seek to register the same, but you must make an appropriate declaration and take appropriate action (where the personal interest is also a prejudicial interest) if you are present when such business arises.

Please see the Member Code of Conduct and the guidance notes for a definition of a "relevant person" and for further information on prejudicial interests, pre-determination and bias.

C DECLARATION

As a member/co-opted member (*delete as appropriate*) of Sandbach Town Council, I hereby give notice to the Monitoring Officer for Cheshire East Council of those disclosable pecuniary interests and personal interests which I am required to declare under the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 and Sandbach Town Council's Member Code of Conduct.

I understand that in so doing I must also declare not only my own interests but also any disclosable pecuniary interest of my spouse or civil partner or person with whom I am living as such (and of which I am aware). Where there are no such interests under any heading I have endorsed the form "none".

I understand that, if I become aware of any new disclosable pecuniary interest or registrable personal interest, or change to any disclosable pecuniary interest or registrable personal interest, I must within 28 days of becoming aware of this notify the Monitoring Officer (by writing to the Town Clerk). I understand that if I become so aware whilst present during the course of business which relates being transacted, I must also make the appropriate declaration at that time and take appropriate action.

I understand that if I fail to comply with Sandbach Town Council's Member Code of Conduct or I:

- (i) omit any information that should be included in this Notice;
- (ii) give false or misleading information; or
- (iii) neglect to keep my register entries and/or declarations up to date,

that this may be a criminal offence and/or amount to a breach of the Code of Conduct and will be dealt with accordingly.

Signed :

Date:

**Please complete your form electronically and return it to the Town Clerk by email to: [REDACTED]
Copies will then be forwarded to ChALC and CEC for retention and display of information.**

Sandbach Town Council

Councillors and Officers

Declaration of Hospitality, Gifts and Other Benefits Form

Offers of hospitality, gifts or other benefits, whether accepted or not, must be formally registered using this form, within 10 working days of offer.

Officers should, wherever practicably possible, seek approval from their Line Manager BEFORE acceptance of any offers of hospitality, gifts or other benefits.

Name (block capitals)	
Contact Telephone No.	

I confirm that I have been offered hospitality/gift(s)/other benefit as follows:

Details of hospitality/gift/other benefit		
Date of hospitality/gift/other benefit		
Estimated value		
Organisation/person offering hospitality/gift/other benefit		
If you have refused the hospitality or refused/returned the gift, please tick box		<input type="checkbox"/>

Signed	Date
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Sandbach Town Council

Weightmans reference: SIG/W15383/504

Report of an investigation into an allegation concerning the conduct of
Councillor David Jack

SG 2



**Localism Act 2011
Arrangements for Dealing with Standards Complaints
Against Members**

1 Introduction

What does this guidance cover?

In this document the term "Member" means an elected or co-opted member of Cheshire East Council or of a town or parish council within its area. This guidance covers complaints that a member has failed to comply with their code of conduct. The member complained against is referred to in this guidance as the "subject member".

These arrangements set out:

- (1) how you can make a complaint about the conduct of an elected or co-opted member of Cheshire East Council or of a town or parish council within the borough.
- (2) how the Council will deal with complaints about members.

Codes of conduct

Cheshire East Council has adopted a code of conduct for members, which is available for inspection on the council's website and on request from the Monitoring Officer: [REDACTED]

Each town or parish council must also adopt a code of conduct. If you wish to inspect a town or parish council's code of conduct, you should look on their website in the first instance. You may also ask the town or parish clerk to allow you to inspect it.

What complaints can the Monitoring Officer deal with?

The Monitoring Officer can only deal with complaints that a member has failed to comply with their Code of Conduct. If you wish to make a complaint about:-

- dissatisfaction with a decision or action of the authority or one of its committees
- a service provided by the authority
- the actions of someone employed by the authority
- the authority's procedures or policies

you can do so using the council's corporate complaints process or, in the case of a town or parish council, by contacting that councils clerk.

If your complaint is about a member, then you can use this process. However, you should be aware that there is an assessment criteria that is applied to all complaints to ensure that the processes focuses on complaints where there is a wider public interest in addressing the conduct complained about.

You should consider the assessment criteria set out below before making your complaint in order to understand how your complaint will be dealt with.

Changes to and departure from this guidance

The Monitoring Officer may amend this guidance from time to time in consultation with the Chairman of the Audit and Governance Committee and the Independent Person¹. The Monitoring Officer may also depart from this process when s/he thinks it is necessary to do so in order to ensure that a complaint is dealt with fairly and effectively

2 How Do I Make a Complaint?

The Complaint Form

Complaints must be submitted in writing to Cheshire East Borough Council's Monitoring Officer using the standard complaint form. When complete, your form should be sent to the Monitoring Officer along with any supporting evidence that you wish to provide. This should be sent by post or email, however email is preferred.

By Post:

[REDACTED]
[REDACTED]

By email:

[REDACTED]

The Monitoring Officer will not normally consider a complaint unless it is in writing and a complaint form has been received. This is to ensure that all of the relevant information is provided and, where necessary, consent to share information has been obtained so that the complaint can be processed.

If you do not have access to the internet or have difficulty completing the form please contact please contact 01270 685849 for assistance.

Information Required

Completing the complaint form ensures all required information is provided. You will need to provide your name, address and email address, so that we can acknowledge receipt of your complaint and keep you informed of its progress. Our preference is to communicate with you by email only, but we will do so through conventional post at your request.

If you are making a complaint on behalf of a number of individuals, please nominate one person as the single point of contact to whom all correspondence will be addressed.

In order to ensure that we have all the information needed to be able to process your complaint you need to provide us with:

- the name of the member(s) you believe to have breached the code of conduct
- the name of their council
- which parts of the code you believe have been breached
- what they have done that you believe breaches the code. If you are complaining about more than one member you should clearly explain what each individual person has done that you believe breaches the code

It is important that you provide all the information you want us to take into account about your complaint. For example:

- Wherever possible, you should be specific about exactly what you are alleging the member said or did. For instance, instead of writing that the member insulted you, you should state what it was that they said.
- You should provide the dates of the alleged incidents wherever possible. If you cannot provide exact dates it is important to give as accurate a timeframe as you can.
- You should confirm whether there are any witnesses to the alleged conduct and provide their names and contact details if possible.
- You should provide any relevant background information.

It would help in dealing with your complaint to know what your desired outcome might be. If you feel able to provide this information please do so. Please note that the Monitoring Officer has no power to suspend or disqualify a member, withdraw a member's allowance or change a decision that a member has made or has been involved in making. The remedies which may be applied through this process are set out below.

Anonymity

Anonymous complaints will not normally be investigated, unless there is clear public interest in doing so and the Monitoring Officer considers that a fair investigation can be carried out.

Requests from complainants for the Monitoring Officer to withhold their identity, so that they remain anonymous to the subject member, are not ordinarily granted.

The Monitoring Officer has to balance the right of the subject member to properly understand the complaint against them and respond to it, with the rights of the

person making the complaint. More often than not, this means that the subject member will need to be told who is making the complaint.

In all cases, the subject member is asked not to approach complainants or to talk to them about the complaint. The Code contains provisions designed to protect complainants and the integrity of the complaints process.

Nevertheless, if you want to keep your identity confidential, please ensure that you complete section 6 of the complaint form. Requests for anonymity will only be granted if there is a good reason for asking us to do this, and if doing so will not prejudice the subject member's ability to properly respond to the complaint.

We will normally use the following criteria when considering your request -

- You have reasonable grounds for believing that you will be at risk of physical harm or harassment if your identity is disclosed
- You have an employment relationship with the subject member(s) and you are afraid of the potential consequences upon that relationship if your identity is disclosed
- You suffer from a serious health condition and there are medical risks associated with your identity being disclosed. Medical evidence may be requested
- Whether the complaint can be investigated without revealing your identity
- The seriousness of the complaint
- The degree to which the subject member may be prejudiced by withholding your identity

The Monitoring Officer will only grant your request if he considers that a fair investigation can still be carried out. You will be informed of the decision and the reasons for it.

If your request for confidentiality is not granted, no further action will be taken unless you confirm that you are happy for the council to release your identity to the subject member.

3 What happens after I submit my Complaint Form?

Confidentiality Requirements

The complaints process is confidential. This means that during each stage of the process up to and, in some cases, including the holding of a Sub-Committee hearing (see below) to determine a complaint, matters are dealt with in confidence.

Information supplied by the complainant(s) and the subject member(s) to the Monitoring Officer will only be supplied to other parties to the complaint in accordance with the procedure.

With the exception of a professional advisor retained for those purposes who is also bound by a duty of confidentiality, the parties to the complaint must not pass on any information relating to the complaint to any third party without first obtaining the written permission of the Monitoring Officer.

Any complainant who fails to comply with the confidentiality requirements risks being found to have contravened the process which may result in no further action being taken on their complaint.

Any member who fails to comply with the procedure risks being subject to a complaint that they have breached the Code simply on account of having made such a disclosure.

Acknowledgement

The Monitoring Officer will acknowledge receipt of your complaint within 5 working days of receiving it, and will keep you informed of progress. It may be necessary to seek further clarification from you at this stage.

Preliminary Assessment

The Monitoring Officer will undertake a preliminary assessment of your complaint, consulting the Independent Person where appropriate, before making and notifying you of his/her decision on whether and how the complaint should proceed. The Monitoring Officer will endeavour to do so within 5 working days of acknowledging your complaint. The Monitoring Officer is not determining, at this stage, whether or not there has been a breach of the Code.

Preliminary Assessment Criteria

If your complaint indicates that a criminal offence may have been committed (or some other regulatory infraction) the matter will be reported to the appropriate regulatory body. It may be the case that the complaint cannot be further considered under this process until an associated external investigation has been completed.

If your complaint also relates to or raises concerns about a council service (or an officer of the council), it may first need to be dealt with under the relevant corporate complaints/disciplinary process that applies. This is so that the outcome and any proposed action resulting from any such process can be taken into account when assessing the code of conduct complaint.

The preliminary assessment will also consider whether:-

- 1) The complaint is against one or more named members of Cheshire East Council or a town or parish council within the borough.
- 2) The subject member was in office at the time of the alleged conduct
- 3) The subject member was acting in their official capacity as a member at the time of the alleged conduct.
- 4) There is (or following further enquiries or investigation is likely to be) enough information to form a view as to whether or not a breach of the code has or might have occurred.

If these tests are not met, no further action will be taken. If these tests are met, the Monitoring Officer will go on to consider whether the complaint:-

- 5) Has been made in time. Complaints lodged more than 6 months after the conduct that is being complained about occurred will not normally be considered unless there are extenuating circumstances
- 6) Is trivial, malicious, vexatious, politically motivated or a "tit for tat" complaint. The complaints process exists to deal with matters of conduct where it is in the public interest to do so. The Monitoring Officer must be mindful of resource considerations and not allow the process to be used as a mechanism to seek to take members to task for conduct which may technically amount to a breach of the code but where there is little or no wider public interest in pursuing the matter.
- 7) Is a repeat complaint. The Monitoring Officer will not normally consider complaints which have been substantively considered (whether or not under this process) within the previous six month period.

Informing the subject member

The subject member will not normally be told about the complaint until this preliminary assessment has been undertaken. However, in some cases in order to undertake this assessment it may be necessary to notify the subject member of the complaint and request further information from the subject member or some other person.

Where the complaint relates to a town or parish council member, the Monitoring Officer may inform the relevant clerk of the complaint and seek further information from the clerk.

If more information is required at this stage, the time limit for completing the preliminary assessment may be extended.

Following Preliminary Assessment, the Monitoring Officer may decide to:-

- 1) Take no further action
- 2) Refer the matter to an Independent Assessment Meeting

Notification of Preliminary Assessment Decision

Once a decision following Preliminary Assessment has been made, letters of notification will then be sent to you and the subject member informing you of the decision made and the reasons for it.

If the decision is to take no further action, the subject member will be provided with a precis of the complaint and, subject to the provisions on anonymity, the identity of the complainant. The Monitoring Officer may offer advice to the complainant, subject

member or both. The Monitoring Officer may also notify the relevant Group Leader, Whip or town or parish clerk of the complaint and the decision taken.

If the decision is to refer the matter to an Independent Assessment Meeting, then unless s/he has already done so, the Monitoring Officer will supply the subject member with a copy of your complaint (and accompanying materials) and will be invited to respond to it in writing. Data protection rules may require some information to be removed from the complaint before it is submitted to the subject member. You will be notified if this is necessary. The subject member will be invited to respond to the complaint within 5 days of the date of the notification letter.

Independent Assessment Meeting

If the complaint is referred to an Independent Assessment Meeting, the Monitoring Officer will endeavour to convene and hold that meeting and notify you and the subject member of the outcome of the same within 20 working days of the date of the Preliminary Assessment Notification Letter. This may not always be possible depending on the availability of the Monitoring Officer and the Independent Person. You will be kept informed of progress and timescales.

The Independent Assessment Meeting is an opportunity for the Monitoring Officer and Independent Person to consider the complaint and the subject member's response to it. The purpose of meeting is for the Monitoring Officer, in consultation with the Independent Person, to decide whether it appears that a breach of the code may have occurred and to determine what action, if any to take on the matter.

The Monitoring Officer is not determining, at this stage, whether or not there has been a breach of the Code. The Monitoring Officer is determining whether the circumstances are such that:-

1. No further action should be taken
2. The matter is suitable for informal resolution
3. The matter should be formally investigated

Independent Assessment Criteria

In addition to revisiting the Preliminary Assessment Criteria (where appropriate), and to determine the appropriate next course of action, the Monitoring Officer and Independent Person will consider:-

1. Whether there is sufficient information available to him to decide what action should be taken
2. The seriousness of the matters alleged
3. The likely effectiveness of the remedies available
4. The public interestⁱⁱ

Notification of Independent Assessment Decision

Once a decision following Independent Assessment has been made, letters of notification will then be sent to you and the subject member informing you of the decision made and the reasons for it.

If the decision is to take no further action, the Monitoring Officer may offer advice to the complainant, subject member or both. The Monitoring Officer may also notify the relevant Group Leader, Whip or town or parish clerk of the complaint and the decision taken.

If the decision is that the matter is appropriate for informal resolution, the Monitoring Officer will make recommendations accordingly. Informal resolution options include:-

1. An explanation and/or apology from the subject member
2. Mediation
3. Training
4. Referral of the matter to the Group Leader, Whip and/or Parish Clerk to be resolved where the complaint is between two members and political group intervention/agreement is appropriate.
5. Some other practical "conflict management" agreement between the complainant and subject member

The Monitoring Officer may take into account the response to and effectiveness of recommendations made for informal resolution in deciding whether or not the matter should nevertheless be formally investigated and pursued further under this process.

If the decision is that the matter should be formally investigated, then the following provisions of this guidance apply.

Formal Investigation

If the Monitoring Officer decides that the complaint merits formal investigation, they will appoint an Investigating Officer. This may be another senior officer the council, another council or an external investigator. The Monitoring Officer will determine the terms of reference for any investigation in consultation with the Independent Person.

Investigation Process

The Investigating Officer will decide whether he/she needs to meet or speak to you to understand the nature of your complaint and so that you can:

- explain your understanding of events
- suggest what additional documents the Investigating Officer needs to see
- suggest who the Investigating Officer needs to interview

The Investigating Officer will normally write to the subject member against whom you have complained and provide him/her with a copy of any additional materials you have provided. He/she will also ask the subject member to understand his/her explanation of events, and to identify what documents the subject member thinks he/she needs to see and who the subject member thinks he/she needs to interview.

Investigation Report

At the end of his/her investigation, usually within 8 weeks of being appointed the Investigating Officer will produce a draft report and will send copies of that draft report, in confidence, to you and to the subject member. This provides you both with the opportunity, within 5 working days of the report being sent to you, to make representations to the Investigating Officer on any matter of fact in the draft report that you disagree with or that you think requires more consideration.

Having received and taken account of any comments which you or the subject member may have made on the draft report, the Investigating Officer will send his/her final report to the Monitoring Officer. The report will include the Investigator's findings about whether or not, in the opinion of the Investigating Officer, the code of conduct has been breached and the Investigating Officer's recommendations as to remedies or further action.

The Monitoring Officer will review the Investigating Officer's report in consultation with the Independent Person. If the Monitoring Officer is not satisfied that the investigation has been conducted properly, or considers there to be errors or omissions in the report, he may ask the Investigating Officer to reconsider his/her report. This may involve the Investigating Officer carrying out further investigations and producing an amended report. You will be kept informed of timescales.

Decision Following Investigation

If (or once) satisfied that the investigation has been properly undertaken and that there are no material errors or omissions in the Investigating Officer's report, the Monitoring Officer will write to you and to the member concerned within 15 working days of receiving the Investigating Officer's final report notifying you of what action, if any, will follow and the reasons for that decision. The Monitoring Officer is not constrained by the recommendations in the Investigating Officer's report.

If the Monitoring Officer's decision is to take no further action, the Monitoring Officer may offer advice to the complainant, subject member or both. The Monitoring Officer may also notify the relevant Group Leader, Whip or town or parish clerk of the complaint and the decision taken.

If the decision is that the matter is appropriate for informal resolution, the Monitoring Officer will make recommendations accordingly. Informal resolution options include:-

6. An explanation and/or apology from the subject member
7. Mediation
8. Training
9. Referral of the matter to the Group Leader, Whip and/or Parish Clerk to be resolved where the complaint is between two members and political group intervention/agreement is appropriate.
10. Some other practical "conflict management" agreement between the complainant and subject member

The Monitoring Officer may take into account the response to and effectiveness of recommendations made for informal resolution in deciding whether or not the matter should nevertheless be referred to the Audit and Governance Hearing Sub-committee.

If the decision is that the matter should be referred to the Audit and Governance Hearing Sub-committee, then the following provisions of this guidance apply.

Audit & Governance Hearing Sub-Committee

Where the Monitoring Officer considers that it is in the public interest for the matter to be considered by Hearing Sub-Committee, a Sub-Committee will be convened to determine whether the subject member has failed to comply with the code of conduct.

Pre-Hearing Process

The Monitoring Officer will normally conduct a pre-hearing process within 3 months of receiving the Investigating Officer's report. The subject member will be required to give his/her response in writing to the report. This is done to establish what is likely to be agreed and what is likely to be in dispute at the hearing.

On receiving the subject member's response, a meeting of the Hearing Sub-Committee will then be convened. The Hearing Sub-Committee will comprise three elected members of the Audit and Governance Committee plus an Independent Person, who has not previously been consulted on the complaint.

As part of this meeting, the Chairperson of the Hearing Sub-Committee (appointed from the elected members present) may issue directions about the way in which the hearing will be conducted, for example agreeing the number and identity of witnesses. Directions may be given either before or at the hearing taking account of the advice of the Monitoring Officer. Any meeting to deal with pre-hearing process issues will be held in private without the complainant or the subject member present.

Prior to a hearing, any documentation issued or exchanged during the process must be treated by all recipients as confidential unless and until the sub-committee agrees that the press and public should not be excluded from the meeting at which the allegations are going to be heard. This is because meetings of the Hearing Sub-Committee are subject to the normal rules for publication of council agendas and access to information. At the point the sub-committee agrees that the meeting should be held in public, the investigator's report will be made available to the press and public in attendance at the meeting.

Hearing Process

At the hearing, an appointee of the Monitoring Officer will present to the sub-committee, calling witnesses as necessary (which may include the complainant), the case that the subject member has failed to comply with the code of conduct. The subject member will then have an opportunity to give his/her evidence, to call witnesses and to make representations about why he/she considers that he/she did not fail to comply with the code of conduct. Normal hearing rule will apply in terms of their being opportunities to question witnesses and test evidence, furtherance to the principles of natural justice

If the subject member (or appointed representative) is not present, then the sub-committee will consider whether to proceed to hear the case and make a decision in absence, or whether to adjourn the hearing to another time or date. If the subject member has indicated that the hearing should carry on without him/her this will normally happen.

On conclusion of the evidence, the Hearing Sub-Committee will decide, with the benefit of any advice from the Independent Person, whether there has been a breach of the code of conduct.

If it concludes that the subject member did not breach the code of conduct it will dismiss the complaint and no further action will be taken. In that event, the sub-committee may still make general recommendations to the council or its members on any remedial actions if considers necessary to address the issues raised.

Where the Hearing Sub-Committee determines that the member has failed to comply with their code of conduct, the Chairperson will inform the subject member of this finding. The Independent Person will give his/her views on the matter, which will be recorded in the minutes of the meeting. The Chairman of the Hearing Sub-Committee will explain the reasons why any advice from the Independent Person has or has not been followed in giving its decision.

The Hearing Sub-Committee will then consider what action, if any, it should take as a result. The Hearing Sub-Committee will give the subject member an opportunity to make representations about that and will consult the Independent Person deciding what action, if any, to take.

Remedies

The Council has delegated to the Hearing Sub-Committee powers to take action in respect of individual members as may be necessary to promote and maintain high standards of conduct. Accordingly the Hearing Sub-Committee may –

- Censure or reprimand the subject member;
- Publish its findings in respect of the subject member's conduct;
- Report its findings to Cheshire East Borough Council or make recommendations to the town or parish council for consideration;

- Recommend to the member's Group Leader (or in the case of ungrouped members, recommend to Council or to committees) that he/she be removed from any or all committees or sub-committees of the Council;
- Recommend to the Leader of the Council that the member be removed from the Cabinet, or removed from particular portfolio responsibilities;
- Instruct the Monitoring Officer to, or recommend that the town or parish council, arrange training for the member;
- Recommend to the Council or town or parish council to remove the subject member from all outside appointments to which he/she has been appointed or nominated by the Council or by the town or parish council;
- Withdraw or recommend to the town or parish council that it withdraws facilities provided to the member by the Council, such as a computer, website and/or email and Internet access if relevant to the subject matter of the complaint;
- Exclude, or recommend that the town or parish council exclude the member from the Council's offices or other premises, with the exception of meeting rooms as necessary for attending Council, Cabinet, committee and sub-committee meetings if relevant to the subject matter of the complaint.

The Hearing Sub-Committee has no power to suspend or disqualify a member or to withdraw a member's allowance. It also cannot impose a sanction on a town or parish councillor, it can only make recommendations to the member's town/parish council as to what action should be taken. Whilst the town/parish council cannot overturn a finding of breach, it can accept, modify or reject the sub-committee's recommendations.

The Chairperson of the Hearing Sub-Committee has the right to depart from the Hearing Sub-Committee procedure, in consultation with the Sub-Committee's legal advisor, at any hearing where he/she considers that it is sensible to do so to deal with the case fairly and effectively.

Following the Hearing

At the end of the hearing, having consulted with and considered the views of the Independent Person, the Chairperson of the Hearing Sub-Committee will announce the decision of the sub-committee on the day.

As soon as possible but in any event within 10 working days the Monitoring Officer will prepare a formal decision notice in consultation with the Chairperson and will send a copy to you, to the subject member concerned, and to the town or parish council, if relevant. He/she will also make that decision notice available for public inspection by way of publishing the minutes of the meeting and will report the outcome to the Audit and Governance Committee as part of its bi-annual report on standards matters.

4 Appeals

With the exception of external legal and Local Government Ombudsman processes, there is no right of appeal for you or for the subject member against a decision of the Monitoring Officer or of the Hearing Sub-Committee.

5 Reports to the Audit and Governance Committee

The Monitoring Officer will present a reports to the Audit and Governance Committee at appropriate intervals giving details of;

- (a) the number of complaints received, broken down into borough and town/parish;
- (b) the paragraphs alleged to have been breached;
- (c) the status of complaints in progress;
- (d) the outcome of complaints, where concluded;
- (d) what action has, where appropriate, been taken.

6 Document Retention

The documentation relating to a complaint will be retained for 6 years from the conclusion of the complaint, irrespective of the outcome of the complaint. For the avoidance of doubt, minutes of the Hearing Sub-Committee will be retained in the same way as the minutes of other council decision making bodies.

ⁱ*The Independent Person* - The Council must appoint at least one Independent Person and seek that person's views before it takes decision on a complaint that it has decided to investigate. The Independent Person's views can also be sought by the council on any other issue in the complaints handling process. The Independent Person will also provide, on request, procedural advice to a subject member or to a complainant.

ⁱⁱ *Public Interest* – Public Interest considerations are at the heart of this process. The Monitoring Officer must balance the appropriate use of public resource in dealing with complaints with the extent to which it may be in the public interest to take further action, and what that further action should be (informal resolution of a formal investigation perhaps leading to a finding of a breach of the code and sanctions being imposed).

ⁱⁱⁱ *Ex Member* – If the complaint relates to an ex-member who is now a member of another council the Monitoring Officer may ask that council to consider the complaint.

^{iv} If the subject member resigns during the process, is or becomes seriously ill or has died, the Monitoring Officer will have to decide whether it is in the public interest to continue with the process. The views of the complainant will be sought in making that decision.

v Pattern of Behaviour – A pattern of behaviour, findings of breach or failed informal resolutions may be relevant in determining whether it is in the public interest to invoke a different course of action than that which might have been invoked in the case of a first or single incident. However, the Monitoring Officer will be mindful of the fact that a number of unsubstantiated allegations do not amount to a proven course of conduct or behaviour.

Sandbach Town Council

Weightmans reference: SIG/W15383/504

Report of an investigation into an allegation concerning the conduct of
Councillor David Jack

SG 3

W15383.504

Complaint About Councillor David Jack – Sandbach Town Council

Note of Interview with Mia Sykes, 8 March 2021

1. The interview was conducted by Simon Goacher, Weightmans LLP ("SG").
2. SG outlined the process that would follow and explained that, although ultimately as the matter reached the Cheshire East Borough Council ("CEBC") Standards Committee, it could decide to hear the evidence in public, the investigation should be treated as confidential. SG explained that if the matter was heard in public, the note of this conversation could be made public.
3. Mia Sykes ("MS") confirmed that she had made a complaint to the monitoring officer of CEBC that Cllr Jack ("DJ") had failed to comply with the code of conduct of Sandbach Town Council ("STC").
4. MS stated that DJ made a video recording of her and another person when they attended a virtual meeting of STC without their consent and put it on his youtube channel. She stated that she believed that DJ had posted it on Facebook as well. MS stated that she did not know if DJ had posted the recording on Facebook because he has blocked her on Facebook.
5. MS stated that DJ then made a misogynistic comment about her and also commented about her mental health when she had raised the issue.
6. MS stated that this had been a long time coming. She stated that it had not been the first time that DJ had attacked her on Facebook. She stated that this was the final thing and she felt that she needed to report it. She stated that she would send SG screenshots of other posts where DJ had made comments about her.
7. MS stated that there had also been a worrying data breach where DJ had posted the details of the complaint on his personal Facebook page. She stated that she would not have known about it if a friend had not pointed it out to her. MS stated that DJ called her a local "nut job" and other vitriol. She stated that this had been quite damaging and she had reported it to CEBC. She stated that CEBC told her that the data breach was an issue for STC but STC had told her it was an issue for CEBC. She stated that by the time they had messed her around the deadline for reporting the breach had been missed. She stated that she was not sure what had happened about it.

8. MS stated that her friend [REDACTED] had also been subjected to similar attacks by DJ. She explained that her and [REDACTED] are members of BLM Sandbach and DJ is always singling them out and picking on them. She stated that another person [REDACTED] has also been subject to similar things on social media.
9. SG asked MS if the STC meeting was being streamed. She stated that the audio of the meeting was made available but it was not video streamed or recorded. She stated that no permission was given or asked to video participants. She stated that DJ had no permission to video her.
10. MS explained that she had been asking a question in the public part of the STC meeting. She stated that they did an update on BLM events that they were doing in Sandbach. She stated that most councillors are supportive of what they do but DJ disagrees with what they say and do and is inappropriate. She stated that they had asked what STC was going to do about DJ's behaviour in the meeting and he recorded it and put it on Youtube. She stated that she thought he had deleted it but it had been on there for about a week.
11. SG asked if she had reported DJ's actions to Facebook or Youtube. She stated that the administrator of the Facebook page had taken DJ's comments about her down. She stated that she had not reported him to Youtube.
12. MS stated that DJ had put screenshots of her personal Facebook page and her twitter page on a chat and people made sexist comments like "she fancies you" and "she wants to have sex with you."
13. MS stated that DJ also comments about her mental health. She stated that she is open about her mental health and has a blog about it but what they have said about it worries her.
14. MS stated that she is in Sandbach a lot (when COVID allows) and is worried if DJ and his friends see her they will say something to her. She stated that she is very open about her anti-racism views and if someone from the far right got her details she was worried what might happen. She stated that she did not know what DJ or his friends was capable of.
15. She stated that she has anxiety and now worries about what she puts on social media because of what has been said. She stated that it is not good for CEBC to

allow this. She stated that she had requested confidentiality as she knew that her name would be posted. She stated that this had been preventable and caused her a lot of stress.

I agree that this is a true and accurate record of the interview and the contents are true to the best of my knowledge and belief

Signed.....

Mia Sykes

Dated.....

Simon Goacher

From: Mia Sykes [REDACTED]
Sent: 29 March 2021 09:02
To: Simon Goacher
Subject: Re: Note of Interview

DOCID: 32340250

This message originated from outside our organisation and was sent to Simon Goacher. The sender name was [REDACTED] and the sender's email address was [REDACTED]

Hi Simon

Thanks for sending this over.

There is a few things I'd like to add please, I don't know how to use track changes so I'll just send here!

Alongside the part where you talk about the sexist commentary from his friends, there was also 'is that her sex face' commentary in the Sarcastic society group that went unchallenged by DJ. Also I did report things to Facebook before the group went private but at this time the group was private and I was seeing through a friend that's in the group. I believe they reported to Facebook but they stated that 'comments did not break the community rules/guidelines'.

Also some more names of women who've been targeted by DJ recently are my friend [REDACTED] but also [REDACTED] Richard Hoffman and Laura Crane too but they're councillors so they already know that.

I think that's all fine apart from those changes, Simon. Thanks and if you could keep me in the loop with what's going on in the near future that's be great too.

Many thanks
Mia

On 28 Mar 2021, at 20:56, Simon Goacher [REDACTED] wrote:

Hi Mia

As promised I attach the note of my interview with you. I apologise for the delay in sending it to you.

If there is anything which you would like to amend please let me know. You can do that either by telephoning me to discuss any changes, emailing me with details of the changes or by making them directly to the document and returning it to me. If you makes the changes directly to the document I would be grateful if you could use the track changes facility.

Sandbach Town Council

Weightmans reference: SIG/W15383/504

Report of an investigation into an allegation concerning the conduct of
Councillor David Jack

SG 4

REFERENCE W1 5383-504

COMPLAINTS ABOUT COUNCILLOR DAVID JACK – SANDBACH TOWN COUNCIL

NOTE OF INTERVIEW WITH ROBERT WALKER, 19 MAY 2021

1. The interview was conducted by Simon Goacher, Weightmans LLP ("SG").
2. SG outlined the process that would follow and explained that, although ultimately if the matter reached the Cheshire East Borough Council ("CEBC") Standards Committee, it could decide to hear the evidence in public, the investigation should be treated as confidential. SG explained that if the matter did result in a hearing in public, then the note of this conversation could also be made public.
3. Robert Walker ("RW") confirmed that he had submitted a complaint that councillor David Jack ("DJ") had failed to comply with the Sandbach Town Council ("STC") code of conduct. RW confirmed that the contents of the complaint were accurate and that he wished to pursue it.
4. RW stated that IPSA and Cheshire Police were now involved in respect of the issues in the complaint. RW stated that DJ has now flipped this and said that he is being harassed. RW stated that he is aware that others have also complained about DJ and he has advocated on behalf of another person who has complained as a mental health consultant.
5. RW stated that the context of his complaint has been documented quite widely. He stated that CEBC and STC have sufficient evidence in relation to that. He stated that DJ's behaviour has been belligerent and discriminatory. RW stated that he had never met DJ and had never spoken to him until approximately 14 months ago when RW had donated some hanging baskets to a local pub to raise money for a muscular dystrophy charity. RW stated that DJ had commented on social media that RW was brown nosing the mayor because he had been photographed with the mayor, who is a friend, with the hanging baskets.
6. RW stated that DJ had also recently commented on RW's partner on social media, saying that she was an alcoholic simply because he had posted a picture of her having a drink. RW stated that DJ is a very divisive gentleman.
7. RW stated that DJ had now made comments that RW was a member of the labour party. RW stated that he was not a member of the labour party and had never been a member of the

labour party. RW stated that he had no time for politics. He works with vulnerable people and none of the political parties have helped them so he has no time for them.

8. SG explaining that he had been provided with copies of email correspondence attached to RW's complaint by CEBC and there were three emails from Councillor Jack included within those emails, which made comments about RW. RW stated that there were many more emails than that and he had made a subject access request to STC and this had copies of all the emails where DJ had made comments discrediting him. He stated that the emails were either defamatory or slanderous. He stated that the clerk has copies of all of these emails. SG stated that he would ask for RW to sign a written consent for the clerk to disclose those emails to him. RW stated that he had originally contacted DJ about dog fouling in the town. RW stated that DJ then became adversarial about it. RW stated that DJ was in cahoots with the Sandbach Sarcastic Society which is now Sanderley Edge and Knutsbach Sarcastic Society. RW stated that DJ had been a moderator of the Sandbach Sarcastic Society Facebook page and there had been racist overtones on that page.
9. RW stated that he believes that DJ is a misogynist and possibly a racist and he certainly discriminates against people in relation to their mental health. RW stated that DJ has made derogatory comments and, for example, said that labour were the lunatics taking over the asylum. He stated that DJ has also picked on a young student girl in a way that is totally abhorrent.
10. RW stated that he runs a company called Change Plus Limited and works with universities and the NHS. He stated that he had also been elected to the North West Regional Disability Groups which is linked in to the cabinet office. RW stated that DJ had not bothered to check out what he had done and had simply dismissed RW's links to disability groups.
11. SG asked RW why he had contacted DJ about dog fouling, rather than CEBC. RW stated that he is a lay person and does not know the vagaries of who does what within local government. He stated that DJ is his elected town ward councillor and so was his first port of call.
12. RW stated that DJ had said that he had shouted at women in the street and shouted at people on trampolines. He stated that this was bizarre and RW does not have neighbours with trampolines. RW stated that DJ gaslights people he thinks do not fit into his beliefs, values or

motivation. RW stated that he has asked DJ to meet with him face to face but he is not prepared to do that. RW stated that DJ is a keyboard warrior.

13. SG asked RW about claims by DJ but complaints were being coordinated by Councillor Sam Corcoran ("SC"), the leader of CEBC. RW stated that he had never met SC. RW reiterated that he is not a labour party member and is not political. He stated that he feels that neither main party has done anything for people in this country. He stated that when he had saved a hospital in Macclesfield three years ago, he had spoken to SC saying that he wasn't speaking up for mental health. RW stated that he believes DJ is deluded, narcissistic and dangerous.
14. SG stated that DG had stated that RW had sent over a 100 emails to him and his family and had harassed him and his family. RW stated that he had never met DJ's family. He stated that DJ should be able to provide evidence. Is that true? If that is true but it is not. RW stated that he has given a raft of documents to the police and provided a statement. RW stated that DJ is claiming in the press that he has harassed DJ on the telephone. RW stating that he has complained about IPSA about this.
15. RW stated that he can provide his phone records to show that he has not done this. RW stated that the only emails he has sent to DJ have been to his STC address. He stated that DJ never backs up what he claims.
16. RW stated that the police had told him that they might need to speak to him under caution. RW stated that a complaint had been made by another councillor about DJ but DJ had got away with it because the CPS had said that it was tit for tat. RW stated that that is why DJ does this and complains about other people. RW stated that he has never spoken to any of DJ's family members and doesn't know who they are. RW stated that he is willing to produce his phone records and has said that to the police.
17. RW stated that [REDACTED] has a whole portfolio of evidence relating to matters involving DJ. He stated that this includes evidence that a person had threatened to fire bomb him and DJ was linked to that.
18. RW stated that a person called [REDACTED] who is linked to DJ, had also mocked up a photograph of RW in a Nazi uniform. He stated that this was threatening and DJ had commented on it.

19. He stated that DJ had called the mayor a dribbling mayor. RW stated that he plays badminton with the mayor but that doesn't make him a labour party supporter. RW stated that DJ is raising this all because he did not get the role as deputy mayor.
20. RW stated that DJ is paranoid about the labour party but should not assume that everybody supports labour. He states that DJ talks about Marxists all the time but RW does not know any Marxists in Sandbach.

I agree that this is a true and accurate record of the interview and the contents are true to the best of my knowledge and belief

Signed.....

Robert Walker

Dated.....

Sandbach Town Council

Weightmans reference: SIG/W15383/504

Report of an investigation into an allegation concerning the conduct of
Councillor David Jack

SG 5

REFERENCE W15383-504

COMPLAINT ABOUT COUNCILLOR DAVID JACK – SANDBACH TOWN COUNCIL
NOTE OF INTERVIEW WITH COUNCILLOR SAM CORCORAN, 24 MAY 2021

1. The interview was conducted by Simon Goacher, Weightmans LLP ("SG").
2. SG outlined the process that would follow and explained that, although ultimately if the matter reached the Cheshire East Borough Council ("CEBC") Standards Committee, it could decide to hear the evidence in public, the investigation should be treated as confidential. SG explained that if the matter did result in a hearing in public, then a note of this conversation could also be made public.
3. Councillor Corcoran ("SC") confirmed that he is a member of Sandbach Town Council ("the Council"). SC confirmed that he had been a member of the Council since 2007. SC confirmed that he had also been a member of CEBC since 2011 and had been Leader of CEBC since 2019.
4. SC confirmed the contents of the response which he had sent to the CEBC monitoring officer following a complaint against him by Councillor Jack ("DJ"). SC confirmed that the contents of this response were correct and that he wished this to proceed as a complaint that DJ had failed to comply with the Council's code of conduct.
5. SC explained that there is a lot of history behind the complaint. SC stated that he had first met DJ at an election count where DJ had stated that he had fallen out with the Conservative Party on a West Midlands council. SC stated that at that time DJ came across as quite plausible. SC stated that he knows that it is true that DJ did stand for the Conservatives in a West Midland council. He stated that DJ explained that he had moved to Sandbach and since then had a violent altercation with at least one person and there is video of that on Mia Sykes' Facebook page.
6. SC stated that when DJ came onto the Council, he gave him the benefit of the doubt. SC stated that a restraining order had been made against DJ to stop him harassing Cllr Gill Merry and the clerk to the Council. SC stated that DJ had come onto the Council in May 2019 when there had been four candidates for five vacancies. SC stated that DJ had become the chair of the finance committee but fairly soon after he came onto the council issues arose with him. SC stated that as soon as anyone challenges DJ he will attack them. SC stated that if you asked DJ for evidence

of what he is saying, he will just escalate his attack and will never produce any evidence, he just makes allegations which become more extreme. SC stated that the complaints against DJ are not all orchestrated by him.

7. SC explained that the letter which councillors had written to the local newspaper, which had led to DJ's complaint, arose because members of the Council were getting a lot of complaints from members of the public about DJ's behaviour. SC explained that they wanted to make it clear that they did not want to be associated with DJ and did not approve of what he was doing.
8. SC stated that the fact that DJ is claiming that all the complaints are orchestrated by him suggests that DJ has a vendetta against SC. SC stated that he thought this was an example of what is known as Freudian transference.
9. SG stated that DJ had said that Robert Walker ("RW") was in cahoots with SC in putting in complaints against DJ. SC stated that this was not the case. SC stated that he does not know whether RW is a member of the Labour Party. SC stated that RW is certainly not an active member of the Labour Party. SC stated that DJ makes these allegations and it was almost impossible to disprove something. SC stated that he did know that DJ was a Liberal Democrat candidate for Stoke-on-Trent North in the 2010 General Election but stepped down after racist comments were sent from his email account. SC stated that DJ claims that his email had been hacked. SC stated that he had asked DJ for evidence of this; to the only evidence SC had found was a Liberal Democrat blog which mentioned it. SC stated that he had asked for more evidence as DJ had said that there was a police investigation and the Deputy Prime Minister's office had been involved. SC stated that he had said to DJ that there must be something more than this in writing to prove what he is saying but the evidence was not forthcoming. He stated that DJ does not provide the evidence to support the comments that he makes.
10. SC stated that the letter that the councillors had written to the newspaper did not directly accuse DJ of racism. SC stated that others had accused DJ of platforming racism and there were racist comments on Facebook page which DJ was a moderator for.
11. SC stated that a town councillor had suggested that staff should be paid for their use of their homes as an office, an allowance of a few pounds per week. SC stated that DJ had suggested that the staff had asked for this and this led to the staff being attacked on social media. SC

stated that this had been due to be discussed in a personnel committee and was on the agenda as an exempt item so DJ was breaching confidentiality by raising it in the press and also what he was said was incorrect because the proposal came from a town councillor, not from the staff themselves.

12. SC stated that emails from DJ are abusive and the decision had been taken by the mayor to restrict DJ's ability to email staff. SC stated that DJ's emails to him are also abusive.
13. SC stated that he would be astonished if DJ had attended any training on the code. SC stated that DJ had posted a video of him burning a copy of one of the complaints that had been made against him. He stated that DJ sees complaints being made against him under the code of conduct as a badge of honour. SC stated that at the Council's AGM, DJ had said that no allegation had been upheld against him so he was saying that he had not been found guilty of breaching the code but there is also a document which SC has sent to the monitoring officer where DJ has posted a complaint against him stating that he knows that he is breaching the code and there have been several articles in the local papers stating that David Jack has been found guilty of breaching the code".
14. SC stated that he believed that DJ was deliberately escalating things in order to obtain publicity.

I agree that this is a true and accurate record of the interview and the contents are true to the best of my knowledge and belief

Signed S.A.M. CORCORAN

Cllr Sam Corcoran

Dated 11/06/2021

Sandbach Town Council

Weightmans reference: SIG/W15383/504

Report of an investigation into an allegation concerning the conduct of
Councillor David Jack

SG 6

Ref: W15383 504

Complaint about Councillor David Jack – Sandbach Town Council

Note of Interview with Councillor Donal Hegarty – 28 May 2021

1. The interview was conducted by Simon Goacher, Weightmans LLP ("SG").
2. SG outlined the process that would follow and explained that although ultimately if the matter reached the Cheshire East Borough Council ("CEBC") Standards Committee, it could decide to hear the evidence in public, the investigation should be treated as confidential. SG explained that if the matter did result in a hearing in public then a note of this conversation could also be made public.
3. Councillor Hegarty ("DH") confirmed that he is a member of Sandbach Town Council ("the Council"). He stated that he had been a member for just over a year since before the pandemic. He had stated that he had been co-opted on to a vacancy. He said that he is relatively new to Sandbach and has only lived there for five years. He stated he came from Surrey and he had worked for Surrey County Council for 20 years and in local government for 35 years. He stated he came from Surrey and he had worked for Surrey County Council for 20 years and in local government for 35 years. DH stated the Councillor Jack ("DJ") was an eye opener to him. He stated he had never experienced behaviour like that of DJ in his life before. He stated that the more that you respond to DJ, the more he seems to get off on it.
4. DH confirmed the contents of the response which he had sent to the CEBC Monitoring Officer, following a complaint made against him and other Councillors by DJ. DH confirmed that he wished this response to proceed as a complaint that DJ had failed to comply with the council's code of conduct.
5. DH stated that he does not react to DJ or get sucked into this world. DH stated that just that week, DJ had been having a go at staff of the council because it's Business Development Worker had been getting trade into the area, through a Veggie Fayre. DH stated that DJ had gone on to the Sarcastic Society Facebook page, saying that this boiled his piss, and asking when we stopped liking meat and comments such as that.
6. DH stated that two members of staff of the council had complained about this sort of thing by DJ. He stated that DJ has an obnoxious way with words but if you respond to him, he just gets more vile.
7. DH stated that he had never spoken to DJ and had only met him on the night that he had been co-opted. DH stated the DJ calls him "Doughnut" and makes reference to his intelligence, stating that he is stupid. DH stated that he believes he is more intelligent than DJ from the way he acts and responds. DH stated that DJ does not get the concept that they should be working together for the benefit of Sandbach. He stated that DJ has an obsession about Labour and the Labour Party.

8. SG stated that others had suggested that DJ calling him Doughnut was in some way a reference to his Irish Heritage and was discriminatory. DH stated that he did not read anything like that into it. He stated that he believed that it related to his lack of hair and then DJ had responded it was not his lack of hair but his lack of intelligence. DH stated that DJ had put this in emails and at the Council. DH stated that DJ called this normal banter but there is no respect shown by DJ.
9. DH stated that he took offence to DJ calling him a "pisshead". He stated that DJ had posted a video of drunken golfer, staggering behind a golf trolley, saying that this is what DH's friends thought of him. DH stated that probably DJ thinks because he is Irish, he must drink, but he stated that DJ does not know him. DH stated that he plays golf but he does not go out to get drunk. DH stated that he did not know where it came from, it was an unsolicited attack by DJ. DH stated that DJ will have a pop at anyone who has a Labour label in terms of who they represent.
10. DH stated that DJ had been Chair of a subcommittee for promoting the use of a small communal area of the town. DH explained that he had been voted in as Chair and that led to DJ having a pop at him to undermine his credibility.
11. SG stated that DJ had suggested there was a conspiracy against him, coordinated by Councillor Sam Corcoran and Labour. DH stated that this is total nonsense. He stated that this was DJ's standard response to everything and it has to be his way or no way.
12. DH stated that he is a Labour supporter but it is a broad church. DH stated that he is a sensible person with good life experience in local government and has worked in a number of different places. He stated that there was no conspiracy and he was doing this to give something back to the community he lived in. DH explained that he had worked in social care and so he worked with dementia friendly Sandbach. DH stated that he did not see why he should get slagged off by DJ for doing this. He stated that for him, it is about achieving things, not talking about it and he did not feed into DJ's nonsense. DH stated that he is not a friend of SC or part of any cabal.

I agree that this is a true and accurate record of the interview and the contents are true to the best of my knowledge and belief

Signed
Cllr Donal Hegarty

Dated 12th June 2021

Sandbach Town Council

Weightmans reference: SIG/W15383/504

Report of an investigation into an allegation concerning the conduct of
Councillor David Jack

SG 7

Ref: W15383 504

Complaint about Councillor David Jack – Sandbach Town Council

Note of Interview with Councillor Alan Smith – 25 May 2021

1. The interview was conducted by Simon Goacher, Weightmans LLP ("SG").
2. SG outlined the process that would follow and explained that although ultimately if the matter reached the Cheshire East Borough Council ("CEBC") Standards Committee, it could decide to hear the evidence in public, the investigation should be treated as confidential. SG explained that if the matter did result in a hearing in public then a note of this conversation could also be made public.
3. Councillor Smith ("AS") confirmed that he is a member of Sandbach Town Council ("the Council"). AS explained that he had been a member of STC since 2015 (except for a 3 months period in 2019). AS confirmed that he had submitted a response to the monitoring officer of CEBC to a complaint which had been made against him by Councillor Jack ("DJ"). AS confirmed that the contents of that response were correct and that he wished that to be treated as a complaint that DJ had failed to comply with STC's code of conduct.
4. AS explained that the Council had received a number of complaints from members of the public about DJ's behaviour and a number of people were asking them to kick DJ off the Council but the Council did not have the power to do that. AS stated that he thought that people thought they were being soft on DJ. He stated that DJ had upset members of the public and staff and some people were fearful of him.
5. AS stated that he had other emails from staff which he did not include with his response because he had not asked for their permission. He stated that the only one which was included was the one from the Acting Clerk at the time, [REDACTED] because that was already in the public domain. He stated that another member of staff felt their stress levels soaring because of DJ's public comments about the staff. He stated that staff had also told him that they were fearful of DJ because DJ had said what he had done to people who caused him problems before. He stated that this member of staff had sent an email to all councillors except for DJ but he was not sure whether he should include this in his response.
6. AS explained that they had taken advice from the Cheshire Association of Local Councils ("ChALC"). He stated that ChALC had advised that STC had a duty of care to its staff so they blocked DJ's email access to staff.
7. AS stated that DJ has also insulted various councillors. AS stated that for example DJ keeps calling Councillor Hegarty doughnut and says that he has a low IQ. AS stated that he felt that this was a racist trope against Irish heritage.

8. AS stated that DJ has also insulted Robert Walker who is a member of the North West Disability Group, a group which stands up for disabled people. AS stated that DJ has called him a mental case and an utter cretin.
9. AS stated that DJ has also called Councillor Corcoran autistic.
10. AS stated that what was sent in in response to a complaint was just the tip of the iceberg. He stated that there all sorts of stuff which DJ has put on social media. AS stated that DJ used to run the Sandbach Sarcastic Society Facebook page which was full of racist comments including a photo of Ku Klux Klan outfit. He stated that last time he looked at the DJ's Facebook page site that was still on there
11. He stated that DJ had called him a "pisshead". AS stated that DJ has a thing about the Labour Group. He stated that DJ had put in an email that the Labour Group was a complete an utter joke and said that if it was war that it wanted then that is what it would get. He stated that DJ had wanted to discuss a confidential item at a meeting in public and when AS had said that he could not DJ left calling him an arsehole and then put it on the internet. He stated that the letter of complaint about David Jack's behaviour that some Labour Councillor'st thad written to the local newspaper was not bullying (as DJ claimed) it was calm and measured.
12. SG asked AS about claims by DJ that the complaints were orchestrated by SC and the Labour Group. AS stated that they originally supported DJ to be Chair of the Finance Committee but because of the way he acted DJ had been replaced. AS stated that there is a Labour majority on SCT. AS stated that they have never called DJ names all they had done was called out his bad behaviour.
13. AS stated that his personal view is that DJ likes the drama and likes to be at the centre of things. He stated that it was not just the Labour Group that has fallen out with DJ staff, members of the public and councillor's from other parties have as well. AS stated that this was quite unprecedented. He stated that he had been a councillor previously in his early thirties as well and could never remember anything like DJ's behaviour. He stated that it is not a political disagreement it is just personal abuse from DJ
14. AS stated that the effect on the staff has been worse than on the councillors. He stated that there are others who SG might want to interview in respect of the complaint. He referred to [REDACTED] the Deputy Clerk, [REDACTED] the Events Officer and [REDACTED] an Admin Assistant. He stated that SG may also want to interview the Mayor Geraint Price Jones who has been more

involved in the staffing issues.

I agree that this is a true and accurate record of the interview and the contents are true to the best of my knowledge and belief

Signed.....

Cllr Alan Smith

Dated.....

Sandbach Town Council

Weightmans reference: SIG/W15383/504

Report of an investigation into an allegation concerning the conduct of
Councillor David Jack

SG 8

W15383-504

Complaint about Councillor David Jack – Sandbach Town Council

Note of Interview with Councillor Jack, 4 May 2021

- 1 The interview was conducted by Simon Goacher, Weightmans LLP ("SG").
- 2 SG outlined the process that would follow and explained that, although ultimately if the matter reached the Cheshire East Borough Council ("CEBC") Standards Committee, it could decide to hear the evidence in public, the investigation should be treated as confidential. SG explained that if the matter was heard in public the note of this conversation could also be made public.
- 3 Councillor Jack (DJ) confirmed that he is a member of Sandbach Town Council ("STC"). He confirmed that he has been a member of STC since May 2019. He stated that he had been involved in local politics for 32 years and had been a local councillor elsewhere. He confirmed that he had attended council training sessions and was very aware of what is and is not acceptable under the Code of Conduct.
- 4 SG explained that he was investigating a complaint which had been made to the monitoring officer of CEBC by Mia Sykes ("MS") about DJ filming her and another person at a STC meeting without her consent and then placing that on YouTube and also in relation to comments which he had made on Facebook.
- 5 DJ stated that he had no confidence in the process. He stated that Sam Corcoran ("SC") the leader of CEBC runs a cult in CEBC and uses every weapon to attack his political opponents who are fed by him and organised by him. DJ stated that he had been attacked on social media for something that he didn't write, didn't see and didn't comment on solely because he was a member of a Facebook page. He stated that solely based on a screenshot of that post the CEBC monitoring officer had deemed him racist.
- 6 DJ stated that he had been awarded the status of an honorary Sikh as a result of the work that he had done on race relations. He stated that he is not a racist. He stated that 84 complaints had been made to CEBC which had been orchestrated by SC. He stated that they had demanded that he went on his knee and apologised. He stated that he had been targeted and his family had been targeted, including his daughter and his mother.
- 7 He stated that people had complained that he had published their address. He stated that they had written an open letter to the Mayor of STC with their addresses on so they had already put it into the public domain. He stated that they also had targeted his supporters and friends.
- 8 DJ stated that there are two ongoing police investigations into the people who are harassing him. He stated that MS has used language in the past such as '*Fuck the Tories*'. He stated that she says that she is afraid but she does not live in the area, she does not live in Sandbach. He stated that she and others have caused chaos and he will not apologise to them. He stated that

18 minutes of a STC meeting had been handed over to them and they had vilified him and he has not been allowed to respond.

- 9 He stated that the meeting that the complaint related to had been recorded by him and by STC. He stated that others have also recorded him. He stated that the law allows him to record council meetings and that there is no breach of the code of conduct in doing so.
- 10 He stated that at the time the complaint was made the acting monitoring officer of CEBC was a former labour councillor and portfolio holder at either Bury or Bolton Council. He stated that the acting monitoring officer had also been an active member of Black Lives Matter ("BLM"). He stated that this was being driven by BLM which is a Marxist Anarchist Organisation. He stated that the complaints have been made against him because he had embarrassed the autistic labour leader of CEBC and SC has used this with his cult to attack DJ. DJ stated that he had responded full throttle and attacked the cult and that is local politics. He stated that he would not be apologising or withdrawing anything which he had said.
- 11 He stated that the meeting referred to of STC was a public meeting held on Zoom and was recorded and placed on the STC website. He stated that the legislation on recording meetings is very clear and there is nothing to prevent recording.
- 12 SG asked DJ about the comments on Facebook. DJ stated that there had been 18 minutes of him being vilified in a public meeting and he had been muted and switched off and could not respond so he had said what he wanted to on Facebook. He stated that there had been an article in response attacking him so he went to social media because it was his only avenue of responding to the untrue allegations against him. He stated that this needed to be measured and gauged against the attacks made on him.
- 13 DJ stated there had been a member of the public from Louisiana on the Zoom meeting saying they were afraid to come to Cheshire because it is more racist than the deep south of America. He stated that MS had put things on social media like *'Fuck the Tories'* and *'Fuck David Jack'*. He stated that MS does have mental health issues which she has publicised herself. He stated that if MS attacks him for being racist without foundation then she should expect it back. DJ stated that frankly given what he has put up with he has bitten his tongue in terms of his response.
- 14 DJ stated that he has passed 100 messages to the police including ones threatening him and his daughter which have been made by this group and which they triggered. He stated that they have published his address on every BLM site in the country and brought Antifa into the town. DJ stated that he had a police officer on his door because of threats made to him and his family. He stated that MS thinks she can fire all the bullets and then complains when he retaliates. He stated that one person has been cautioned about all of this.

- 15 He stated that he is a volunteer councillor working for STC to make Sandbach a better place. He stated that the complainants are not ordinary members of the public they are members of the labour party and BLM, a Marxist Left Wing Organisation.

I agree that this is a true and accurate record of the interview and the contents are true to the best of my knowledge and belief

Signed.....

Cllr David Jack

Dated.....

Sandbach Town Council

Weightmans reference: SIG/W15383/504

Report of an investigation into an allegation concerning the conduct of
Councillor David Jack

SG 9

Simon Goacher

From: David Jack [REDACTED]
Sent: 12 May 2021 16:52
To: Simon Goacher
Subject: Re: Note of Interview

Sensitivity: Confidential

DOCID: 33133061

This message originated from outside our organisation and was sent to Simon Goacher. The sender name was [REDACTED] and the sender's email address was [REDACTED]

I agree with the contents of the statement and am happy for it to go to the monitoring officer.

However let me remind you that cec and the standards committee have no power to intervene with a police investigation.

They have no statutory powers and are not party to the criminal proceedings that may arise.

Sam cocoran and Kathryn flaval reported openly in council last Thursday that this complaint was being investigated.

It is my contention that they have fettered this complaint and continue to do so by publicly commenting on it.

I have no faith in any fair hearing and as such will play no further role in jumping through hoops for this process.

I supplied all of the screen shots to the monitoring officer previously.

Regards
David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward

[REDACTED]

From: Simon Goacher [REDACTED]
Sent: Wednesday, May 12, 2021 4:39:28 PM
To: David Jack [REDACTED]
Subject: Note of Interview

Dear Cllr Jack

As promised I attach the note of my interview with you.

If there is anything which you would like to amend please let me know. You can do that either by telephoning me to discuss any changes, emailing me with details of the changes or by making them

directly to the document and returning it to me. If you makes the changes directly to the document I would be grateful if you could use the track changes facility.

If you are happy with the document please sign the note and return them to me. I am happy for a signature to be done electronically.

I would be grateful if you could send me copies of any threatening messages/emails/social media posts from Ms Sykes which you have.

You also mentioned that a [REDACTED] was dealing with this. I would be grateful if you could provide me with their contact details and also any correspondence which you have had with the police about the issues you mentioned to me.

I would also be grateful if you could provide me with full details of the information which you have about the police caution issued which you referred to and anything you have in writing about that from the police.

I look forward to hearing from you.

Yours sincerely,

Simon Goacher
Partner
Weightmans LLP



Tel: [REDACTED]

DDI: [REDACTED]

[REDACTED]

<https://www.weightmans.com>

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Please note that with effect from 1 June 2020 we will no longer accept service by DX

Please note that in light of the current situation with the Covid-19 virus, the majority of Weightmans' staff are now working remotely. Accordingly, other than where it is unavoidable, please ensure that all correspondence is now sent by email as hard copy post may not reach the intended recipient. We will accept service of proceedings electronically if proceedings are sent to [REDACTED]

Please consider our environment; do you need to print this message?

Sandbach Town Council

Weightmans reference: SIG/W15383/504

Report of an investigation into an allegation concerning the conduct of
Councillor David Jack

SG 10

Simon Goacher

From: David Jack [REDACTED]
Sent: 12 May 2021 16:52
To: Simon Goacher
Subject: Re: Note of Interview

Sensitivity: Confidential

DOCID: 33133061

This message originated from outside our organisation and was sent to Simon Goacher. The sender name was [REDACTED] and the sender's email address was [REDACTED]

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I supplied all of the screen shots to the monitoring officer previously.

Regards
David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward

[REDACTED]

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To: David Jack [REDACTED]
Subject: Note of Interview

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Sandbach Town Council

Weightmans reference: SIG/W15383/504

Report of an investigation into an allegation concerning the conduct of
Councillor David Jack

SG 11

Simon Goacher

From: David Jack [REDACTED]
Sent: 13 May 2021 09:29
To: Simon Goacher
Subject: Re: Note of Interview

Sensitivity: Confidential

DOCID: 33133800

This message originated from outside our organisation and was sent to Simon Goacher. The sender name was [REDACTED] and the sender's email address was [REDACTED]

I have no confidence that Sam cocoran won't interfere and fetter ay police investigation..

He has already attempted to interfere in an investigation and has been undermining the process from day one.

He has already briefed committee members on me and told them how to vote.

You really don't understand how corrupt he is.

Regards
David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward

[REDACTED]

From: Simon Goacher [REDACTED]
Sent: Thursday, May 13, 2021 9:13:55 AM
To: David Jack [REDACTED]
Subject: RE: Note of Interview

Cllr Jack

Thank you for your prompt response.

You are of course right that the police investigation and its conclusions are separate from any standards complaint. They are governed by different legal frameworks and different standards of proof apply.

The purpose of asking for the information about the police, and I assume your reason for mentioning it, is that evidence held by the police may be relevant to the standards investigation and vice versa. I have conducted many standards complaints where there have been parallel but separate police investigations. This was the reason why I asked for the details of the police issues which you raised with me so that I can fully explore any relevant evidence held by the police. If you do not supply with any then I

will, of course be unable to verify the position regarding any police investigation and any consideration I may give to it in respect of the complaint is likely to be limited as a result.

Therefore, I would be grateful if you could provide me with the information requested which relates to issues which you have raised as being relevant.

Yours sincerely,

Simon Goacher
Partner
Weightmans LLP



Tel: [REDACTED]

DDI: [REDACTED]

[REDACTED]

<https://www.weightmans.com>

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LEGALINK
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From: David Jack [REDACTED]

Sent: 12 May 2021 16:52

To: Simon Goacher [REDACTED]

Subject: Re: Note of Interview

Sensitivity: Confidential

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Sam cocoran and Kathryn flaval reported openly in council last Thursday that this complaint was being investigated.

It is my contention that they have fettered this complaint and continue to do so by publicly commenting on it.

I have no faith in any fair hearing and as such will play no further role in jumping through hoops for this process.

Sandbach Town Council

Weightmans reference: SIG/W15383/504

Report of an investigation into an allegation concerning the
conduct of Councillor David Jack

SG 12

Simon Goacher

From: David Jack [REDACTED]
Sent: 13 May 2021 09:29
To: Simon Goacher
Subject: Re: Note of Interview

Sensitivity: Confidential

DOCID: 33133800

This message originated from outside our organisation and was sent to Simon Goacher. The sender name was [REDACTED] and the sender's email address was [REDACTED]

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He has already briefed committee members on me and told them how to vote.

You really don't understand how corrupt he is.

Regards
David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward

From: Simon Goacher [REDACTED]
Sent: Thursday, May 13, 2021 9:13:55 AM
To: David Jack [REDACTED]
Subject: RE: Note of Interview

Cllr Jack

Thank you for your prompt response.

You are of course right that the police investigation and its conclusions are separate from any standards complaint. They are governed by different legal frameworks and different standards of proof apply.

The purpose of asking for the information about the police, and I assume your reason for mentioning it, is that evidence held by the police may be relevant to the standards investigation and vice versa. I have conducted many standards complaints where there have been parallel but separate police investigations. This was the reason why I asked for the details of the police issues which you raised with me so that I can fully explore any relevant evidence held by the police. If you do not supply with any then I

Sandbach Town Council

Weightmans reference: SIG/W15383/504

Report of an investigation into an allegation concerning the
conduct of Councillor David Jack

SG 13

Simon Goacher

From: Simon Goacher
Sent: 13 May 2021 09:33
To: David Jack
Subject: RE: Note of Interview

Sensitivity: Confidential

DOCID: 33133897
SENTON: 13/05/2021 09:32:38

Dear Cllr Jack

Thank you for your email.

On the basis that you are unwilling to supply me with any details of the police investigation to which you referred in your interview I will proceed to produce my reports based on the evidence available to me.

Yours sincerely,

Simon Goacher
Partner
Weightmans LLP



Tel: [REDACTED]

DDI: [REDACTED]

[REDACTED]

<https://www.weightmans.com>

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LEGALINK
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From: David Jack [REDACTED]

Sent: 13 May 2021 09:29

To: Simon Goacher [REDACTED]

Subject: Re: Note of Interview

Sensitivity: Confidential

This message originated from outside our organisation and was sent to Simon Goacher. The sender name was [REDACTED] and the sender's email address was [REDACTED]

Sandbach Town Council

Weightmans reference: SIG/W15383/504

Report of an investigation into an allegation concerning the
conduct of Councillor David Jack

SG 14

Weightmans

Tel: [REDACTED]

DDI: [REDACTED]
[REDACTED]

<https://www.weightmans.com>

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LEGALINK
INTERNATIONAL BUT PERSONAL

From: David Jack [REDACTED]

Sent: 28 May 2021 18:16

To: Simon Goacher [REDACTED]

Subject: Re: Complaints against you

Sensitivity: Confidential

This message originated from outside our organisation and was sent to Simon Goacher. The sender name was [REDACTED] and the sender's email address was [REDACTED]

No. Enough is enough.

This is a witch hunt and the monitoring officer has refused to speak to me or assist me.

I will not submit to this constant barrage of bullying and intimidation.

I have a meeting on Tuesday morning with Cheshire police to take things further against several of these people.

In any event the monitoring officer has absolutely no powers to remove me From council. Therefore is a meangless process.

I am a busy working professional Who gives up his time voluntarily, I will devote any more time to a broken and corrupt standards system.

Regards
David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward
[REDACTED]

From: Simon Goacher [REDACTED]

Sent: Friday, May 28, 2021 5:03:07 PM

To: David Jack [REDACTED]

Subject: Complaints against you

Sandbach Town Council

Weightmans reference: SIG/W15383/504

Report of an investigation into an allegation concerning the
conduct of Councillor David Jack

SG 15

Simon Goacher

From: David Jack [REDACTED]
Sent: 02 June 2021 20:17
To: Simon Goacher
Subject: Re: Complaints against you

DOCID: 33533709

This message originated from outside our organisation and was sent to Simon Goacher. The sender name was [REDACTED] and the sender's email address was [REDACTED]

Like I said. It's a fettered and corrupt process with no purpose other than to belittle and humiliate and intimidate me.

I have withdrawn my consent to be held by any part of the voluntary code of conduct.

Regards
David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward
[REDACTED]

From: Simon Goacher [REDACTED]
Sent: Tuesday, June 1, 2021 9:08:55 AM
To: David Jack [REDACTED]
Subject: RE: Complaints against you

Dear Cllr Jack

Thank you for your email.

I note that that you do not want to be interviewed in respect of either of the complaints by Mr Walker or Cllrs Corcoran, Hegarty and Smith. If you have any evidence you wish to submit in respect of these complaints I would be grateful if you could submit them by no later than 5.00pm on Monday 8 June. If you do not submit any I will proceed to write my draft reports based on the evidence available.

Yours sincerely,

Simon Goacher
Partner
Weightmans LLP

Sandbach Town Council

Weightmans reference: SIG/W15383/504

Report of an investigation into an allegation concerning the
conduct of Councillor David Jack

SG 16

Simon Goacher

From: David Jack [REDACTED]
Sent: 02 June 2021 20:17
To: Simon Goacher
Subject: Re: Complaints against you

DOCID: 33533709

This message originated from outside our organisation and was sent to Simon Goacher. The sender name was [REDACTED] and the sender's email address was [REDACTED]

Like I said. It's a fettered and corrupt process with no purpose other than to belittle and humiliate and intimidate me.

I have withdrawn my consent to be held by any part of the voluntary code of conduct.

Regards
David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward

[REDACTED]

From: Simon Goacher [REDACTED]
Sent: Tuesday, June 1, 2021 9:08:55 AM
To: David Jack [REDACTED]
Subject: RE: Complaints against you

Dear Cllr Jack

Thank you for your email.

I note that that you do not want to be interviewed in respect of either of the complaints by Mr Walker or Cllrs Corcoran, Hegarty and Smith. If you have any evidence you wish to submit in respect of these complaints I would be grateful if you could submit them by no later than 5.00pm on Monday 8 June. If you do not submit any I will proceed to write my draft reports based on the evidence available.

Yours sincerely,

Simon Goacher
Partner
Weightmans LLP

Sandbach Town Council

Weightmans reference: SIG/W15383/504

Report of an investigation into an allegation concerning the
conduct of Councillor David Jack

SG 17

Simon Goacher

From: Simon Goacher
Sent: 10 June 2021 15:02
To: Robert Walker
Subject: RE: Cheshire Constabulary

DOCID: 33698110
SENTON: 10/06/2021 15:01:51

Dear Mr Walker

Thank you for your email.

Do you have anything in writing from the police to confirm this? If so I would be grateful if you could provide me with a copy.

If you do not have anything in writing from the police it would be very helpful if you could ask them to confirm this in writing and then provide me with a copy.

Yours sincerely

Simon Goacher
Partner
Weightmans LLP



Tel: [REDACTED]

DDI: [REDACTED]

<https://www.weightmans.com>

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LEGALINK
INTERNATIONAL BUT PERSONAL

From: Robert Walker [REDACTED]
Sent: 10 June 2021 13:49
To: Monitoring Officer CEC [REDACTED] Simon Goacher
[REDACTED]
Subject: Cheshire Constabulary

This message originated from outside our organisation and was sent to Simon Goacher. The sender name was [REDACTED] and the sender's email address was [REDACTED]

Dear Sirs

Having just come from a meeting with Cheshire Constabulary that have confirmed that Councillor Jacks allegations of harassment towards him are false and without foundation. [REDACTED] and Community PCO [REDACTED] were interviewed

No evidence was provided that as claimed i harassed him and his family via email and certainly not over 80 times as claimed. No phone records were provided By Jack but mine were made available.

I do feel i believe that this was possible an attempt to waste Police time and once again slander my good name including in the press. I believe Jack has a track record of slandering people that he can not relate to in any shape or form. This i believe includes the disabled, women, BME etc basically anybody that questions his odd belief systems.

I trust that these factors will be taken into account in your investigations, public enquiry and any subsequent reporting

Sandbach Town Council

Weightmans reference: SIG/W15383/504

Report of an investigation into an allegation concerning the
conduct of Councillor David Jack

SG 18

Simon Goacher

From: Simon Goacher
Sent: 10 June 2021 15:02
To: Robert Walker
Subject: RE: Cheshire Constabulary

DOCID: 33698110
SENTON: 10/06/2021 15:01:51

Dear Mr Walker

Thank you for your email.

Do you have anything in writing from the police to confirm this? If so I would be grateful if you could provide me with a copy.

If you do not have anything in writing from the police it would be very helpful if you could ask them to confirm this in writing and then provide me with a copy.

Yours sincerely

Simon Goacher
Partner
Weightmans LLP



Tel: [REDACTED]

DDI: [REDACTED]

[REDACTED]

<https://www.weightmans.com>

126 specialism rankings and 363 individual rankings in Chambers and Legal 500



INSURANCE LAW
GLOBAL



LEGALINK
INTERNATIONAL BUT PERSONAL

From: Robert Walker [REDACTED]
Sent: 10 June 2021 13:49
To: Monitoring Officer CEC [REDACTED] Simon Goacher
[REDACTED]
Subject: Cheshire Constabulary

This message originated from outside our organisation and was sent to Simon Goacher. The sender name was [REDACTED] and the sender's email address was [REDACTED]

Sandbach Town Council

Weightmans reference: SIG/W15383/504

Report of an investigation into an allegation concerning the
conduct of Councillor David Jack

SG 19

Simon Goacher

From: Robert Walker [REDACTED]
Sent: 10 June 2021 15:14
To: Simon Goacher
Cc: [REDACTED]
Subject: Re: Cheshire Constabulary

DOCID: 33699118

This message originated from outside our organisation and was sent to Simon Goacher. The sender name was [REDACTED] and the sender's email address was [REDACTED]

I will pass this request onto [REDACTED] straight away by way of this reply email.

[REDACTED] Please furnish Simon Goacher with the information that he has requested

Robert Walker

On Thu, 10 Jun 2021 at 15:02, Simon Goacher [REDACTED] wrote:

Dear Mr Walker

Thank you for your email.

Do you have anything in writing from the police to confirm this? If so I would be grateful if you could provide me with a copy.

If you do not have anything in writing from the police it would be very helpful if you could ask them to confirm this in writing and then provide me with a copy.

Yours sincerely

Simon Goacher
Partner

Weightmans LLP

Sandbach Town Council

Weightmans reference: SIG/W15383/504

Report of an investigation into an allegation concerning the
conduct of Councillor David Jack

SG 20

Dear Mr Walker

I have been asked by a Cheshire East appointed firm of Solicitors, Weightmans, to resend the data provided to you under three separate Subject Access Requests. Please find attached three emails (in original format), with the relevant information attached.

If you have any difficulties, please let me know.

Regards

[REDACTED]

Town Clerk

Sandbach Town Council

Sandbach Town Hall

Sandbach

Cheshire

CW11 1AX

Tel: [REDACTED]

Mobile: [REDACTED]

Web: [REDACTED]

Simon Goacher

From: [REDACTED]
Sent: 19 March 2021 10:58
To: Robert Walker
Cc: Geraint Price Jones
Subject: SAR
Attachments: Letter 19.3.21.pdf; Scan 14 email.pdf

Dear Mr Walker

Please find attached letter and information relating to your most recent Subject Access Request. The search range generated 14 emails to you.

Regards

[REDACTED]

Town Clerk
Sandbach Town Council
Sandbach Town Hall
Sandbach
Cheshire
CW11 1AX

Tel: [REDACTED]
Mobile: [REDACTED]
Web: [REDACTED]



Sandbach Town Council



Mr R Walker, by email

19 March 2021

Dear Mr Walker

Re Subject Access Request

Thank you for your email request received 13 March 2021 and subsequent clarification email on 17 March 2021, making a data Subject Access Request (SAR) for:-

From: [REDACTED]

To: [REDACTED]

Date range from 1.5.19 to 17.3.21

I am pleased to enclose the information you requested. I have removed any obvious duplicate information that I noticed as I processed your request.

Copyright in the information you have been given belongs to Sandbach Town Council. Copyright material must not be copied, distributed, modified, reproduced, transmitted, published (including published on the Internet or an intranet), or otherwise made available in whole or in part without the prior written consent of the copyright holder.

Data subject rights and right to complain

If the information we hold about you is inaccurate and you would like us to rectify it, please let us know. In certain circumstances you can also ask us to erase the information or restrict the use of the information. You can also object to how your information is being used. If you contact us, please explain the reason for your request for erasure or restriction or for your objection.

If you are dissatisfied with this response, please let us know so that we can address any concerns. You may also complain to the UK Information Commissioner's Office. Information on how to do this is available at ico.org.uk

Yours sincerely

[REDACTED]

Town Clerk ~ Sandbach Town Council

[REDACTED]

██████████

From: David Jack
Sent: 23 June 2020 13:04
To: Robert Walker; WOODROW-HIRST, Laura
Subject: Re: Vandalism

██████████ could you please keep me updated as to the progress with new signage please.

Could you also raise the issue of dog wardens spot checking the area and educating users of their responsibilities.

①

For far too long Mr walker has been shouting about thsi issue and it has been falling on deaf ears. He has at times , been the sole voice for the community. His efforts should be commended not dismissed.

I look forward to the issue being finally taken seriously.

Regards
David jack

[REDACTED]

From: David Jack
Sent: 18 October 2020 10:29
To: Monitoring Officer CEC; Robert Walker
Subject: Re: Tweet from Laura Smith [REDACTED]

Clearly the woke wettness is infectious and simple words are twisted and portrayed as something else.

It's about time this harassment by the left was brought to task and stopped.

I'm sick and tired of these people including Robert Walker who has serious mental issues attacking my name without fact or foundation.

2 They don't like it when I retaliate and think I have to cow down to people who don't even live in our town.

I invite you to involve the police. I have nothing to hide but their continual course of action will certainly have to be answered.

Regards
David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward

[REDACTED]

[REDACTED]

From: David Jack
Sent: 30 November 2020 14:38
To: Geraint Price Jones; Robert Walker
Cc: CORCORAN, Sam (Leader of Cheshire East Council); BENSON, Mike (Councillor); [REDACTED]
Subject: Re: Free Tree Packs Application Form - Woodland Trust

3
I think you will find the hanging baskets had nothing to do with geriant and as for me living in a council property, do you have a problem with that?

Regards
David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward
[REDACTED]

[REDACTED]

From: David Jack
Sent: 18 January 2021 11:25
To: Robert Walker
Subject: Re: Fwd:

So the number of women, including your neighbour and their daughter, are all liars then?

You are a dangerous deluded nut job who needs sectioning.

X Everyone locally knows who you are.

Now jog on and play your games else where with your dribbling mate price Jones.

Regards
David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward

[REDACTED]

On Mon, 18 Jan 2021 at 11:16, David Jack [REDACTED] wrote:
Go play your games elsewhere dickhead.

5 Remind me how many times the police have had to speak to you about your violent approach to women in the street.

Regards
David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward

[REDACTED]

On Mon, 18 Jan 2021 at 11:06, David Jack [REDACTED] wrote:
I see you are all triggered again.

Why don't you go chase buses for a past time instead of pestering me when your mind plays up.

6
Regards
David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward
[REDACTED]

[REDACTED]

From: David Jack
Sent: 18 January 2021 14:11
To: Robert Walker
Subject: Re: Re:

Shut the fuck up and annoy someone else.

1
Regards
David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward

[REDACTED]

On Mon, 18 Jan 2021 at 13:59, David Jack [REDACTED] wrote:
I shall not be replying to any more of your stupid, wild, looney emails any further.

Dont waste your time contacting me any further.

8
Regards
David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward
[REDACTED]

From: Robert Walker [REDACTED]
Sent: Monday, January 18, 2021 1:51:30 PM

On Mon, 18 Jan 2021, 13:19 David Jack, [REDACTED] wrote:
Why don't you ask Peter what he thinks directly instead of playing games.

9 Im Sure he will confirm what a vile and nasty piece of work you have been towards many women in this town.
I've taken the liberty to copy him in on the emails.

On Mon, 18 Jan 2021, 13:03 David Jack, [REDACTED] wrote:
How about get yourself booked in to a therapist or gp and get some medication and counselling. You clearly need it.

10 Regards
David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward
[REDACTED]

[REDACTED]

From: David Jack
Sent: 18 January 2021 15:56
To: 'Robert Walker'; The Laptop Shop Peter Critton
Subject: Re: In an period of uncertainty....

Didn't copy me in on anything..... Must have something to hide.

Regards
David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward

[REDACTED]

From: David Jack [REDACTED]
Sent: 18 January 2021 13:19
To: Robert Walker [REDACTED]
Subject: Re: Re:

12

Why don't you ask Peter what he thinks directly instead of playing games.

Im Sure he will confirm what a vile and nasty piece of work you have been towards many women in this town.

I've taken the liberty to copy him in on the emails.

From: Robert Walker [REDACTED]
Sent: Monday, January 18, 2021 1:09:43 PM
To: David Jack [REDACTED]
Subject: Re:

Let me know when your free, take care

On Mon, 18 Jan 2021, 13:03 David Jack, [REDACTED] wrote:

How about get yourself booked in to a therapist or gp and get some medication and counselling. You clearly need it.

Regards
David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward

[REDACTED]

From: Robert Walker [REDACTED]
Sent: Monday, January 18, 2021 12:45:22 PM
To: David Jack [REDACTED]

[REDACTED]

From: David Jack
Sent: 22 February 2021 12:38
To: [REDACTED] [REDACTED] [REDACTED] Robert Walker
Cc: Geraint Price Jones; Richard Hoffmann; CRANE, Laura (Councillor); Gill Merry; Sandra Broad; [REDACTED] Steven Crane; [REDACTED] Donal Hegarty; BENSON, Mike (Councillor); CORCORAN, Sam (Leader of Cheshire East Council)
Subject: Re: Subject Access Request (SAR)

Mr walker

How dare you even mention the events of [REDACTED] [REDACTED] and the house fire.

You utter scum bag. You had no involvement in that matter and I am disgusted by your comments.

14 You are a filthy liar and suffering either severe mental health issues or are a disgusting human piece of filth who thinks they can comment as they see fit with no consequences.

You have repeatedly been told by the police not to continue to contact me.

Clearly you think this advice from them not of concern. You can now suffer the consequences of your ongoing behaviour.

Regards
David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward

[REDACTED]

Simon Goacher

From: [REDACTED]
Sent: 02 March 2021 09:36
To: Robert Walker
Cc: Geraint Price Jones
Subject: RE: FW: Subject Access Request (SAR)
Attachments: Letter 2.3.21.pdf; Email Find 2.3.21.pdf

Dear Mr Walker

I have asked our IT section to do a complete search of all emails as requested within your SAR. Having reviewed the findings of the search, I can confirm that there are duplications, with the same email being sent to and between multiple recipients. There were two email chains that were detailed, headed:

- Be prepared for the Big Planning Shake-up and
- Free Tree Packs Application Form

After reviewing all exchanges, the outcome is that there is 1 email, that you have not previously seen.

Attached

1. Covering letter.
2. Document containing 1 email as referenced above.

If you are unhappy with the data provided, there is a process to be followed which can be found on the information commissioners website.

Regards

[REDACTED]

Town Clerk
Sandbach Town Council

[REDACTED]

Tel: [REDACTED]
Mobile: [REDACTED]
Web: [REDACTED]



From: Robert Walker [REDACTED]
Sent: 24 February 2021 12:15
To: [REDACTED]
Subject: Re: FW: Subject Access Request (SAR)

Rob Walker Robert Walker dated range is fine

On Wed, 24 Feb 2021 at 12:12, Robert Walker [REDACTED] wrote:

Sorry [REDACTED] you have lost me. I have i believe asked you via email communication if you could kindly provide via SAR/FOI any email exchanges replying to the emails that you sent me recently.

You will not that Jack states that Hoffman referred to me as a nutter and this is why further evidence is required.

Now moving on if i may to last night meeting. Donal Hegarty and man to whom i have te utmost request suggested i attend the event because after my fist experience i was somewhat disillusioned. Unfortunately yet again i was left feeling marginalized and cut off in my prime. Mrs Merry is claiming that it was our good self that did so, it is all rathe odd as she claims not t have noticed my hand up on several occasions, i did note that once again she noticed [REDACTED] hand up allowing him to take precedence. We had one participant that took nearly 5 minutes at introduction reeling off a list of ideas almost like a play list. I believe Donal eluded to this fact.

I also noticed that yo has at your disposal an STC Host who surely could have observed the dynamic of the meeting. Laura Crane certainly did and she kindly interjected on my behave, once again Mrs Merry chose to talk over the group and did not i believe show active listening. I as even waving my arms at one stage, just incredible.

I do feel that moving forward some meeting etiquette and protocols are required including the hands up facility that should have been available. If poor peripheral vision is the issue i can recommend Spec Savers.

Do you also not consider reasonable adjustments that attendees may require?

Regards

Rob

On Wed, 24 Feb 2021 at 09:39, [REDACTED] wrote:

Dear Mr Walker

Due to the regulations relating to a Subject Access Request, it is imperative that the search commences as soon as I am able, to ensure that I can meet the very strict deadlines. I would be grateful if you could please respond to my email below as a matter of urgency, to enable me to meet the request.

Regards

[REDACTED]

Town Clerk

Sandbach Town Council

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Tel: [REDACTED]

Mobile: [REDACTED]

Web: [REDACTED]



From: [REDACTED]

Sent: 23 February 2021 14:17

To: Robert Walker [REDACTED]

Cc: Geraint Price Jones [REDACTED]

Subject: FW: Subject Access Request (SAR)

Dear Mr Walker

I have noticed another request for information contained at the bottom of your email below (dated 22 February):

So [REDACTED] if you can kindly let me have any reply emails to Jack that includes my name would appreciate it, thus has been requested by [REDACTED], asap

Having sought advice, this has to be treated as a formal Subject Access Request (SAR) and I have 40 days from the date of receipt in which to provide the information requested.

I would like to confirm the search parameters as follows:

From: 19 Councillor and 1 Group emails. Sue Ashcombe-Hurt [REDACTED]
[REDACTED] Steve Kirkham [REDACTED] Alan
Smith [REDACTED]; Donal Hegarty [REDACTED] Sam Corcoran
[REDACTED] Steve Crane [REDACTED]; mike Muldoon
[REDACTED]; Geraint Huw Price-Jones [REDACTED];
Laura Crane [REDACTED] Paula Eaton [REDACTED]; Richard
Hoffmann [REDACTED]; Richard Hovey [REDACTED] Ian
Williams [REDACTED]; Sandra Broad [REDACTED]; Kathryn
Flavell <[REDACTED]>; Gill Merry [REDACTED]; Mike Lea
[REDACTED]; Kieran Seymour [REDACTED];
[REDACTED]

To: [REDACTED]

Date range from 1.5.19 to 22.2.21

Which include the name of Robert Walker or Rob Walker.

Please let me know at your earliest opportunity that the search is correct.

Regards

[REDACTED]

Town Clerk

Sandbach Town Council

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Tel: [REDACTED]

Mobile: [REDACTED]

Web: [REDACTED]



From: Robert Walker [REDACTED]

Sent: 22 February 2021 14:02

To: Geraint Price Jones [REDACTED]

Cc: [REDACTED]; Richard Hoffmann
[REDACTED]; CRANE, Laura (Councillor) [REDACTED]; Gill Merry
[REDACTED], Sandra Broad [REDACTED]
[REDACTED]; Steven Crane [REDACTED]
[REDACTED] Donal Hegarty
[REDACTED]; BENSON, Mike (Councillor) [REDACTED]
CORCORAN, Sam (Leader of Cheshire East Council) [REDACTED]
Subject: Re: Subject Access Request (SAR)

I have the minutes of the Board meeting with CWP NHS regarding this unfortunate event.

As an East Public Governor I raised concerns about the suicidal prevention policy relating to this case.

Please note his reaction and choice of language. I feel this sort of response can only increase community issues

On Mon, 22 Feb 2021, 12:37 David Jack, [REDACTED] wrote:

Mr walker

How dare you even mention the events of [REDACTED] and the house fire.

You utter scum bag. You had no involvement in that matter and I am disgusted by your comments.

You are a filthy liar and suffering either severe mental health issues or are a disgusting human piece of filth who thinks they can comment as they see fit with no consequences.

You have repeatedly been told by the police not to continue to contact me.

Clearly you think this advice from them not of concern. You can now suffer the consequences of your ongoing behaviour.

Regards

David Jack

Independent Town Councillor

Sandbach Town Council

Town Ward

From: Robert Walker [REDACTED]
Sent: Monday, February 22, 2021 12:31:00 PM
To: [REDACTED]; [REDACTED]; [REDACTED]
Cc: Geraint Price Jones [REDACTED]; Richard Hoffmann [REDACTED]; CRANE, Laura (Councillor) [REDACTED]; Gill Merry [REDACTED]; Sandra Broad [REDACTED]; Steven Crane [REDACTED]; Donal Hegarty [REDACTED]; David Jack [REDACTED]; BENSON, Mike (Councillor) [REDACTED]; CORCORAN, Sam (Leader of Cheshire East Council) [REDACTED]
Subject: Re: Subject Access Request (SAR)

Dear Cllrs

It would appear like many other residents in Sandbach Cllr Jack has systematically set out to discredit me in my community. Jack provides no evidence of his comments in the emails he has sent you all, I make you all aware that this information has been passed onto my solicitor [REDACTED]

Cllr Hoffman you will note that Jack refers to you calling me a nutter but he provides no evidence. He refers to me verbally abusing women but again provides no evidence. Police records identify that it was one of his cohort that verbally assaulted me in the street in front of women, one of these women provided the Police with a statement in April 2019.

I had reason to contact Jack about a young girl that had contacted me about her ongoing anxiety she to had become one of his victims of what I believe is Disability Hate Crime. He once again went onto make wild claims about me shouting at women and children on trampolines all very odd, my neighbour is 85 and certainly too old to start trampolining. Once again he provides no evidence but I do suspect he has a few eyes and ears via his odd social media group feeding him false information, I would ask him to produce that evidence without delay.

Now moving on if I may, I would like to express my thanks to Cllr Geraint Price Jones for helping support the "Do You Mind Campaign" in 2019 a campaign that saved beds in Macclesfield. You will all recall the sad loss of a Resident of [REDACTED] a young mother who committed suicide, had there been more bed provision Jack she may not have taken the course of action she did. As a Governor for this Trust I demanded answer in a board meeting as to why this had happened and yet you care to question my credentials.

In 2020 together with some befriended we donated hanging baskets to The Military Arms, again I would like to thank Cllr Price Jones for helping us raise money for MS, once again Jack spits his dummy out "Oh look at you, photo opportunity with the Mayor" Mr Jack I have much more important matters to be bothered about let me assure you.

I would like you to explain and help us understand what are your political credentials Cllr Jack in either the Military, Political Life, Bin Inspecting etc. Only last week I observed a comment which stated "Oh what I do with dog poo is put it under a cardboard and set fire to it outside people's doors"

So [REDACTED] if you can kindly let me have any reply emails to Jack that includes my name I would appreciate it, thus has been requested by [REDACTED] asap.

Regards

The Local Nutter 🍪

On Fri, 19 Feb 2021 at 14:22, [REDACTED] wrote:

Dear Mr Walker

I have asked our IT section to do a complete search of all emails as requested within your SAR. Having reviewed the findings of the search, I can confirm that there are many duplications, with the same email being sent to multiple recipients. The outcome is that there are 6 separate emails. I have also had to go through each email to ensure that no personal data relating to any third party is accessible. Please find attached:

1. Covering letter.
2. Document containing all 6 emails as referenced above.

If you are unhappy with the data provided, there is a process to be followed which can be found on the information commissioners website.

Yours sincerely

[REDACTED]

Town Clerk

Sandbach Town Council

[REDACTED]

[REDACTED]

[REDACTED]

Tel: [REDACTED]

Mobile: [REDACTED]

Web: [REDACTED]

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please email us at [REDACTED] Monitoring: The Council undertakes monitoring of both incoming and outgoing emails. You should therefore be aware that if you send an email to a person within the Council it may be subject to any monitoring deemed necessary by the organisation from time to time. The views of the author may not necessarily reflect those of the Council. Access as a public body: The Council may be required to disclose this email (or any response to it) under the Freedom of Information Act, 2000, unless the information in it is covered by one of the exemptions in the Act. The Sandbach Town Council Privacy notice can be found here:
<http://sandbach.gov.uk/general-privacy-notice.htm>

Sandbach Town Council



Mr R Walker, by email

2 March 2021

Dear Mr Walker

Re Subject Access Request

Thank you for your email request received 22 February 2021 and subsequent clarification email on 24 February 2021, making a data Subject Access Request (SAR) for:-

From: 19 Councillor and 1 Group emails. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

To: [REDACTED]

Date range from 1.5.19 to 22.2.21

Which include the name of Robert Walker or Rob Walker.

I am pleased to enclose the information you requested. I have removed any obvious duplicate information that I noticed as I processed your request, as well as any information that you might previously have received under your initial SAR and to which third party exemption has been applied – this is where reference is made to members of the public and / or personal contact information.

Copyright in the information you have been given belongs to Sandbach Town Council. Copyright material must not be copied, distributed, modified, reproduced, transmitted, published (including published on the Internet or an intranet), or otherwise made available in whole or in part without the prior written consent of the copyright holder.

Data subject rights and right to complain

If the information we hold about you is inaccurate and you would like us to rectify it, please let us know. In certain circumstances you can also ask us to erase the information or restrict the use of the information. You can also object to how your information is being used. If you contact us, please explain the reason for your request for erasure or restriction or for your objection.

If you are dissatisfied with this response, please let us know so that we can address any concerns. You may also complain to the UK Information Commissioner's Office. Information on how to do this is available at ico.org.uk

Sandbach Town Council

Yours sincerely
[Redacted]



Town Clerk ~ Sandbach Town Council
[Redacted]

[REDACTED]

From: Richard Hoffmann
Sent: 04 December 2020 16:23
To: Robert Walker
Cc: Geraint Price Jones; BENSON, Mike (Councillor); CRANE, Laura (Councillor); David Jack; CORCORAN, Sam (Leader of Cheshire East Council)
Subject: Re: Free Tree Packs Application Form - Woodland Trust

Thanks for your email Robert. I'll certainly look into your proposal of planting trees in the town.

Get [Outlook for Android](#)

From: Robert Walker [REDACTED]
Sent: Friday, December 4, 2020 2:58:16 PM
To: Richard Hoffmann [REDACTED]
Cc: Geraint Price Jones [REDACTED]; BENSON, Mike (Councillor) [REDACTED]; CRANE, Laura (Councillor) [REDACTED]; David Jack [REDACTED]; CORCORAN, Sam (Leader of Cheshire East Council) [REDACTED]
Subject: Fwd: Free Tree Packs Application Form - Woodland Trust

Dear Cllr Hoffmann

It was whilst watching Countryfile that I noticed information about the Woodland Trust and their tree application pack details of which am forwarding to you.

I have recently been helping support The Mayors Hanging Basket initiative and thought that this might be another fantastic photo opportunity for us all, what do you think? I recall the plant a tree for 73 campaigns that was well received at the time.

Residents in Pavilion Green have identified a public space on Green Street that could be turned into a tranquil arboretum as it is currently being used exclusively by professional dog walkers. I have photographic evidence that historically this field was "no dogs allowed" perhaps you could investigate when this regulation changed, up until recently it was a recreational football field but no longer is.

There appears to have been a lack of dog fouling enforcement in Cheshire East and I know from recent media sources a local Independent Councilor has allegedly had issues with dog poop being thrown into his garden which I must say is deplorable.

I together with other local Town residents would like to discuss the potential usage of the public space so that other parties such as children and families can access it safely. I have been targeted by certain elements of Sandbach Society including a shopkeeper for raising concerns about local issues, I believe you and other Cllrs have also been targeted in a similar manner.

I do feel however that the planting of trees may lend a calming influence as called for by one of your independent colleges in one of his latest "I am not the Leader of Cheshire East Council" posts. Perhaps we could all get together and hug a tree or tie whatever significant colour ribbon around one.

Regards

Rob Walker

Pavilion Green Residents Group " Supporters of Woke Wetness"

----- Forwarded message -----

From: Robert Walker [REDACTED]
Date: Sun, 29 Nov 2020 at 18:46
Subject: Free Tree Packs Application Form - Woodland Trust
To: Robert Walker [REDACTED]

<https://www.woodlandtrust.org.uk/plant-trees/schools-and-communities/tree-pack-application/>

Simon Goacher

From: [REDACTED]
Sent: 19 February 2021 14:23
To: Robert Walker
Cc: Geraint Price Jones
Subject: Subject Access Request (SAR)
Attachments: SAR Letter 19.2.21.pdf; R Walker SAR.pdf

Dear Mr Walker

I have asked our IT section to do a complete search of all emails as requested within your SAR. Having reviewed the findings of the search, I can confirm that there are many duplications, with the same email being sent to multiple recipients. The outcome is that there are 6 separate emails. I have also had to go through each email to ensure that no personal data relating to any third party is accessible. Please find attached:

1. Covering letter.
2. Document containing all 6 emails as referenced above.

If you are unhappy with the data provided, there is a process to be followed which can be found on the information commissioners website.

Yours sincerely

[REDACTED]

Town Clerk
Sandbach Town Council

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Tel: [REDACTED]
Mobile: [REDACTED]
Web: [REDACTED]



Sandbach Town Council



Mr R Walker, by email

19th February 2021.

Dear Mr Walker

Re Subject Access Request

Thank you for your email request received 10 February 2021 (under FOI) and subsequent clarification email on 15 February 2021, making a data Subject Access Request (SAR) for:-

10 February - "under FOI I would like to ascertain if any information with my name and other details has been forwarded to other Cllrs including the Mayor from Cllr Jack"

15 February – confirmed my question "I need to understand if the search criteria remains the same, so any email from [REDACTED] (Cllr Jack's STC email address) to any Sandbach Town Councillor (this includes the Town Mayor). In the absence of any date range, my understanding would be that the search will be from his appointment as Town Councillor, i.e. May 2019."

I am pleased to enclose the information you requested. I have removed any obvious duplicate information that I noticed as I processed your request, as well as any information to which third party exemption has been applied – this is where reference is made to members of the public and / or personal contact information.

Copyright in the information you have been given belongs to Sandbach Town Council. Copyright material must not be copied, distributed, modified, reproduced, transmitted, published (including published on the Internet or an intranet), or otherwise made available in whole or in part without the prior written consent of the copyright holder.

Data subject rights and right to complain

If the information we hold about you is inaccurate and you would like us to rectify it, please let us know. In certain circumstances you can also ask us to erase the information or restrict the use of the information. You can also object to how your information is being used. If you contact us, please explain the reason for your request for erasure or restriction or for your objection.

If you are dissatisfied with this response, please let us know so that we can address any concerns. You may also complain to the UK Information Commissioner's Office. Information on how to do this is available at ico.org.uk

Yours sincerely

[REDACTED]

Town Clerk ~ Sandbach Town Council

[REDACTED]

From: David Jack [REDACTED]
Sent: Tuesday, September 22, 2020 6:45:12 PM
To: Steve Kirkham [REDACTED], John [REDACTED] Geraint
Price Jones [REDACTED]
Cc: Peter [REDACTED] Richard Hovey [REDACTED]
Terry [REDACTED] Steven Crane [REDACTED]
Sandra Broad [REDACTED] Gill Merry [REDACTED]
Subject: Re: Be prepared for the big planning shake-up

Perhaps we need another chair who can dedicate the time and commitment as you are clearly busy with Labour protests and mayoral duties with Robert Walker and Co over in Macclesfield

Regards
David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward
[REDACTED]

From: David Jack
Sent: 09 February 2021 12:49
To: Gill Merry; Donal Hegarty; Laura Crane; Geraint Price Jones; Richard Hoffmann;
Sandra Broad; [REDACTED]
Cc: [REDACTED]
Subject: Re: Draft Events Minutes

Why are we doing a wellbeing event when the partnership are doing it already? Seems like a lot of effort to repeat a good format event already underway in planning and progress with the appropriate groups.

Or is this price Jones and his mate Robert Walker virtue signalling again?

You do know Robert Walker made all that nonsense up at last public questions when he spoke. No one in parliament has ever heard of him. No such organisations have heard of him.

Regards
David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward
[REDACTED]

From: David Jack
Sent: 30 November 2020 14:38
To: Geraint Price Jones; Robert Walker
Cc: CORCORAN, Sam (Leader of Cheshire East Council); BENSON, Mike (Councillor);
police.crime.commissioner@cheshire.pnn.police.uk
Subject: Re: Free Tree Packs Application Form - Woodland Trust

I think you will find the hanging baskets had nothing to do with geriant and as for me living in a council property, do you have a problem with that?

Regards
David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward
[REDACTED]

From: David Jack
Sent: 20 September 2020 19:20
To: CORCORAN, Sam (Leader of Cheshire East Council); BENSON, Mike (Councillor);
[REDACTED], GPJ; Robert Walker
Subject: Re: Re:

What's this got to do with me??

So someone mentions my name and its my fault?

I see you Mr walker mention my name several times in Articles that are so nothing to do with me.
Perhaps you need to get a life and concentrate on your own problems rather than constantly looking
to cause trouble for others.

Regards
David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward
[REDACTED]

From: David Jack

Sent: 09 February 2021 08:46

To: [REDACTED], [REDACTED], [REDACTED], [REDACTED], Geraint Price Jones;

Subject: Re: Sandbach Partnership - Keeley Todd

Which reminds me, why did price Jones and flaval support Robert Walker as chairman for the partnership?

A man with a history of violence towards Women in this town, who harasses children and women on green Street and who is a serial liar with serious mental health issues.

Even Hoffman described Mr walker as a nutcase.

Perhaps the judgement of the mayor and mayor to maybe be is somewhat broken.

And these are people who taught our kids. God help the next generation.

Regards

David Jack

Independent Town Councillor

Sandbach Town Council

Town Ward

[REDACTED]

From: David Jack
Sent: 12 February 2021 09:00
To: Councillors
Subject: Robert walker

Last night, the mayor's favorite mental showcase, Robert Walker, validated himself as a member of the North West disability group as if that was some big honcho position tgat qualifies him.

Im a member of the national trust, doesn't mean I know Jack about history.

Nice to see the mayor continues to invite these utter cretins to speak at council and just spout vexatious crap.

Still. At least we all now cocoran knows nothing about cricket.

Regards
David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward

██████████

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Sandbach Town Council

Weightmans reference: SIG/W15383/504

Report of an investigation into an allegation concerning the
conduct of Councillor David Jack

SG 21



MEMBER CODE OF CONDUCT

COMPLAINT FORM

For Borough Councillors, Town & Parish Councillors and Co-opted Member(s).

Your details-

1. Please provide us with your name and contact details.

Title:	Miss
First name:	Mia
Last name:	Sykes
Address:	
Daytime telephone:	
Evening telephone:	
Mobile telephone:	
Email address:	

Please indicate if you would prefer us **NOT** to use your email address as your postal address for **general** correspondence purposes _____

2. Please tell us which complainant type best describes you:

☐ xxxxxxxx Member of the public
☐ _____ An elected or co-opted member(s) of a
☐ Council or a Town and Parish Council
☐ _____ Local Authority Monitoring Officer
☐ _____ Other Council Officer or employee of the Council
 _____ Other – please specify

3. Please provide us with the name of the Member(s) you believe have breached the Code of Conduct and the name of their Council:

Title	First name	Last name	Council or Authority name
Cllr	David	Jack	Sandbach Town Council

4. Please identify (marking with an X in the right hand side column)) which paragraphs of the Code of Conduct you believe have been breached (as set out in the Cheshire East Members' Code of Conduct):

General Obligations

4.1	Selflessness		4.10	Promote high standards of conduct by leadership and example	x
4.2	Integrity	x	4.11	Uphold the law and public trust	x
4.3	Make choices on merit		4.12	Treat others with courtesy	x
4.4	Remain objective		4.13	i) Breach equality laws	x
4.5	Exercise independent judgement			ii) compromise others	
4.6	Accountability	x		iii) bully any person	x
4.7	Openness	x		iv) intimidate any person	x
4.8	Declaring interests		4.14	Disclosure of confidential information	
4.9	Use of resources		4.15	Access to information	

Declarations of Interest

9	Failure to declare a disclosable pecuniary interest (DPI)	
10	Participation at a meeting (speaking or voting) where DPI exists	
11	Discharging council functions where DPI exists	
14	Failure to declare a personal interest (Council appointment)	
15	i) Failure to declare a personal interest (Membership of public body)	
	ii) Failure to declare a personal interest (Membership of charitable body)	
	iii) Failure to declare a personal interest (Membership of a body which influences public opinion or policy)	

5.

17	Failure to declare a personal interest which affects the Subject Member's or a relevant person's wellbeing or financial position	
20	Failure to declare a prejudicial interest	
21	Participation at a meeting as a member of the body concerned (speaking or voting) where a prejudicial interest exists	

Pre-Determination and Bias

22	Taking part in a decision when biased or have pre-determined the matter in question	
26	Failure to declare a pre-determination	
26	Failure to withdraw to the public area of the meeting room after a declaration of predetermination	

Please explain in this section (or on separate sheets) what the Member(s) has/have done that you believe breaches their Council's Code of Conduct. If you are complaining about more than one Member you should explain clearly what each individual person has done which you believe breaches the Code of Conduct.

I attach screenshots to evidence the complaint below.

I am complaining about Cllr Jack concerning two incidents. Firstly, the personal, misogynistic and ableist attack on me, a member of the public. This happened on Friday the 25th September on a local Facebook community page which is open to the public called, 'Sandbach Community.' It was on a post written by [REDACTED] which entailed a video from David Jack's YouTube channel and clearly shows him videoing me and the other two founders of Black Lives Matter Sandbach on the online town council meeting speaking in the public session which was held the night before.

On the post I commented stating that Mr Jack had no permission to upload the video. And therefore, no consent was given. We are on his public YouTube channel without consent. Filming three young women when he should have been on camera replying to our public questions, his camera was turned off and audio was muted and now we can see why as there is evidence that he was filming us.

Mr Jack replied to my comment stating that "mental health written all over them" when I asked what he meant by that he then replied with another aggressive comment displaying a concerning out of date view of mental health and people with mental health problems, like myself. This stated,

"you write blogs about your mental health. I'd suggest you check the law with regards to defamation and libel. You are a pathetic child being manipulated by political forces. Show me an example of a racist comment I've made. You won't. You fake feign of fear is wasted on the majority of this town. You have created more hatred than solved. You are a spoilt little brat who hasn't lived in the real world yet. Get a job. Get a life and grow the fuck up. I'll not be apologising or resigning or taking any notice of a bunch of cretins like you and your ilk. Goodnight"

Using derogatory terms to describe me such as 'Spoilt bratt' "pathetic child" and "cretins" is highly misogynistic and hateful and as a whole this man is a bully who. Consistently uses social media to single out, violate, threaten and bully women. This outburst has made me even more frightened of this man and the attitudes he holds are highly outdated and worrying. I am highly distressed and concerned about this uncalled for. Harassment and bullying online by a man who represents our town and local area. He is supposed to make us feel safe and we are supposed to trust him. I do not trust him, and I and others do not feel safe because of him. We are consistently targeted by him.

This is again an example of Cllr Jack breaching the obligations of upholding the equality laws, his integrity and openness, treating others with respect and courtesy, not bullying or intimidating a member of the public and leading by example.

Secondly I am complaining about him filming the public questions section of Thursday the 24th September's town council meeting. He filmed me and my colleagues without consent and permission and has uploaded. The video onto his YouTube account again without consent which I believe breaches the codes of integrity and openness as well as using this to intimidate and bully members of the public.

I'd also like to attach the screenshots of him filming us when we were on the town council meeting. There was no permission or consent to film us and to put us onto Cllr. Jack's YouTube account. This is highly unprofessional and worrying and I believe again he breaches his obligations of openness, integrity, treating others with respect and courtesy and leading by example.

I am again very worried, and I am personally and literally frightened of this man and the fact that he is still in a position of trust after he continuously flouts equality laws and breaches the obligations set out.

7.

Only complete this section if you are requesting that your identity is kept confidential

In the interests of fairness and natural justice, the Council believes that Member(s) complained about have a right to know who has made the complaint against them and the nature of that complaint. It is only in exceptional circumstances that we will withhold your details from the complained about Member (the 'Subject Member'), as this may prejudice the right of the Subject Member to respond to the complaint.

Further guidance can be found on pages 3 and 4 of the Member Code of Conduct procedure guide.

6.

Signature:

I understand that, by signing this form I:

- Give Cheshire East Borough Council permission to provide my name, together with a copy of this complaint and any evidence supplied in support [subject to data protection rules] to the individual(s) against whom the complaint has been made.
- Acknowledge that:
 - the complaints process is confidential and that (with the exception of a professional advisor retained for those purposes who is also bound by a duty of confidentiality), the parties to the complaint must not pass on any information relating to the complaint to any third party without first obtaining the written permission of the Monitoring Officer.

any complainant who fails to comply with the confidentiality requirements risks being found to have contravened the process which may result in no further action being taken on their complaint

Signed: _____

Date: 13th November 2020

Additional Help

8.

Complaints must be submitted in writing and sent to the Monitoring Officer:

By Post: Monitoring Officer, Cheshire East Council, c/o Municipal Buildings
Earle Street, Crewe CW1 2BJ

By email: [REDACTED]

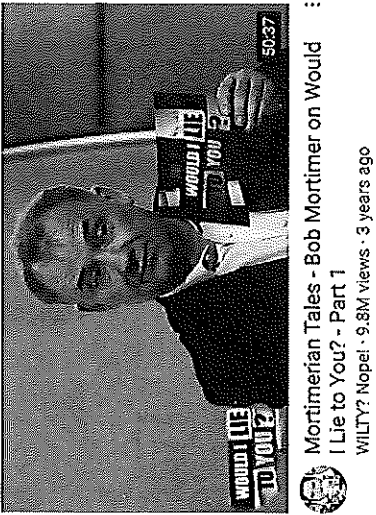
The above mailbox should also be used for all general enquires. If you need help in completing the form (in line with the requirements of the Equality Act 2010), please contact Monitoring Officer Support using the above email address.

Evidence

David Jack filming us without consent. Screenshots clearly show his youtube channel and reflection of him filming.

January 2018

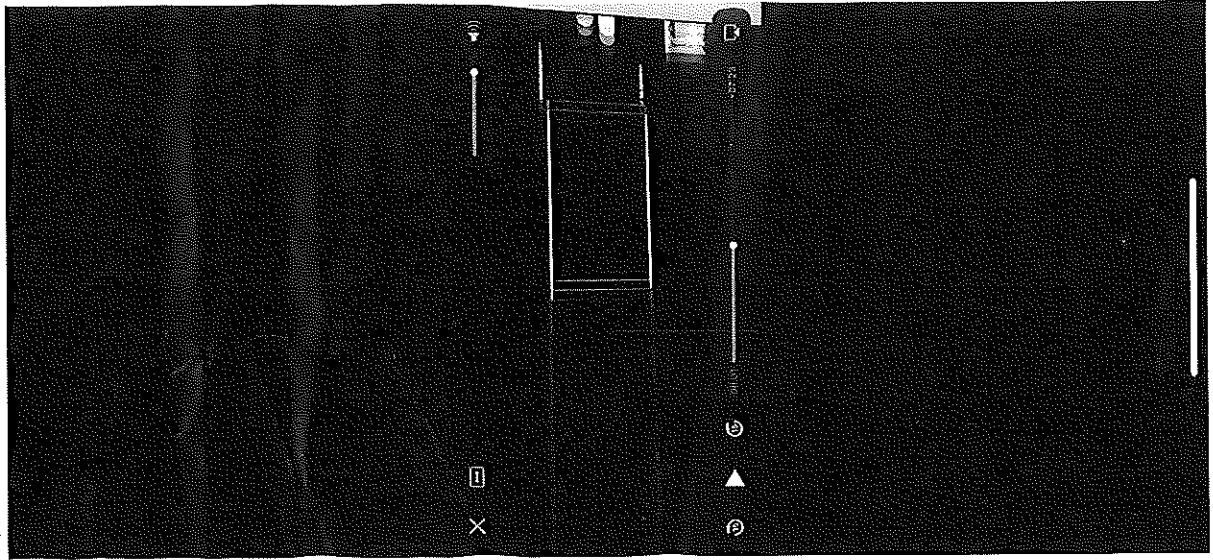
9.



Uploaded to David Jack's youtube account on the 24th September around 10pm.

January 2018

10.



David Jack can be seen in the reflection of his iPad filming us without consent.

Evidence – screenshots of hateful, misogynistic and ableist comment. Targeting and bullying a young woman.

25/09/2020 at 23:15 on Sandbach Community Facebook Page



MEMBER CODE OF CONDUCT COMPLAINT FORM

For Borough Councillors, Town & Parish Councillors and Co-opted Member(s).

Your details-

1. Please provide us with your name and contact details.

Title:	Mr
First name:	Robert
Last name:	Walker
Address:	[REDACTED]
Daytime telephone:	[REDACTED]
Evening telephone:	" "
Mobile telephone:	
Email address:	[REDACTED]

Please indicate if you would prefer us **NOT** to use your email address as your postal address for **general** correspondence purposes _____

2. Please tell us which complainant type best describes you:

- ☒ Member of the public
☐ An elected or co-opted member(s) of a Council or a Town and Parish Council
☐ Local Authority Monitoring Officer
☐ Other Council Officer or employee of the Council
☒ Other - please specify NW Disability Group Member & Parliamentary Outreach Trainer

3. Please provide us with the name of the Member(s) you believe have breached the Code of Conduct and the name of their Council:

Title	First name	Last name	Council or Authority name
Mr	David Roman	Jack	Sandbach Town Council

--	--	--	--

4. Please identify (marking with an X in the right-hand side column)) which paragraphs of the Code of Conduct you believe have been breached (as set out in the Cheshire East Members' Code of Conduct):

General Obligations

4.1	Selflessness		4.10	Promote high standards of conduct by leadership and example	
4.2	Integrity		4.11	Uphold the law and public trust	
4.3	Make choices on merit		4.12	Treat others with courtesy	X
4.4	Remain objective		4.13	i) Breach equality laws	X
4.5	Exercise independent judgement			ii) compromise others	
4.6	Accountability	X		iii) bully any person	X
4.7	Openness			iv) intimidate any person	
4.8	Declaring interests		4.14	Disclosure of confidential information	
4.9	Use of resources		4.15	Access to information	

Declarations of Interest

9	Failure to declare a disclosable pecuniary interest (DPI)	
10	Participation at a meeting (speaking or voting) where DPI exists	
11	Discharging council functions where DPI exists	
14	Failure to declare a personal interest (Council appointment)	
15	i) Failure to declare a personal interest (Membership of public body)	
	ii) Failure to declare a personal interest (Membership of charitable body)	
	iii) Failure to declare a personal interest (Membership of a body which influences public opinion or policy)	
17	Failure to declare a personal interest which affects the Subject Member's or a relevant person's wellbeing or financial position	
20	Failure to declare a prejudicial interest	
21	Participation at a meeting as a member of the body concerned (speaking or voting) where a prejudicial interest exists	

Pre-Determination and Bias

22	Taking part in a decision when biased or have pre-determined the matter in question	
26	Failure to declare a pre-determination	

26	Failure to withdraw to the public area of the meeting room after a declaration of predetermination	
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5. Please explain in this section (or on separate sheets) what the Member(s) has/have done that you believe breaches their Council's Code of Conduct. If you are complaining about more than one Member you should explain clearly what each individual person has done which you believe breaches the Code of Conduct.

Please provide us with details of your complaint. Continue on a separate sheet if there is not enough space on this form.

I contacted Cllr Jack via his Cllr email address I did so because I wanted to get a public appointment with him to discuss some concerns that disabled people in Sandbach were encountering. I believe this is well documented and includes dog fouling and the use of public space and mobility access. I did so in my role as a NW Disability Group member. I was aware that Cllr Jack had expressed an interest in this topic via social media etc.

The date was 22/9/2020 @ 10.42 his reply was "Don't contact me again, you clearly have mental health issues & are becoming rather tiresome with your allegations and threats. If it continues, I shall seek an injunction"

Cllr Jack has not provided any evidence of these threats and allegations and I do feel that he is not taking into account my Human Rights. Both the Town Council and Cllr Jack must respect my rights of being able to raise public concerns including dog fouling and disability issues. I believe I should be able to do so via your email contact addresses without encountering such discriminatory language.

Disabled members became aware that Cllr Jack we believe was hosting the Sandbach Sarcastic Society and posts on that sight will we believe identify discriminatory practice within this group. I am concerned first and foremost that Cllr Jack has not been held accountable for his actions including referring to Labour Party colleagues as lunatics running the asylum. I have to wonder at what time did he disclose his role with the Sandbach Sarcastic Society.

In his reply to my email he made comments in what I believe was a stigmatising and discriminatory stare making comments about my mental health state. I find this both offensive and discriminatory I do consider it bullish.

I do not believe his views are impartial and consistent with a man befitting such an office. Making comments such as "Oh look a photo opportunity with the Mayor" I believe wit other he likes to goad and bait which for people who may have series mental health issues is not good.

I believe his in partiality with a local shopkeeper as can be evidenced on the attached nasty poster can clearly be identified as he too is a member of The Sandbach Sarcastic Society. Guilt by association I believe.

It has also been brought to my attention that he has contacted Sandbach Chronicle making allegations about letters in their paper I believe once again he is in breach of the Human Rights Act in terms of Freedom of Speech and thought.

I do believe that Cheshire East/Sandbach Town Council have failed in their duty to protect vulnerable people with protected characteristics in this and several other instances since he took up office.

I request that he is suspended from office without further delay awaiting a full enquiry into his behaviour and modus-operandi!



6. Only complete this section if you are requesting that your identity is kept confidential

In the interests of fairness and natural justice, the Council believes that Member(s) complained about have a right to know who has made the complaint against them and the nature of that complaint. It is only in exceptional circumstances that we will withhold your details from the complained about Member (the 'Subject Member'), as this may prejudice the right of the Subject Member to respond to the complaint.

Further guidance can be found on pages 3 and 4 of the Member Code of Conduct procedure guides.

Please provide us with details of why you believe we should withhold your name and/or the details of your complaint:

Because I have protected characteristics as a disabled person and I fear recrimination from this person

6. **Signature:**

I understand that, by signing this form I:

- Give Cheshire East Borough Council permission to provide my name, together with a copy of this complaint and any evidence supplied in support [subject to data protection rules] to the individual(s) against whom the complaint has been made.
- Acknowledge that:
 - the complaints process is confidential and that (with the exception of a professional advisor retained for those purposes who is also bound by a duty of confidentiality), the parties to the complaint must not pass on any information relating to the complaint to any third party without first obtaining the written permission of the Monitoring Officer.
 - ***any complainant who fails to comply with the confidentiality requirements risks being found to have contravened the process which may result in no further action being taken on their complaint***

Signed: Robert Walker
1/10/2020

Date:

7. **Additional Help**

Complaints must be submitted in writing and sent to the Monitoring Officer:

By Post: Monitoring Officer, Cheshire East Council, c/o Municipal Buildings
Earle Street, Crewe CW1 2BJ

By email:

The above mailbox should also be used for all general enquires. If you need help in completing the form (in line with the requirements of the Equality Act 2010), please contact Monitoring Officer Support using the above email address.

This page is intentionally left blank

From: Robert Walker [REDACTED]
Sent: 18 February 2021 07:31
To: [REDACTED]
Cc: geraint.pricejones@sandbach.gov.uk; Monitoring Officer CEC
[REDACTED]
Subject: Re: Automatic reply: [EXTERNAL] Fwd: (00342235/1) - Human Rights NCE

Sorry spotted a few mistakes 😊 please see re draft. "Please help"

Rob

On Thu, 18 Feb 2021 at 07:08, Robert Walker [REDACTED] wrote:
Please see my statement as requested

On Wed, 17 Feb 2021 at 22:36, Robert Walker [REDACTED] wrote:
As requested by M deal Villers

I will complete my section on disability Hate Crime tomorrow.

I believe that the Sandbach Town Council and the UK Government has been negligent in their Duty of Care to the public including those with protected characteristics with disabilities.

They have protected staff from this Cllr but not the public, I believe they have failed to safeguard them when they contact him on his Council email.

I believe they have failed to carry out due diligence on this councillor inline with other public services is NHS. I believe no DBS checks have been carried out, this Councillor works with vulnerable people on the Council.

I believe the Monitoring Office has not acted in a responsive or effective manner

Regards

Robert Walker

NW Disability Forum

----- Original Message -----

Subject: Automatic reply: [EXTERNAL] Fwd: (00342235/1) - Human Rights NCE

From: Mia de Villiers-Hill [REDACTED]

Sent: Wednesday, 17 February 2021 10:26 pm

To: Robert Walker [REDACTED]

CC:

Hello,

Thank you for your email. I no longer work at the firm. Please direct your email to
[REDACTED]

Many thanks,

Mia

I am a disabled person with protected characteristics both physically and mentally this is because I have to endure the after effects of treatment for two types of cancer.

I believe that I have been left very vulnerable by the lack of certain public sector organisations failing to protect me since I became the victim of Hate Crime. Research & evidence indicates that this has worsened post Brexit and emanates I believe from a Right-Wing Fascist Cllr. This Cllr claims to be an independent voice for Sandbach which I think could be describe as typically white middleclass.

In the Summer of 2020, I together with some friends were asked to provide hanging baskets to a local community pub. Together with my good friend the Local Mayor I helped hang the said baskets, it was after this that I got targeted on social media by this Cllr "Oh look there he is taking photo opportunities with his friend the Mayor".

I thought nothing of this at the time but matters got worse and threats and intimidation has followed ever since. This has been very covert and I believe this has been done to damage my reputation in the community.

When I have contacted this Cllr via Sandbach Town Council email address I get comments like "Oh I don't want local nut jobs contacting me", "Go chase a bus you need sectioning" Having been an NHS Challenging Stigma Project worker I do know that this sort of language is known as Hate Crime. It does not stop there it gets worse, much worse.

Together with a dog owning shopkeeper I believe they have systematically set about creating a false impression of me to the local community producing posters and putting them on social media. They have tried to make about that I am a Nazi and dog poo painter, why do I think they have done this? I believe hat they have done this because I am a member of the North West Disability Group and a member of a local resident's forum

I raised numerous complaints about dog fouling, littering, blocked pavements and drug dealing as is my right to do so (Leisure conflict of recreational field). I did so with a local Town Cllr, a County Cllr the Mayor and the Community Police. I wrote to the Police Commissioner in November 2020 but he hasn't even bothered in replying.

From: Robert Walker [REDACTED]
Sent: 22 February 2021 17:14
To: [REDACTED]
Subject: Fwd: Subject Access Request (SAR)

Dear Alex

Oh how nice to hear from you, please see the latest nonsense Cllr David Jack has sent me, rather threatening i believe. Check him out on David Jack the Independent Councilor.

A community team is attempting to carry out a forensic analysis of issues that the public in Sandbach has faced over recent years, it appears to have got worse since Independence Day! I believe he is incited a toxic brand of politics and research and evidence indicates that includes targeting individuals that are vulnerable. Once we have concluded our report and statement we will provide you with our findings and evidence.

It was i who went to the Police having been the Victim of a Hate Crime i believe, he is however a past master at twisting the facts, I believe i have ever right to contact a Town Ward Cllr as i needed to without experiencing vile Discrimination. I now feel stigmatised in my community and possibly by some Council members, please note Cllr Jacks comments allegedly made by a Cllr Richard Hofmann.

I have given over 18 years serving my local community and this is the sort of nonsense i have to put up with, incredible.

I believe both Sandbach Town Council and the Cheshire Constabulary have failed in their Duty of Care and to safeguard vulnerable people and people from the BME community.

I look forward to hearing from you.

Regards

Rob Walker " Apparently the mad crazy nutter" 🤪

----- Forwarded message -----

From: David Jack [REDACTED]

Date: Mon, 22 Feb 2021 at 12:37

Subject: Re: Subject Access Request (SAR)

To: [REDACTED], [REDACTED], Robert Walker <robert.walker57@googlemail.com>

Cc: Geraint Price Jones [REDACTED], Richard Hoffmann [REDACTED], CRANE, Laura (Councillor) [REDACTED], Gill Merry [REDACTED], Sandra Broad [REDACTED], John Beddows [REDACTED], Steven Crane [REDACTED], michael.wellings@sandbach.gov.uk [REDACTED], [REDACTED], Donal Hegarty [REDACTED], BENSON, Mike (Councillor) [REDACTED], CORCORAN, Sam (Leader of Cheshire East Council) [REDACTED]

Mr walker

How dare you even mention the events of [REDACTED] and the house fire.

You utter scum bag. You had no involvement in that matter and I am disgusted by your comments.

You are a filthy liar and suffering either severe mental health issues or are a disgusting human piece of filth who thinks they can comment as they see fit with no consequences.

You have repeatedly been told by the police not to continue to contact me.

Clearly you think this advice from them not of concern. You can now suffer the consequences of your ongoing behaviour.

Regards

David Jack

Independent Town Councillor

Sandbach Town Council

Town Ward

[REDACTED]

From: Robert Walker [REDACTED]

Sent: Monday, February 22, 2021 12:31:00 PM

To: [REDACTED]

Cc: Geraint Price Jones [REDACTED]; Richard Hoffmann
[REDACTED] CRANE, Laura (Councillor)
[REDACTED] Gill Merry [REDACTED]; Sandra Broad
[REDACTED]; John Beddows [REDACTED] Steven
Crane [REDACTED]; [REDACTED]
[REDACTED]
[REDACTED] Donal Hegarty [REDACTED]; David
Jack [REDACTED] BENSON, Mike (Councillor)
[REDACTED]; CORCORAN, Sam (Leader of Cheshire East Council)
[REDACTED]

Subject: Re: Subject Access Request (SAR)

Dear Cllrs

It would appear like many other residents in Sandbach Cllr Jack has systematically set out to discredit me in my community. Jack provides no evidence of his comments in the emails he has sent you all, I make you all aware that this information has been passed onto my solicitor Leigh Day-London.

Cllr Hoffman you will note that Jack refers to you calling me a nutter but he provides no evidence. He refers to me verbally abusing women but again provides no evidence. Police records identify that it was one of his cohort that verbally assaulted me in the street in front of women, one of these women provided the Police with a statement in April 2019.

I had reason to contact Jack about a young girl that had contacted me about her ongoing anxiety she had become one of his victims of what I believe is Disability Hate Crime. He once again went on to make wild claims about me shouting at women and children on trampolines all very odd, my neighbour is 85 and certainly too old to start trampolining. Once again he provides no evidence but I do suspect he has a few eyes and ears via his odd social media group feeding him false information, I would ask him to produce that evidence without delay.

Now moving on if I may, I would like to express my thanks to Cllr Geraint Price Jones for helping support the "Do You Mind Campaign" in 2019 a campaign that saved beds in Macclesfield. You will all recall the sad loss of a Resident of [REDACTED] a young mother who committed suicide, had there been more bed provision Jack she may not have taken the course of action she did. As a Governor for this Trust I demanded an answer in a board meeting as to why this had happened and yet you care to question my credentials.

In 2020 together with some befriends we donated hanging baskets to The Military Arms, again i would like to thank Cllr Price Jones for helping us raise money for MS, once again Jack spits his dummy out " Oh look at you, photo opportunity with the Mayor" Mr Jack i have much more important matters to be bothered about let me assure you.

I would like you to explain and help us understand what are your political credentials Cllr Jack in either the Military, Political Life, Bin Inspecting etc. Only last week i observed a comment which stated "Oh what i do with dog poo is put it under and cardboard and set fire t it outside people doors"

So [REDACTED] if you can kindly let me have any reply emails to Jack that includes my name would appreciate it, thus has been requested by Leigh Day asap.

Regards

The Local Nutter 🤪

On Fri, 19 Feb 2021 at 14:22, [REDACTED] wrote:

Dear Mr Walker

I have asked our IT section to do a complete search of all emails as requested within your SAR. Having reviewed the findings of the search, I can confirm that there are many duplications, with the same email being sent to multiple recipients. The outcome is that there are 6 separate emails. I have also had to go through each email to ensure that no personal data relating to any third party is accessible. Please find attached:

1. Covering letter.
2. Document containing all 6 emails as referenced above.

If you are unhappy with the data provided, there is a process to be followed which can be found on the information commissioners website.

Yours sincerely

Ann

Town Clerk

Sandbach Town Council

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Web: sandbach.gov.uk

From: Robert Walker [REDACTED]
Sent: 25 January 2021 15:10
To: Richard Hoffmann [REDACTED]
Cc: Monitoring Officer CEC [REDACTED]; CORCORAN, Sam (Leader of Cheshire East Council) [REDACTED]
Subject: Re: Disability Discrimination

Thanks Richard.

Are you aware of the East Cheshire Legal departments email address as i feel that the monitoring officers is not really considering some important Human Rights issues that i have made them aware.

I feel that the only way to tackle these ongoing issues which is putting fear into the community is to sadly take legal action. If the Council can consider a Duty of Care to it's staff why aren't members of the public being given equal protection. My email address has been shared by Cllr Jack with i believe [REDACTED] a member of his covert little operation(infringement of data protection).

So we have a failure to safeguard,a breach of data protection,a breach of Human Rights,Hate Crime in the form of Stigma and Discrimination,as a Cllr answer this what is being done

His bezzaire Facebook posts ridicule the Council and including a recent Clown in meltdown all totally abhorrent,

Please see the attached,why is this sort of behaviour being allowed

On Mon, 25 Jan 2021 at 14:58, Richard Hoffmann [REDACTED] wrote:
As you are in Town Ward, Mark should put you in touch with your Ward specific police officer.

Get Outlook for Android

From: Robert Walker [REDACTED]
Sent: Monday, January 25, 2021 12:51:55 PM
To: Richard Hoffmann [REDACTED]

Subject: Re: Disability Discrimination

Hi

Do you have [REDACTED] email address please Richard?

On Tue, 19 Jan 2021 at 21:57, Richard Hoffmann [REDACTED] wrote:

Hi Robert, [REDACTED] is dealing with my case, and is preparing a file for the CPS. You or anyone else that feels they are being harassed or have grossly offensive remarks made about them on public social media will have to contact 101 and speak to them about it.

Get Outlook for Android

From: Robert Walker [REDACTED]

Sent: Tuesday, January 19, 2021 9:50:09 PM

To: Richard Hoffmann [REDACTED]

Subject: Disability Discrimination

Dear Cllr Hoffmann

It was very kind of you to give me some advice last Thursday.

Yesterday I came across some discriminatory posts from Cllr Jack. The victim was a young student with anxiety issues, the content of his messages was horrific.

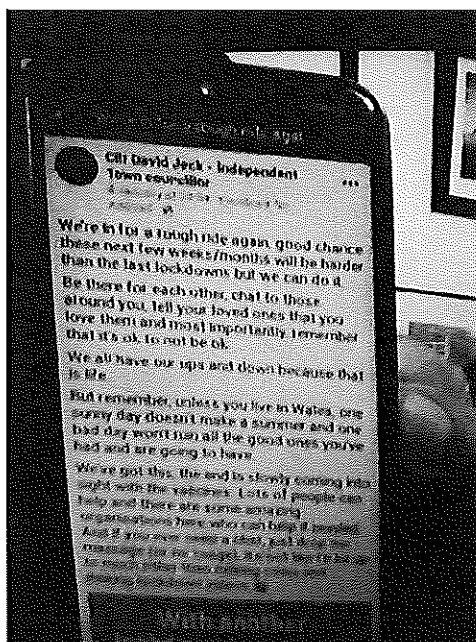
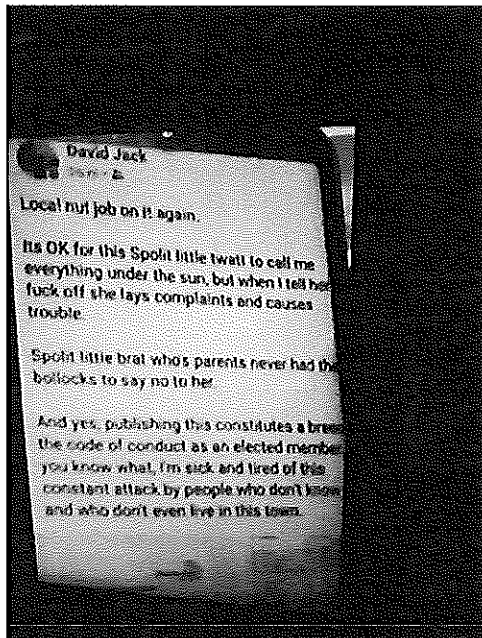
I made Cllr Jack aware of my displeasure as a member of the NW Disability Group. He became rude and threatening but alas he appears Teflon coated.

Do you have any contacts within Cheshire Constabulary that I could refer this matter to.

I'm not sure whether you have any contacts at the local BLM as I feel a concerted effort maybe required to bring about justice.

Regards

Robert Walker



From: Robert Walker [REDACTED]

Sent: 25 January 2021 13:36

To: BENSON, Mike (Councillor) [REDACTED]

Cc: Donal Hegarty [REDACTED], Sandra Broad
[REDACTED], CORCORAN, Sam (Leader of Cheshire East Council)
[REDACTED], The Laptop Shop [REDACTED]
Richard Hoffmann [REDACTED], BRUCE, Fiona
[REDACTED]

Subject: Fwd: Green street field

Dear Mike

I hope you are keeping well and staying safe.

Unfortunately i have been receiving unsolicited emails from a Mr [REDACTED] who believe lives in Audlem. Research and evidence indicates that this came from a certain Independent Cllr. Having made several attempts to open dialogue with this Cllr who I believe is an elected representative of the Town Ward this has proved impossible.

Unfortunately he resorts to using discriminatory language(local nutter) however he did make me aware in the first instance that issues with dog fouling have been an on going issue. It would appear from posts on Face Book that he himself has been having issues dog poo allegedly being thrown into his garden,the post includes what appears to be violation altercation have you seen it?

I would appear that Mr Critton a master Key Board Warrior is alleging by inference that dogs are being made ill but please note he does not evidence base this,neither does he evidence base that as a member of the Pavilion Green Residents group that any member of this group including myself use drone footage to record people using that field. I believe like any household we have under the Human Rights Act have the Right to be free from inhuman or degrading treatment(our safety) and a Right to respect for private and family life and this includes the use of any form security measures such as CCTV as approved by Plus Dane Housing.

Research and evidence has been identified that [REDACTED] and acquaintance of Mr. Critton has similar devises in or around his property to protect his wheellie bin which he leaves on the public highway or pavement 24/7

Research and evidence has been provided to the appropriate authorities relating to drug dealing and other forms of anti social behaviour which have been a concern of local residents for some time including personal safety. You will no doubt recall Home Watch being championed by the Cheshire Constabulary when the community was built. I myself was the victim of a road rage incident involving a dog walker which was witnessed by residents of the apartment block and therefore reported to Cheshire Constabulary at the time. Once again foul and abusive language and false allegations were made about relating to women and children. It would appear from my research and evidence other upstanding citizens have been targeted in this manner.

What also concerns me is that my email address has been shared by a Town Cllr who was contacted in confidence on his Council email address is this not a breach of my data protection rights?

Mr Critton refers to pursuing this matter with your colleague which i do believe is an excellent idea,he also refers to social media teacups which as i am sure your aware of includes no doubt and but the covert Sandbach Sarcastic Society and its brethren. I believe they have rebranded their covert little operation Sandeyleyedge Knutsbach in an attempt to further ridicule members of the community including Cllrs, Women and the Disabled.

Please note i have written to the Police Commissioners about what i consider to be on going Hate Crimes and i await his response.

In conclusion may i suggest that we take up Mr [REDACTED] (Audlem) suggestion for a meeting on the allegations and inferences that he is making together with [REDACTED] does appear to take a vested interest in Sandbach affairs as i believe he has a limited vested interest in the Town having moved to Nantwich but what he doesn't appear to consider is others peoples views and opinions. An example being the safety of children and mothers on the field in question, what i believe he does is make it personally in away that can be construed as discriminatory in order to strike fear into the vulnerable. The Mayor Cllr Price Jones has identified the extent of dog excrement on the field as have the Ansa operatives, this is obviously becoming a conflict of leisure use wit the Council taking little or no ownership

A young teenage girl was i believe maliciously targeted recently (see attached) which according to my research alot of well-meaning people in Sandbach find abhorrent.

Regards

Rob

NW Disability Forum

Pavilion Green Residents Group

----- Forwarded message -----

From: [REDACTED]

Date: Mon, 25 Jan 2021 at 07:02

Subject: Re: Green street field

To: Robert Walker [REDACTED]

Hi Rob

How has [REDACTED] attained your private email address, I didn't know you had a drone? and there is a lose implied reference to dogs becoming ill

I think you will have to escalate this email with the implied reference.

Keith

On Sun, 24 Jan 2021, 22:16 Robert Walker, [REDACTED] wrote:



Total fabrication

----- Forwarded message -----

From: The Laptop Shop [REDACTED]

Date: Sun, 24 Jan 2021, 19:46

Subject: Green street field

To: david jack <[REDACTED]>

Cc: [REDACTED]

As a user along with my wife of the fenced in area at the end of Green street much loved by local dog owners imagine my disquiet at hearing that more then one dog who has been exercised there fell ill immediately afterwards.

This was relayed to my wife in a phone call from a fellow dog owner and also ran as a post on Sandbach life....

As the Ward councillor covering that area I trust you are both aware and keen to find out if there is any truth in this and if there is what steps you are taking to investigate this occurrence

I have taken the liberty of copying Mr Walker in on this as I believe again from social media posts that he has a very special interest in the use of the field by dog owners and uses drone footage to record the public using that field...perhaps some of that footage if it showed any behaviour likely to impinge upon a dog or child's health could be made available to the constabulary?

Can we rely on you to pursue this matter which with any luck will just be a storm in a social media teacup?

Regards

██████████

From: Robert Walker [REDACTED]

Sent: 12 February 2021 18:53

To: Sandbach Town Council [REDACTED]; Monitoring Officer CEC
[REDACTED] CORCORAN, Sam
(Leader of Cheshire East Council) [REDACTED]

Subject: Fwd: FW: Robert walker

If you delay any further action in removing this Cllr from office I will have no alternative but to consider legal actions.

He is obviously a danger to other Council officials, staff, the general public and anybody that opposes him.

Enough is enough do you not think. Serious Human Rights are being breached.

I await your reply on Monday

----- Forwarded message -----

From: Donal Hegarty [REDACTED]

Date: Fri, 12 Feb 2021, 17:13

Subject: FW: Robert walker

To: [REDACTED]

Cc: Geraint Price Jones [REDACTED]

Hi Robert

Firstly thank you for your input at last night's council meeting which was well articulated and combined with [REDACTED] input certainly gave a character summary of Councillor Jack.

I am forwarding you the email he sent out this morning on the council email which basically shows that his behaviour does not change and his only contribution is attacking people with vile comments.

I will let you decide how best to respond to this email as there is no point engaging with him as he only gets off on antagonising people and common decency is not in his vocabulary

Yours

Donal

From: David Jack [REDACTED]

Sent: 12 February 2021 09:00

To: Councillors [REDACTED]

Subject: Robert walker

Last night, the mayor's favorite mental showcase, Robert Walker, validated himself as a member of the North West disability group as if that was some big honcho position that qualifies him.

Im a member of the national trust, doesn't mean I know Jack about history.

Nice to see the mayor continues to invite these utter cretins to speak at council and just spout vexatious crap.

Still. At least we all now cocoran knows nothing about cricket.

Regards

David Jack

Independent Town Councillor

Sandbach Town Council

Town Ward

[REDACTED]

From: Robert Walker [REDACTED]
Sent: 20 October 2020 19:38
To: Monitoring Officer CEC [REDACTED]
Subject: Re: Confidential Ref 36893/036/20 Standards letter to Complainant

Dear

Sir

I thank you for providing you with this latest information. I make you aware that Cllr David Jack once again made inappropriate comments about me in an email, this was sent from his Council Email address. The comments were both stigmatising and discriminatory and include reference to having serious mental health issues. I believe this is very derogatory and unprofessional and not the appropriate behaviour for a public servant.

Once again I feel that as a public authority you have failed in your duty to protect a member of the public from abuse from one of your members. It would appear from research and evidence that this person has a history of antagonism spanning a number of years in various political roles. I believe that if due diligence had been carried out in terms of the fit and proper persons test he would not have been allowed to stand for the role of a Town Councilor. Having read your Code of Conduct I do not consider it to be fit for purpose when compared to other public sector organisations such as the NHS.

I await your reply pending further actions.

Your sincerely

Robert Walker

----- Forwarded message -----

From: David Jack [REDACTED]

Date: Sun, 18 Oct 2020 at 10:29

Subject: Re: Tweet from [REDACTED]

To: Monitoring Officer CEC [REDACTED], Robert Walker
[REDACTED]

Clearly the woke wettness is infectious and simple words are twisted and portrayed as something else.

It's about time this harassment by the left was brought to task and stopped.

I'm sick and tired of these people including Robert Walker who has serious mental issues attacking my name without fact or foundation.

They don't like it when I retaliate and think I have to cow down to people who don't even live in our town.

I invite you to involve the police. I have nothing to hide but their continual course of action will certainly have to be answered.

Regards

David Jack

Independent Town Councillor

Sandbach Town Council

Town Ward
[REDACTED]

From: Robert Walker [REDACTED]

Sent: Sunday, October 18, 2020 10:09:18 AM

To: Monitoring Officer CEC [REDACTED], David Jack
[REDACTED]

Subject: Tweet from [REDACTED]

[REDACTED] Tweeted: Appalled to see that activists from a local Black Lives Matter group in Sandbach have received these messages from a sitting town councillor. Utterly disgraceful <https://t.co/7pbKCwKwoR>
<https://twitter.com/LauraSmithCrewe/status/1317527703055224832?s=20>

From: Robert Walker [REDACTED]

Sent: 13 February 2021 12:55

To: [REDACTED]

Cc: CORCORAN, Sam (Leader of Cheshire East Council) [REDACTED],
Geraint Price Jones [REDACTED], BRUCE,
Fiona [REDACTED]
[REDACTED]

Subject: Hate Crime Cheshire East Town Council

Dear Sirs

My name is Robert Walker i am a representative on the NW Disability Group.

I have been asked to contact you for some advise from a number of disabled people who no longer feel safe in their community of Sandbach. This includes women,teenagers,the elderly, disabled and terminally ill we believe.

We believe that Sandbach Town Council have failed in their Duty of Care in not protecting the public. Why do i say this,I say this because when disabled people like myself contact a local Town Councilor he uses discriminatory language that leaves us feeling stigmatised, this includes:

Local Nutter, Nut Job,Your need sectioning,go chase a bus etc

This individual has displayed violent and aggressive behaviour to others and this level of aggression is in the public domain.

The Council have taken his internal email account off him but not his public interfacing account.

We believe there has been several breaches of the Human Rights Act including:

a. We believe he is not allowing us to use our human rights to talk about care and treatment in our community inc littering,dog fouling,blocked pavements etc.

b We believe that people like the Monitoring Officer & The Leader of the Council working in public services must respect our rights, they do not appear to be our evidence shows.

c. The stock answer that we get from Cheshire Police is "Block him from all social media" This we believe is a breach of our Freedom of expression, why do I say this. I say this because I believe we should be able to contact our ward Councilor like the rest of the public.

Again on this point I believe the Town Council have failed in their Duty of Care.

We now seek some legal advice and possible publicity surrounding these issues asap, we believe this Cllr is a danger to the public but mostly vulnerable people with protected characteristics.

Regards

Rob Walker

NW Disability Group

CWP NHS Public Governor

Sam Corcoran

Mon 22/03/2021 07:54

Dear Sir,

I respond below to the specific (false) claims made by David Jack

1)They claimed i had made racist comments or was responsible for racist comments.

NOT TRUE - we claimed he administrates a Facebook group which often uses racist language (see Ku Klux Klan post about BLM protesters - more examples could be provided if required - David Jack administered the Sandbach Sarcastic Society Facebook Group)

2)They claimed i have made threatening abusive or intimidating comments to staff at town council and the public.

NOT TRUE - We claim he has shown he has no respect for staff or town councillors (see sample emails copied into town council staff/town clerk)

3)They claim i have been found guilty of breaking the code of conduct daily.

NOT TRUE - We claim he breaches the code of conduct daily (not that he is found guilty daily)- and this is supported by evidence (see emails and Facebook posts)

4)They have portrayed a picture of racist, offensive law breaker without proof and without any such complaints being upheld on these matters.

David Jack has been found guilty of breaching the code of conduct and has openly admitted breaching the code of conduct around confidentiality (see attached). The comments in the letter are accurate and fair.

5)This was a bullying and slanderous article of a letter that was not sent to me but rather to the papers. I received no copy of any such open letter. This was a politically motivated letter designed to undermine, harass and intimidate myself and bring my creditability into question by misleading the public.

NOT TRUE - The purpose of the letter is made clear in the opening paragraph.

This letter was, sadly, necessary to protect the reputation of the named Sandbach Town Councillors; in the light of David Jack's comments and refusal to respond positively to rulings from the Monitoring Officer there was a risk of guilt by association and it was therefore necessary for us to take public action to protect our reputations and that of Sandbach.

The complaint is malicious, vexatious, politically motivated and tit-for-tat in response to the complaints made against David Jack.

Other Comments

Why is the form dated 17/11/20?

Flavell is mis-spelt, Hegarty is mis-spelt, Hoffmann is mis-spelt, Geraint is mis-spelt David Jack regularly mis-spells and mis-pronounces Corcoran and refers to Donal as Doughnut - this has racist overtones against Irish ancestry.

The issues around respect for someone else's name are well known - see
<https://www.bbc.co.uk/newsround/56102005>

The Facebook posts by David Jack regularly breach the code of conduct
<https://www.facebook.com/100053602484111/videos/185153546614727/>

I attach a sample of emails sent to me by David Jack. If further evidence is required to prove the regularity of the abuse then please let me know.

Thu 04/03/2021 11:00

Has Sam (Stephen Albert Martin) had a bump to the head?

Today he writes in the paper that I was on the external christmas lights group and handed it back to the council because I cocked it up.

He goes on to rant about replacement flower baskets having to be put in because of the watering issues.

He then goes in to state I have been found guilty of racism.

He really has lost the plot.

██████████ was the christmas lights group.

██████ didn't put up any extra baskets in place of those that died.

There have been no cases, decisions or rulings finding me guilty of racism.

The man is clearly suffering with some form of brain function issues.

I look forward to my replies being published next week. Keep up.

As for being a member of the tory party, oh dear. You really are desperate Stephen Albert Martin. Seems your spy in the camp was found out a long time ago and served the purpose of feeding you the bull we wanted you to eat.

The gift that keeps giving - sandbach labour

Regards

David Jack

Independent Town Councillor

Sandbach Town Council

Town Ward

[REDACTED]

Sat 13/02/2021 22:15

Whilst y'all on a roll, you might wanna share this with Sam the sham. (STEPHEN ALBERT MARTIN COCORAN)

Whilst Ms flavall may have initially been misguided into believing everything she was told by the cult about me, she at least has a brain and some intelligence. She has a working history within schools and I believe has done her best to protect teachers and pupils alike.

Perhaps now she will push the leader of the cult to Concede the point.

I never thought I would say this, but i look forward to her being mayor and replacing the pathetic dribbling idiot we have had for the last umpteen months. She has twice as many balls as him when it comes to standing up to Marxist wet wokeness and twatts.

https://neu.org.uk/press-releases/impact-covid-school-workforce?fbclid=IwAR1XRxZAIQQ_ecNms0GvorYcmUiMe622bqLBj5ZiAVppHgJpOW_YpsnRJ0o

Regards

David Jack

Independent Town Councillor

Sandbach Town Council

Town Ward

[REDACTED]

Mon 08/02/2021 20:06

Here a leader of Cheshire east council openly lie and mislead a council meeting.

<https://www.facebook.com/2301547903271554/posts/3674795359280128/>

Regards

David Jack

Independent Town Councillor

Sandbach Town Council

Town Ward

[REDACTED]

Sat 16/01/2021 10:03

My apologies for missing full council Thursday, sadly I was stuck at work.

Seems I missed a hum dinger of an event.

I was interested to hear news from Hoffman of an ongoing police investigation about someone calling him a pedophile. That certainly is news to me.

I hope he has some evidence of this as he has already wasted a large amount of police time.

Just for clarity could anyone remind what year it was that [REDACTED] and [REDACTED] left labour over bullying and inappropriate sexual behaviour from a male Councillor?

Could you also remind me what year it was that Hoffman was suspended from labour for the first and for the second time?

I need it to be absolutely clear in my head so that I can put the record straight should I have to make any public statements to The police or courts. We all know how the happy clappers are always demanding absolute truth.

Which reminds me, what year was it Hoffman advocated Shooting all Tories and called for violence against political opponents? And who was aware of it before he stood for reelection?

Looks like embarrassment all round for some ahead.

Does anyone know how the vote went for the skate park presented by Stephen Albert Martin Cocoran?

Regards

David Jack

Independent Town Councillor

Sandbach Town Council

Town Ward

[REDACTED]

Sat 02/01/2021 21:45

It is with great sadness we have to announce that cllr Sam cocoran (Stephen Albert Martin Cocoran) is no longer leader of Cheshire east council.

He has been replaced by Cllr Nick Mannion (who's real name is, steve mannion) in an over night silent coup.

Nick comes with a huge wealth of experience in not a lot but is a huge advocate of bicycle lanes and pathways. So much so he often referred to as cyclepath mannion.

Please don't tell Sam, he will be very upset and will have to take down his map of the world from his living room door and stop doing daily broadcasts.

Sky

37% 21:07



New Year Message from the Lab...

www.silk1069.com**Labour Leader of Cheshire East Council Nick**

Mannion's abiding memory of 2020 is people standing on the doorsteps to applaud the NHS and clap for carers. There was a recognition that we rely on shop workers, refuse collectors and many others for our society to function.

In recent winters the NHS has been under pressure and this year with the added pressure of covid-19, it will struggle to cope. Going into the pandemic the NHS was already short of nurses and doctors due to a creeping underfunding and privatisation. We already have the highest death toll in Europe. Now we are entering a third wave with a £20bn Test-Trace system that is still not working properly



Regards

David Jack

Independent Town Councillor

Sandbach Town Council

Town Ward





Arrangements for Dealing With Standards Complaints Against Members.

Independent Assessment Meeting held on Monday 13th July 2020

Determination Notice

Complainant	Subject Member(s) and Council	Reference
Councillor Sam Corcoran	Councillor David Jack of Sandbach Town Council	35909/006/20

Summary of the Complaint

1. The complaint concerns Councillor David Jack ('the Subject Member') of Sandbach Town Council, case number 35909/006/20
2. The complainant is Councillor Sam Corcoran who is making the complaint as a member of Cheshire East Council
3. The alleged parts of the Code of Conduct breached are Integrity, Leadership, Respect for Others and Information.
4. The complaint relates to comment made by Councillor Jack at a Planning Committee meeting on 15th June 2020 and various emails sent to Councillor Corcoran.
5. The alleged behaviour is that the subject member made misleading comments at the Planning Committee meeting saying that Councillor Corcoran had suggested that he submit a FOI request to get information when he had not and Councillor Jack had sent abusive emails to Councillor Corcoran.

Summary of the Subject Member's Response

6. Councillor Jack responded that Councillor Corcoran suffers with autism and mental health problems.
7. Councillor Jack also responded that he will not answer any more complaints laid by this liar and manipulator.
8. Councillor Jack further responded that he demands the matter be referred to a standards committee to be heard and adjudicated by the monitoring officer.

Decision

9. The Monitoring Officer (MO) carefully considered the details of the complaint, the Subject Member's response, and received the views of the Independent Person.
10. Taking into consideration the views of the Independent Person, the MO concluded that the Subject Member was acting in his capacity as a Councillor and had breached the Members Code of Conduct in terms of Respect for Others.
11. The MO noted that inappropriate language had been used by Councillor Jack in messages to Councillor Corcoran, examples of this are *'You can read and watch them come out in my weekly videos. A lot more interesting than your autistic daily ramblings' and 'Take your tablets and get some sleep'.*
12. The MO could not find any evidence of misleading statements made at Planning Committee meeting on 15th June 2020.
13. The MO also considered that the 'You buckle up for a rough ride' comment made by Councillor Jack was not a threat and considered it as part of political rough and tumble.

If a breach of the Members Code of Conduct may have occurred what action, if any would be appropriate and in the Public Interest.

14. Balancing the seriousness of the matter alleged and the appropriate use of public resource, and after having taken account of the views of the Independent Person, I have determined that a full investigation of this incident is not in the public interest. Thus I consider that an informal remedy would be appropriate in this case.
15. Therefore my decision is that it would be appropriate for the MO to recommend Councillor Jack attends a Code of Conduct training session with Cheshire Association of Local Council (ChALC) and use of social media briefing, in view of the findings in the recent previous Code of Conduct complaints. The MO will make a referral to ChALC to get in touch with Cllr Jack regarding the training.

No further action will be taken and the matter will be closed.

Appeal

16. With the exception of external legal and Local Government Ombudsman processes, there is no right of appeal under the Council's procedure for the Complainant or for the Subject Member(s) against this decision of the Monitoring Officer.

Director of Governance and Compliance & Monitoring Officer
Date: 22.07.2020

Checked and issued subsequently by

██████████

Acting Director of Governance & Compliance

Date: 27.07.2020

Confidentiality Notice

The contents of this Notice must not be disclosed, other than a professional engaged to advise on the issues covered within this notice, without the explicit written consent of the Monitoring Officer of Cheshire East Borough Council.

CONFIDENTIAL



Arrangements for Dealing With Standards Complaints Against Members.

Independent Assessment Meeting held on Monday 8th June 2020

Determination Notice

Complainant	Subject Member(s) and Council	Reference
Councillor Sam Corcoran	Councillor David Jack of Sandbach Town Council	35355/001/20

Summary of the Complaint

1. The complaint concerns Councillor David Jack ('the Subject Member') of Sandbach Town Council, case number 35355/001/20
2. The complainant is Councillor Sam Corcoran who is making the complaint as a member of Cheshire East Council
3. The alleged parts of the Code of Conduct breached are Integrity, Leadership and Respect for Others.
4. The complaint relates to a social media post by Councillor Corcoran on 14th April 2020.
5. The alleged behaviour is that the subject member in response to the post falsely claimed that Councillor Corcoran said staff hadn't got any PPE and that Councillor Jack also used foul, abusive and threatening language.

Summary of the Subject Member's Response

6. Councillor Jack responded that this is yet another politically motivated complaint and you can see his own staff said they had no PPE.
7. Councillor Jack also responded that his autism prevents him from seeing reasonable debate or argument.
8. Councillor Jack further responded that the posts are from his personal account not his council account and that he has a right as a Cheshire East resident and tax payer to question and challenge Cheshire east councillors and this has nothing to do with his role as a Sandbach Town Councillor.

Decision

9. The Monitoring Officer (MO) carefully considered the details of the complaint, the Subject Member's response, and received the views of the Independent Person.
10. Taking into consideration the views of the Independent Person, the MO concluded that the Subject Member was acting in his capacity as a Councillor and had breached the Members Code of Conduct.
11. The MO noted that inappropriate language had been used by Councillor Jack in social media messages in response, examples of this are 'you really are a retard' and 'autism is your handicap'. The later is considered to have breached the equality law.
12. The MO also considered that the 'Gloves off good and proper now' comment made by Councillor Jack was not a threat and considered it as part of political rough and tumble.
13. It is irrelevant that the social media exchanges took place using Councillor Jack's personal Facebook account. Notwithstanding this, he is considered to be acting in his official capacity as a Councillor discussing Council business with the complainant.

If a breach of the Members Code of Conduct may have occurred what action, if any would be appropriate and in the Public Interest.

14. Balancing the seriousness of the matter alleged and the appropriate use of public resource, and after having taken account of the views of the Independent Person, I have determined that a full investigation of this incident is not in the public interest. Thus I consider that an informal remedy would be appropriate in this case.
15. Therefore my decision is that it would be appropriate for the MO to recommend that Councillor Jack receives advice and guidance on his use of social media from CEC and ChALC (Cheshire Association of Local Councils).

No further action will be taken and the matter will be closed.

Appeal

16. With the exception of external legal and Local Government Ombudsman processes, there is no right of appeal under the Council's procedure for the Complainant or for the Subject Member(s) against this decision of the Monitoring Officer.

██████████
Director of Governance and Compliance & Monitoring Officer

Date: 22.07.2020

Checked and issued subsequently by
██████████

Acting Director of Governance & Compliance

Date: 30.07.2020

Confidentiality Notice

The contents of this Notice must not be disclosed, other than a professional engaged to advise on the issues covered within this notice, without the explicit written consent of the Monitoring Officer of Cheshire East Borough Council.

Sam Corcoran

From: Sam Corcoran [REDACTED]
Sent: 21 November 2020 13:49
To: Sam Corcoran
Subject: Fw: Training

Best wishes,

Sam

S.A.M. Corcoran MA(Oxon), FCA, CTA (Fellow)
Labour & Co-operative Councillor for Sandbach Heath & East

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

CONFIDENTIALITY

This email and its contents and any attachments are intended only for the intended recipients. As the email may contain confidential information, if you are not the above named person or suspect that you are not an intended recipient please delete or destroy the email and any attachments immediately.

From: David Jack [REDACTED]
Sent: 18 November 2020 14:36
To: Gill Merry [REDACTED]; Sandra Broad [REDACTED]; Richard Hovey [REDACTED]; Laura Crane [REDACTED]; Steven Crane [REDACTED]; Paula Eaton [REDACTED]; Sam Corcoran [REDACTED]; Ian Williams [REDACTED]; Richard Hoffmann [REDACTED]
Cc: Geraint Price Jones [REDACTED]
Subject: Re: Training

And yes Hoffman, shame you and cocoran couldn't support ann instead of looking for reasons to get rid of her and hassling staff. Virtue signal all you want but at the end of the day you and cocoran created this mess.

Regards
David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward

[REDACTED]

From: David Jack [REDACTED]
Sent: Wednesday, November 18, 2020 2:28:55 PM
To: Gill Merry [REDACTED]; Sandra Broad [REDACTED]; Richard Hovey [REDACTED]; Laura Crane [REDACTED]; Steven Crane [REDACTED]; Paula Eaton [REDACTED]; Sam Corcoran [REDACTED]

[REDACTED] Ian Williams [REDACTED]; [REDACTED]
[REDACTED] Richard Hoffmann [REDACTED]
Cc: Geraint Price Jones [REDACTED]
Subject: Re: Training

Continuing profession AI devopment and training costs are very different from extra payments for working from home

As for the portrayal on social media, it seems some people are just being overly prissy.

If this is the way staff are going to behave when they can't get their own way then perhaps the council is now completely broken from top to bottom.

Some people quite frankly need to pull their heads from out of their arses and realise the world doesn't revolve around them. Especially in the labour group.

Regards
David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward

[REDACTED]

From: Richard Hoffmann [REDACTED]
Sent: Wednesday, November 18, 2020 2:23:15 PM
To: Gill Merry [REDACTED]; Sandra Broad [REDACTED]; Richard Hovey [REDACTED]; Laura Crane [REDACTED]; David Jack [REDACTED]; Steven Crane [REDACTED]; Paula Eaton [REDACTED]; Sam Corcoran [REDACTED]; Ian Williams [REDACTED]
Cc: Geraint Price Jones [REDACTED]
Subject: Re: Training

This is disappointing to read that a highly respected member of staff feels that she doesn't have the support of the full council to fund her training.

Get [Outlook for Android](#)

From: [REDACTED]
Sent: Wednesday, November 18, 2020 11:41:44 AM
To: Gill Merry [REDACTED]; Sandra Broad [REDACTED]; Richard Hovey [REDACTED]; Laura Crane [REDACTED]; Richard Hoffmann [REDACTED]; David Jack [REDACTED]; Steven Crane [REDACTED]; Paula Eaton [REDACTED]; Sam Corcoran [REDACTED]; Ian Williams [REDACTED]
Cc: Geraint Price Jones [REDACTED]
Subject: FW: Training

Dear Personnel Committee,
Please find below email from [REDACTED] which will be presented for receipt in due course.
Kind regards,
Katy

From: [REDACTED]
Sent: 18 November 2020 08:44
To: [REDACTED]
Subject: Training

Moring [REDACTED]

I am just emailing with regards to the resolution that was made at Personnel, with the offer to pay for my training to complete the AAT course, I am emailing to decline the offer that I was initially happy to accept, I will self-fund my training and have made contact with the company who I intended to use through Council funding.

I would be grateful if you would pass on my thanks to Personnel for the offer of support, but due to circumstances that evolved over the weekend with the information being posted on social media and the backlash against staff, I do not feel comfortable using Council funds to complete training that not just improves Council knowledge but has a positive effect on my future, I feel this would also be seen as a negative should this be made public. I also feel that at this moment in time when funds are low and other people are struggling to get by, I would rather these funds be used to train new staff who we will be providing employment for.

Many thanks

[REDACTED]

[REDACTED]

Acting Responsible Finance Officer
<https://sandbach.gov.uk/people/council-staff/>

Please note, I am currently working away from the office during my normal working hours.

Core Working Hours: Monday to Thursday 9:00am to 2:30pm
Sandbach Town Council

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Direct Telephone: [REDACTED]
Main Telephone: [REDACTED]

www.sandbach.gov.uk

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8/18/2020

Mia Sykes - *Sorry deleted last post as I forgot this group isn't...

Search



Sam

Home

Create

1

1



Mia Sykes Black Lives Matter Supporters Sandbach

3 August ·

*Sorry deleted last post as I forgot this group isn't private yet. *

Hey guys,

I'm sure some of you have seen the pure hatred about us/me on the sarcastic society today. Could everyone pls do me a favour and report the group and this post on 'Sandbach Sarcastic Society'? This is where all these screenshots are from. The admin (David Jack) enables racism and is racist on here daily. He is also on the town council. You can write a formal complaint about him here

https://www.cheshireeast.gov.uk/.../councillor_conduct.aspx...

19:51

4G



Sandbach Sarcastic Society · Join

David Jack · 10 h ·

This is their agenda. Anyone who refuses to support BLM and their local movement gets attacked.

This is fascism in real life.

I shall be speaking with Cheshire police today about criminal harassment.

Please feel free to send me any screen shots that you feel constitute an unwarranted attack against any of us.



Mia Sykes

12h ·

Please can all my friends and family show their support by writing a formal complaint to the council about cllr David Jack. He is the admin of this group and members regularly incite racial hatred and joke about/ undermine the BLM movement. He is an enabler and should not have a public platform like a role on the town council. In order for a more inclusive Sandbach we need councillors who are anti racist and show solidarity towards Black Lives Matter, not councillors who enable covert and overt racism and mock our fight towards equality. Also it would be helpful to email Sandbach Chronicle letters page, there is so much power in numbers.

Here's the complaints form page and email address for the chronicle.

https://www.cheshireeast.gov.uk/.../councillor_conduct.aspx

Chronicleseries@aol.com



16:41



18%

and 24 others

44 comments

Like

Comment



Reported the group and am writing my letter now. Been busy at work these past few days but I'm catching up now and I'm furious/disgusted with what I'm reading. You're doing an amazing job, stay strong xxx

Like · Reply · 2w · Edited



Mia Sykes replied · 1 reply



So he believes that BLM are trying to take away his freedom of speech by complaining about his conduct in office and he responds to it by threatening to go to the police about it...

I don't know about anyone else but using the threat of police authority action against a peaceful group you dont agree with sounds pretty..... See more

Like · Reply · 2w

12

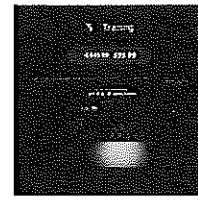


replied · 8 replies



Man, he's such a snowflake.

Sponsored



WSOP Sale [Save \$50]
runitonce.com
MTT players, we know that comes with playing tourna



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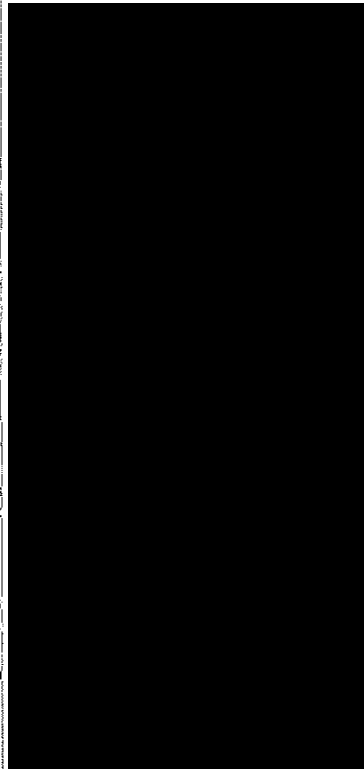


Congleton Constituency · 7



Cheshire East Labour ... · 9

CONTACTS



Search

8/18/2020

Mia Sykes - *Sorry deleted last post as I forgot this group isn't...

Search



Sam

Home

Create

1

1

[Redacted] t11g0r0

I find it more concerning that somebody that thick was actually elected?? Fascism? Criminal harassment? What an absolute nob. I bet the coppers actually had a good laugh at his expense.

Like · Reply · 2w

6



[Redacted] replied · 8 replies

They all sound like a disgusting mob to me, and I hope FB take this seriously and shut them down.

Like · Reply · 2w

3



Mia Sykes replied · 6 replies

You are a bloody hero. All done

Like · Reply · 2w

2

Together we stand

Check for updates
2 Messages

Monitoring Officer
[Redacted]

Automatic reply: Complaint
regarding DAVID JACK

Thank you for your email which we
receiving. We will endeavour to provide an
acknowledgement as soon as we can.
We will keep you updated.

We are sorry that we cannot provide a more
detailed response at this time. We will
keep you updated. Please do not hesitate to
contact us if you have any further queries.
We are sorry that we cannot provide a more
detailed response at this time. We will
keep you updated. Please do not hesitate to
contact us if you have any further queries.

4

Like · Reply · 2w

"In 2016 a restraining order was granted to prevent David Jack harassing two women. In 2010 he stepped down as a Parliamentary candidate over allegations a racist message was sent from his official e-mail address http://news.bbc.co.uk/1/hi/uk_politics/8469147.stm However, the local Conservatives recently voted for him to be Deputy Mayor of Sandbach (fortunately they lost the vote). David Jack was 'elected' onto Sandbach Town Council in 2019 as there were only 4 candidates for 5 places in Sandbach Town Ward; he is not up for re-election until 2023."

NEWS.BBC.CO.UK

BBC News - Lib Dem candidate quits in
e-mail race row

Like · Reply · 2w · Edited

7



[Redacted] replied · 1 reply

[Redacted] the link to the complaints is in this post and if you want to send one, Mia Sykes will send you a template xx

Like · Reply · 1w

2



[Redacted] replied · 3 replies

Like · Reply · 1w



[Redacted] replied · 5 replies

Like · Reply · 1w

Like · Reply · 1w

Write a comment...

YOUR PAGES



Congleton Constituency 7



Cheshire East Labour Party 9

Search

8/18/2020

Mia Sykes - *Sorry deleted last post as I forgot this group isn't...

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Sam

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YOUR PAGES



Congleton Constituen... 7



Cheshire East Labour ... 9



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Sandbach Partnership David Jack



On Mon, 18 Jan 2021, 11:30 David Jack <David.Jack@sandbach.gov.uk> wrote
Trampoline

Or has your mental health erased all of your memory.

Go play with your parking cones.

And who the hell ever thought nominating you for the chair of partnership was a good idea is obviously as stupid as you

Regards

David Jack

Independent Town Councillor

Sandbach Town Council

Town Ward

07524259823

FROM: FACULTY WILSON <WILSON@FACULTYWILSON.COM>

SENT: Monday, January 18, 2021 11:28:34 AM

TO: 'David Jack' <David.Jack@sandbach.gov.uk>

SUBJECT: PEP 10

Done

Comments

Like Reply

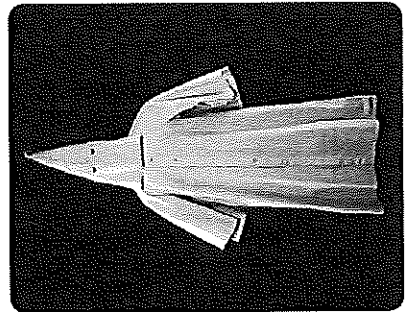
Confucius say protester who get up.in morning and see frost on grass go back bed....it's only weeks away...

4 h Like Reply 2

And yet another perfectly harmless post from Sandbach Life this morning and I quote 'To the administrators of Sandbach Life . I note ,as I feared that the correspondence on B.L. M. is becoming more divisive to the community.Surely this type of disputation should not be fostered on this channel.' 12 minutes later it gets reported to admin as Freddy has dared to post something that the great unwashed disagree with. Sandbach Life admin are an absolute disgrace ! Let's get Freddy to join us.

3 h Like Reply 3

I'll bring my raincoat just incase



Write a comment...



BLM organisers in Cheshire threatened in local Facebook group

Town councillor was one of four administrators of group in which another user posted KKK image

The offending posts have since been removed from the Sandbach Sarcastic Society group on Facebook. Photograph: Alamy

██████████ and ██████████

Published on Mon 10 Aug 2020 16.19 BST

Organisers of Black Lives Matter protests in Sandbach, Cheshire, have been threatened and “doxxed” (had private information maliciously published online) in a Facebook group for which one of the town’s councillors was an administrator.

Comments in the Facebook group, Sandbach Sarcastic Society, which has more than 5,300 members, included details of where one organiser was said to live. One person suggested sending the details to the English Defence League, while another posted a picture of the Ku Klux Klan.

David Jack, who was elected as an independent councillor to Sandbach town council in 2019, was one of four administrators of the Facebook group.

The posts and comments have been removed from the group, Jack is no longer an administrator, and the group has been made private. Jack is not known to have made any abusive or threatening comments in the group.

██████████, 20, has held three socially distanced BLM protests in Sandbach, where she grew up. The first took place near the cenotaph in the town centre.

“People came up to us shouting that segregation was a good thing, that ‘All lives matter’, and one guy said he’d come back with a shotgun if we touched the cenotaph,” she said. “It was the most bizarre and horrible experience. When I posted about it online, people really went mad. Sandbach has a problem and it’s exemplified in that Facebook group.”

Beneath a screenshot of a post in which Unnithan referred to an upcoming protest, one comment said: “I’ll bring my raincoat just incase [sic],” with a picture of the Klan beneath.

The incident has been reported to the police. A spokesperson for Cheshire Constabulary said: "We have received a complaint following a Facebook post in the Sandbach area. An investigation in relation to the post is under way and enquiries are ongoing."

Also shared to the group, on 14 July, was what Jack referred to as his "open letter to all sandbach [sic] town councillors and the press", in which he described BLM as "an ultra anarchist movement" with "an agenda for marxism and anarchy" and suggested that supporting the movement was "a slip down the path to dictatorship and facsim [sic]".

In another recent post, Jack referred to BLM supporters as "racists", writing: "BLM posts are now banned. Stop giving oxygen to racists of any form."

Recent posts and comments shared on the group referred to the BLM protesters as "silly young girls with nothing better to do", "lefty bitch" and "white racists", and claimed it was "utter bollocks" to suggest there was racism in Sandbach.

There were also posts about patriotism, "All lives matter", and mocking the idea of white privilege. One user posted details of where they claimed one organiser lived in the comment section and refused to remove it. The comment has since been deleted.

Several residents from Sandbach told the Guardian that more than 30 complaints had been made to the town council about Jack, some concerning his involvement in the Facebook group. On another Facebook page on 25 June, Jack posted a video of himself burning complaints about him, which he said were mostly from "members of the Labour party". James Barber, a local Labour councillor who attended one of Sandbach's BLM protests, criticised Jack over his role as an administrator for the Facebook group. "I was disappointed to find ... many abusive comments were posted in regard to the protest and those involved," Barber said. "As a town councillor, David Jack is in a position of responsibility and trust."

The group has been reported on numerous occasions to Facebook, but complainants say they were told no action was being taken because the group "doesn't go against one of our [Facebook's] specific community standards", and were advised to hide, unfollow or leave the group.

One local resident, who wished to remain anonymous owing to fears for her safety, said she had experienced racism in the 28 years she had lived in Sandbach, and this had been amplified in the aftermath of the police killing of George Floyd in the US in May.

“[The KKK comment] hit very hard,” she said. “It’s hard to think that I have acquaintances, people I went to school with, friends’ parents, liking comments like that.”

A spokesperson for Sandbach town council said: “Complaints regarding individual town councillors are handled by the principal authority, which for Sandbach is Cheshire East borough council. These complaints are investigated under the standards procedure and the monitoring officer receives and reviews the complaint, liaising with all involved parties directly.”

Jack did not respond to requests for comment.

<https://www.theguardian.com/uk-news/2020/aug/10/blm-organisers-in-cheshire-threatened-in-local-facebook-group>

METRO

.....

Mr Jack confirmed: ‘The police have been supplied with all of the relevant articles for them to address accordingly. ‘There have been inflammatory comments and language by all sides of the debate and it has been difficult at the best of times to moderate five and a half thousand members comments whilst maintaining a working life, a family life and a social life.’

He went on to condemn the actions of those targeting BLM protesters, stating: ‘People need to be aware of what constitutes racist behaviour and language and be held accountable for their actions through the correct judicial process and not by a trial on social media.

‘I was appalled that a group of young people peacefully protesting were subjected to threats and intimidation on the streets. ‘It is regrettable that other members on the page did not speak out, including the town’s current mayor and the chair of the local Labour Party, or report the post to any admin for deletion.’

A spokesperson for Sandbach Town Council said: ‘Complaints regarding individual town councillors are handled by the principal authority, which for Sandbach is Cheshire East Borough Council. ‘These complaints are investigated under the standards procedure and the monitoring officer receives and reviews the complaint, liaising with all involved parties directly.’

<https://metro.co.uk/2020/08/12/black-lives-matter-protesters-threatened-councillors-post-personal-address-online-13117261/?fbclid=IwAR1z6nAk2S23fu1I7yZiYHD6PxIWHIQtrXInyB0KBRnwSRcnJgAhoG7-adM#metro-comments-container>

Sam Corcoran

Subject: FW: FAO Cheshire East Monitoring Officer / Data Protection Officer - Urgent

From: Mia Sykes [REDACTED] >

Sent: 25 November 2020 11:30

To: Monitoring Officer CEC [REDACTED]

Cc: CORCORAN, Sam (Leader of Cheshire East Council) [REDACTED]
[REDACTED]

Subject: FAO Cheshire East Monitoring Officer / Data Protection Officer - Urgent

Dear Monitoring officer,

Please find enclosed recent communication on social media by David Jack – and subsequent commentary after he shared this information publicly.

Please also note that I had requested anonymity for initially to avoid this happening and to avoid distress that this causes.

As this represents a Personal Data Breach by the council – and something that is already having an immediate and detrimental impact on myself (therefore should be considered a significant risk to my rights and freedoms) please can you confirm you will be undertaking the Independent Commission Commissioners guidance on the matter and report this as a data breach immediately.

(see below for an excerpt of the guidance the provide for organisations who have found a data breach to have occurred.

You need to tell the people affected by the breach without delay. You should inform them about any steps you are taking to mitigate the effects of the breach and provide them with advice on what to do to protect themselves.

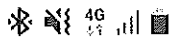
As you've made an assessment there is likely to be a high risk then you must also notify the ICO. This must be done within 72 hours of becoming aware of the breach.

Due to the severity of this issue and the need to report to the ICO within 72 hours I have copied in the Leader of Cheshire East Council and Sandbach Town Council – to ensure this is picked up and addressed as it should be.

Kind Regards

Mia Sykes

10:37

**David Jack**

16 m • 2



Local nut job on it again.

Its OK for this Spolit little twatt to call me everything under the sun, but when I tell her to fuck off she lays complaints and causes trouble.

Spolit little brat who's parents never had the bollocks to say no to her.

And yes, publishing this constitutes a breach of the code of conduct as an elected member. But you know what, I'm sick and tired of this constant attack by people who don't know me, and who don't even live in this town.

Cheshire East Council

MEMBER CODE OF CONDUCT

COMPLAINT FORM

For Borough Councillors, Town & Parish Councillors and Co-opted Members

Your details

1. Please provide us with your name and contact details

Name	Mr
First name	John
Last name	Smith
Address	123 Main Street, Cheshire East, CH1 1AA
Daytime telephone	01246 123456
Evening telephone	As above
Mobility telephone	As above
Email address	john.smith@cheshireeast.gov.uk

Please indicate if you would prefer us NOT to use your email address in your report

Address for general correspondence purposes

Section	4.74	4.75	4.76	4.77	4.78	4.79	4.80
1.1.1	1.1.2	1.1.3	1.1.4	1.1.5	1.1.6	1.1.7	1.1.8
1.2.1	1.2.2	1.2.3	1.2.4	1.2.5	1.2.6	1.2.7	1.2.8
1.3.1	1.3.2	1.3.3	1.3.4	1.3.5	1.3.6	1.3.7	1.3.8
1.4.1	1.4.2	1.4.3	1.4.4	1.4.5	1.4.6	1.4.7	1.4.8
1.5.1	1.5.2	1.5.3	1.5.4	1.5.5	1.5.6	1.5.7	1.5.8
1.6.1	1.6.2	1.6.3	1.6.4	1.6.5	1.6.6	1.6.7	1.6.8
1.7.1	1.7.2	1.7.3	1.7.4	1.7.5	1.7.6	1.7.7	1.7.8
1.8.1	1.8.2	1.8.3	1.8.4	1.8.5	1.8.6	1.8.7	1.8.8
1.9.1	1.9.2	1.9.3	1.9.4	1.9.5	1.9.6	1.9.7	1.9.8
1.10.1	1.10.2	1.10.3	1.10.4	1.10.5	1.10.6	1.10.7	1.10.8
1.11.1	1.11.2	1.11.3	1.11.4	1.11.5	1.11.6	1.11.7	1.11.8
1.12.1	1.12.2	1.12.3	1.12.4	1.12.5	1.12.6	1.12.7	1.12.8
1.13.1	1.13.2	1.13.3	1.13.4	1.13.5	1.13.6	1.13.7	1.13.8
1.14.1	1.14.2	1.14.3	1.14.4	1.14.5	1.14.6	1.14.7	1.14.8
1.15.1	1.15.2	1.15.3	1.15.4	1.15.5	1.15.6	1.15.7	1.15.8
1.16.1	1.16.2	1.16.3	1.16.4	1.16.5	1.16.6	1.16.7	1.16.8
1.17.1	1.17.2	1.17.3	1.17.4	1.17.5	1.17.6	1.17.7	1.17.8
1.18.1	1.18.2	1.18.3	1.18.4	1.18.5	1.18.6	1.18.7	1.18.8
1.19.1	1.19.2	1.19.3	1.19.4	1.19.5	1.19.6	1.19.7	1.19.8
1.20.1	1.20.2	1.20.3	1.20.4	1.20.5	1.20.6	1.20.7	1.20.8
1.21.1	1.21.2	1.21.3	1.21.4	1.21.5	1.21.6	1.21.7	1.21.8
1.22.1	1.22.2	1.22.3	1.22.4	1.22.5	1.22.6	1.22.7	1.22.8
1.23.1	1.23.2	1.23.3	1.23.4	1.23.5	1.23.6	1.23.7	1.23.8
1.24.1	1.24.2	1.24.3	1.24.4	1.24.5	1.24.6	1.24.7	1.24.8
1.25.1	1.25.2	1.25.3	1.25.4	1.25.5	1.25.6	1.25.7	1.25.8
1.26.1	1.26.2	1.26.3	1.26.4	1.26.5	1.26.6	1.26.7	1.26.8
1.27.1	1.27.2	1.27.3	1.27.4	1.27.5	1.27.6	1.27.7	1.27.8
1.28.1	1.28.2	1.28.3	1.28.4	1.28.5	1.28.6	1.28.7	1.28.8
1.29.1	1.29.2	1.29.3	1.29.4	1.29.5	1.29.6	1.29.7	1.29.8
1.30.1	1.30.2	1.30.3	1.30.4	1.30.5	1.30.6	1.30.7	1.30.8
1.31.1	1.31.2	1.31.3	1.31.4	1.31.5	1.31.6	1.31.7	1.31.8
1.32.1	1.32.2	1.32.3	1.32.4	1.32.5	1.32.6	1.32.7	1.32.8
1.33.1	1.33.2	1.33.3	1.33.4	1.33.5	1.33.6	1.33.7	1.33.8
1.34.1	1.34.2	1.34.3	1.34.4	1.34.5	1.34.6	1.34.7	1.34.8
1.35.1	1.35.2	1.35.3	1.35.4	1.35.5	1.35.6	1.35.7	1.35.8
1.36.1	1.36.2	1.36.3	1.36.4	1.36.5	1.36.6	1.36.7	1.36.8
1.37.1	1.37.2	1.37.3	1.37.4	1.37.5	1.37.6	1.37.7	1.37.8
1.38.1	1.38.2	1.38.3	1.38.4	1.38.5	1.38.6	1.38.7	1.38.8
1.39.1	1.39.2	1.39.3	1.39.4	1.39.5	1.39.6	1.39.7	1.39.8
1.40.1	1.40.2	1.40.3	1.40.4	1.40.5	1.40.6	1.40.7	1.40.8
1.41.1	1.41.2	1.41.3	1.41.4	1.41.5	1.41.6	1.41.7	1.41.8
1.42.1	1.42.2	1.42.3	1.42.4	1.42.5	1.42.6	1.42.7	1.42.8
1.43.1	1.43.2	1.43.3	1.43.4	1.43.5	1.43.6	1.43.7	1.43.8
1.44.1	1.44.2	1.44.3	1.44.4	1.44.5	1.44.6	1.44.7	1.44.8
1.45.1	1.45.2	1.45.3	1.45.4	1.45.5	1.45.6	1.45.7	1.45.8
1.46.1	1.46.2	1.46.3	1.46.4	1.46.5	1.46.6	1.46.7	1.46.8
1.47.1	1.47.2	1.47.3	1.47.4	1.47.5	1.47.6	1.47.7	1.47.8
1.48.1	1.48.2	1.48.3	1.48.4	1.48.5	1.48.6	1.48.7	1.48.8
1.49.1	1.49.2	1.49.3	1.49.4	1.49.5	1.49.6	1.49.7	1.49.8
1.50.1	1.50.2	1.50.3	1.50.4	1.50.5	1.50.6	1.50.7	1.50.8
1.51.1	1.51.2	1.51.3	1.51.4	1.51.5	1.51.6	1.51.7	1.51.8
1.52.1	1.52.2	1.52.3	1.52.4	1.52.5	1.52.6	1.52.7	1.52.8
1.53.1	1.53.2	1.53.3	1.53.4	1.53.5	1.53.6	1.53.7	1.53.8
1.54.1	1.54.2	1.54.3	1.54.4	1.54.5	1.54.6	1.54.7	1.54.8
1.55.1	1.55.2	1.55.3	1.55.4	1.55.5	1.55.6	1.55.7	1.55.8
1.56.1	1.56.2	1.56.3	1.56.4	1.56.5	1.56.6	1.56.7	1.56.8
1.57.1	1.57.2	1.57.3	1.57.4	1.57.5	1.57.6	1.57.7	1.57.8
1.58.1	1.58.2	1.58.3	1.58.4	1.58.5	1.58.6	1.58.7	1.58.8
1.59.1	1.59.2	1.59.3	1.59.4	1.59.5	1.59.6	1.59.7	1.59.8
1.60.1	1.60.2	1.60.3	1.60.4	1.60.5	1.60.6	1.60.7	1.60.8
1.61.1	1.61.2	1.61.3	1.61.4	1.61.5	1.61.6	1.61.7	1.61.8
1.62.1	1.62.2	1.62.3	1.62.4	1.62.5	1.62.6	1.62.7	1.62.8
1.63.1	1.63.2	1.63.3	1.63.4	1.63.5	1.63.6	1.63.7	1.63.8
1.64.1	1.64.2	1.64.3	1.64.4	1.64.5	1.64.6	1.64.7	1.64.8
1.65.1	1.65.2	1.65.3	1.65.4	1.65.5	1.65.6	1.65.7	1.65.8
1.66.1	1.66.2	1.66.3	1.66.4	1.66.5	1.66.6	1.66.7	1.66.8
1.67.1	1.67.2	1.67.3	1.67.4	1.67.5	1.67.6	1.67.7	1.67.8
1.68.1	1.68.2	1.68.3	1.68.4	1.68.5	1.68.6	1.68.7	1.68.8
1.69.1	1.69.2	1.69.3	1.69.4	1.69.5	1.69.6	1.69.7	1.69.8
1.70.1	1.70.2	1.70.3	1.70.4	1.70.5	1.70.6	1.70.7	1.70.8
1.71.1	1.71.2	1.71.3	1.71.4	1.71.5	1.71.6	1.71.7	1.71.8
1.72.1	1.72.2	1.72.3	1.72.4	1.72.5	1.72.6	1.72.7	1.72.8
1.73.1	1.73.2	1.73.3	1.73.4	1.73.5	1.73.6	1.73.7	1.73.8
1.74.1	1.74.2	1.74.3	1.74.4	1.74.5	1.74.6	1.74.7	1.74.8
1.75.1	1.75.2	1.75.3	1.75.4	1.75.5	1.75.6	1.75.7	1.75.8
1.76.1	1.76.2	1.76.3	1.76.4	1.76.5	1.76.6	1.76.7	1.76.8
1.77.1	1.77.2	1.77.3	1.77.4	1.77.5	1.77.6	1.77.7	1.77.8
1.78.1	1.78.2	1.78.3	1.78.4	1.78.5	1.78.6	1.78.7	1.78.8
1.79.1	1.79.2	1.79.3	1.79.4	1.79.5	1.79.6	1.79.7	1.79.8
1.80.1	1.80.2	1.80.3	1.80.4	1.80.5	1.80.6	1.80.7	1.80.8
1.81.1	1.81.2	1.81.3	1.81.4	1.81.5	1.81.6	1.81.7	1.81.8
1.82.1	1.82.2	1.82.3	1.82.4	1.82.5	1.82.6	1.82.7	1.82.8
1.83.1	1.83.2	1.83.3	1.83.4	1.83.5	1.83.6	1.83.7	1.83.8
1.84.1	1.84.2	1.84.3	1.84.4	1.84.5	1.84.6	1.84.7	1.84.8
1.85.1	1.85.2	1.85.3	1.85.4	1.85.5	1.85.6	1.85.7	1.85.8
1.86.1	1.86.2	1.86.3	1.86.4	1.86.5	1.86.6	1.86.7	1.86.8
1.87.1	1.87.2	1.87.3	1.87.4	1.87.5	1.87.6	1.87.7	1.87.8
1.88.1	1.88.2	1.88.3	1.88.4	1.88.5	1.88.6	1.88.7	1.88.8
1.89.1	1.89.2	1.89.3	1.89.4	1.89.5	1.89.6	1.89.7	1.89.8
1.90.1	1.90.2	1.90.3	1.90.4	1.90.5	1.90.6	1.90.7	1.90.8
1.91.1	1.91.2	1.91.3	1.91.4	1.91.5	1.91.6	1.91.7	1.91.8
1.92.1	1.92.2	1.92.3	1.92.4	1.92.5	1.92.6	1.92.7	1.92.8
1.93.1	1.93.2	1.93.3	1.93.4	1.93.5	1.93.6	1.93.7	1.93.8
1.94.1	1.94.2	1.94.3	1.94.4	1.94.5	1.94.6	1.94.7	1.94.8
1.95.1	1.95.2	1.95.3	1.95.4	1.95.5	1.95.6	1.95.7	1.95.8
1.96.1	1.96.2	1.96.3	1.96.4	1.96.5	1.96.6	1.96.7	1.96.8
1.97.1	1.97.2	1.97.3	1.97.4	1.97.5	1.97.6	1.97.7	1.97.8
1.98.1	1.98.2	1.98.3	1.98.4	1.98.5	1.98.6	1.98.7	1.98.8
1.99.1	1.99.2	1.99.3	1.99.4	1.99.5	1.99.6	1.99.7	1.99.8
1.100.1	1.100.2	1.100.3	1.100.4	1.100.5	1.100.6	1.100.7	1.100.8

Declaration of interest

1. I declare that I am not a member of any other local authority or public body.

2. I declare that I am not a member of any other local authority or public body.

3. I declare that I am not a member of any other local authority or public body.

4. I declare that I am not a member of any other local authority or public body.

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30. I declare that I am not a member of any other local authority or public body.

3



MEMBER CODE OF CONDUCT

COMPLAINT FORM

For Borough Councillors, Town & Parish Councillors and Co-opted Member(s).

Your details-

1. Please provide us with your name and contact details.

Title:	Miss
First name:	Mia
Last name:	Sykes
Address:	<div style="background-color: black; width: 100px; height: 15px; margin-bottom: 2px;"></div> <div style="background-color: black; width: 100px; height: 15px; margin-bottom: 2px;"></div> <div style="background-color: black; width: 100px; height: 15px; margin-bottom: 2px;"></div> <div style="background-color: black; width: 100px; height: 15px;"></div>
Daytime telephone:	<div style="background-color: black; width: 100px; height: 15px;"></div>
Evening telephone:	As above
Mobile telephone:	As above
Email address:	<div style="background-color: black; width: 100px; height: 15px;"></div>

Please indicate if you would prefer us NOT to use your email address as your postal address for general correspondence purposes _____

2. Please tell us which complainant type best describes you:

- ☐ xxxxxxxx Member of the public
☐ An elected or co-opted member(s) of a Council or a Town and Parish Council
☐ Local Authority Monitoring Officer
☐ Other Council Officer or employee of the Council
☐ Other - please specify _____

3. Please provide us with the name of the Member(s) you believe have breached the Code of Conduct and the name of their Council:

Title	First name	Last name	Council or Authority name
Mr	David	Jack	Sandbach Town Council

4. Please identify (marking with an X in the right hand side column) which paragraphs of the Code of Conduct you believe have been breached for set out in the Complaint Form

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- ☐ Local Authority Monitoring Officer
- ☐ Other Council Officer or employee of the Council
- ☐ Other - please specify

3. Please provide us with the name of the Member(s) you believe have breached the Code of Conduct and the name of their Council.

Title	First name	Last name	Council or Authority name
(11)	David	Jack	Sandbach Town Council

4. Please identify (marking with an X in the right hand side column) which paragraphs of the Code of Conduct you believe have been breached (as set out in the Cheshire East Members' Code of Conduct):

General Obligations			
4.1	Selflessness	4.10	Promote high standards of conduct by example
			x



Like



Comment

Sky

89% 10:16



2616200 - CEC...



4.1	Selflessness		4.10	Promote high standards of conduct by example	x
4.2	Integrity	x	4.11	Uphold the law and public trust	x
4.3	Make choices on merit		4.12	Treat others with courtesy	x
4.4	Remain objective		4.13	i) Breach equality laws	x
4.5	Exercise independent judgement			ii) compromise others	
4.6	Accountability	x		iii) bully any person	x
4.7	Openness	x		iv) intimidate any person	x
4.8	Declaring interests		4.14	Disclosure of confidential information	
4.9	Use of resources		4.15	Access to information	

Declarations of Interest

9	Failure to declare a disclosable pecuniary interest (DPI)	
10	Participation at a meeting (speaking or voting) where DPI exists	
11	Discharging council functions where DPI exists	
14	Failure to declare a personal interest (Council appointment)	
15	i) Failure to declare a personal interest (Membership of public body)	
	ii) Failure to declare a personal interest (Membership of charitable body)	



10:37



- ☐ Local Authority Monitoring Officer
- ☐ Other Council Officer or employee of the Council
- ☐ Other - please specify

3. Please provide us with the name of the Member(s) you believe have breached the Code of Conduct and the name of their Council.

Title	First name	Last name	Council or Authority name
Chair	David	Jack	Sandbach Town Council

4. Please identify (marking with an X in the right hand side column) which paragraphs of the Code of Conduct you believe have been breached (as set out in the Cheshire East Members' Code of Conduct).

General Obligations				
4.1	Selflessness	4.10	Promote high standards of conduct by example	X



Like



Comment

Sky

89% 10:16



2616200 - CEC...



4.1	Selflessness	4.10	Promote high standards of conduct by example	X
4.2	Integrity	X	4.11 Uphold the law and public trust	X
4.3	Make choices on merit		4.12 Treat others with courtesy	X
4.4	Remain objective		4.13 i) Breach equality laws	X
4.5	Exercise independent judgement		ii) compromise others	
4.6	Accountability	X	ii) bully any person	X
4.7	Openness	X	ii) intimidate any person	X
4.8	Declaring interests		4.14 Disclosure of confidential information	
4.9	Use of resources		4.15 Access to information	

Declarations of Interest

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10	Participation at a meeting (speaking or voting) where DPI exists	
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15	i) Failure to declare a personal interest (Membership of public body)	
	ii) Failure to declare a personal interest (Membership of charitable body)	



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4.1	Selflessness		4.10	Promote high standards of conduct by leadership examples	x
4.2	Integrity	x	4.11	Uphold the law and public trust	x
4.3	Make choices on merit		4.12	Treat others with courtesy	x
4.4	Human objective		4.13	i) Breach equally laws	x
4.5	Exercise independent judgement			ii) compromise others	
4.6	Accountability	x		iii) bully any person	x
4.7	Openness	x		iv) intimidate any person	x
4.8	Declaring interests		4.14	Disclosure of confidential information	
4.9	Use of resources		4.15	Access to information	

Declarations of Interest

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10	Participation at a meeting (speaking or voting) where DPI exists	
11	Discharging council functions where DPI exists	
14	Failure to declare a personal interest (Council appointment)	
15	i) Failure to declare a personal interest (Membership of public body)	
	ii) Failure to declare a personal interest (Membership of charitable body)	

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	ii) Failure to declare a personal interest (Membership of a body which influences public opinion or policy)	
17	Failure to declare a personal interest which affects the Subject Member's or a relevant person's wellbeing or financial position	
20	Failure to declare a prejudicial interest	
21	Participation at a meeting as a member of the body concerned (speaking or voting) where a prejudicial interest exists	

Pre-Determination and Bias

22	Taking part in a decision when biased or have pre-determined the matter in question	
26	Failure to declare a pre-determination	
28	Failure to withdraw to the public area of the meeting room after a declaration of pre-determination	

Please explain in this section (or on separate sheets) what the Member(s) has/have done that you believe breaches their Council's Code of Conduct. If you are complaining about more than one Member you should explain clearly what each individual person has done which you believe breaches the Code of Conduct.

Attach screenshots to evidence the complaint below.

I am complaining about Cllr Jack concerning two incidents. Firstly, the personal, misogynistic and ableist attack on me, a member of the public. This happened on Friday the 25th September on a local Facebook community page which is open to the public called, "Sandbach Community." It was on a post written by [redacted] which entailed a video from David Jack's YouTube channel and clearly shows him videoing me and the other two founders of Black Lives Matter Sandbach on the online town council meeting speaking in the public session which was held the night before.

On the post I commented stating that Mr Jack had no permission to upload the video. And therefore, no consent was given. We are on his public YouTube channel without consent. Filming three young women when he should have been on camera replying to our public questions, his camera was turned off and audio was muted and now we can see why as there is evidence that he was filming us.

10:38



like myself. This stated,

"you write blogs about your mental health. I'd suggest you check the law with regards to defamation and libel. You are a pathetic child being manipulated by political forces. Show me an example of a racist comment I've made. You won't. You fake feign of fear is wasted on the majority of this town. You have created more hatred than solved. You are a spoilt little brat who hasn't lived in the real world yet. Get a job. Get a life and grow the

January 2018

fuck up. I'll not be apologising or resigning or taking any notice of a bunch of cretins like you and your ilk. Goodnight"

Using derogatory terms to describe me such as 'Spoilt bratt' "pathetic child" and "cretins" is highly misogynistic and hateful and as a whole this man is a bully who. Consistently uses social media to single out, violate, threaten and bully women. This outburst has made me even more frightened of this man and the attitudes he holds are highly outdated and worrying. I am highly distressed and concerned about this uncalled for. Harassment and bullying online by a man who represents our town and local area. He is supposed to make us feel safe and we are supposed to trust him. I do not trust him, and I and others do not feel safe because of him. We are consistently targeted by him.

This is again an example of Cllr Jack breaching the obligations of upholding the equality laws, his integrity and openness, treating others with respect and courtesy, not bullying or intimidating a member of the public and leading by example.

Secondly I am complaining about him filming the public questions section of Thursday the 24th September's town council meeting. He filmed me and my colleagues without consent and permission and has uploaded. The video onto his YouTube account again without consent which I believe breaches the codes of integrity and openness as well as using this to intimidate and bully members of the public.

I'd also like to attach the screenshots of him filming us when we were on the town council meeting. There was no permission or consent to film us and to put it onto Cllr. Jack's YouTube account. This is highly unprofessional and worrying and I believe again he breaches his obligations of openness, integrity, treating others with respect and courtesy.



Like



Comment

filming three young women when he should have been on camera replying to our public questions, his camera was turned off and audio was muted and now we can see why as there is evidence that he was filming us.

Mr Jack replied to my comment stating that "mental health written all over them" when I asked what he meant by that he then replied with another aggressive comment displaying a concerning out of date view of mental health and people with mental health problems, like myself. This stated,

"you write blogs about your mental health. I'd suggest you check the law with regards to defamation and libel. You are a pathetic child being manipulated by political forces. Show me an example of a racist comment I've made. You won't. You fake feign of fear is wasted on the majority of this town. You have created more hatred than solved. You are a spoilt little brat who hasn't lived in the real world yet. Get a job. Get a life and grow the

January 2018



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January 2018

fuck up. I'll not be apologising or resigning or taking any notice of a bunch of cretlins like you and your ilk. Goodnight"

Using derogatory terms to describe me such as 'Spoilt brat' "pathetic child" and "cretlins" is highly misogynistic and hateful and as a whole this man is a bully who. Consistently uses social media to single out, violate, threaten and bully women. This outburst has made me even more frightened of this man and the attitudes he holds are highly outdated and worrying. I am highly distressed and concerned about this uncalled for. Harassment and bullying online by a man who represents our town and local area. He is supposed to make us feel safe and we are supposed to trust him. I do not trust him, and I and others do not feel safe because of him. We are consistently targeted by him.

This is again an example of Cllr Jack breaching the obligations of upholding the equality laws, his integrity and openness, treating others with respect and courtesy, not bullying or intimidating a member of the public and leading by example.

Secondly I am complaining about him filming the public questions section of Thursday the 24th September's town council meeting. He filmed me and my colleagues without consent and permission and has uploaded. The video onto his YouTube account again without consent which I believe breaches the codes of integrity and openness as well as using this to intimidate and bully members of the public.

I'd also like to attach the screenshots of him filming us when we were on the town council meeting. There was no permission or consent to film us and to put us onto Cllr. Jack's YouTube account. This is highly unprofessional and worrying and I believe again he breaches his obligations of openness, integrity, treating others with respect and courtesy and leading by example.

I am again very worried, and I am personally and literally frightened of this man and the fact that he is still in a position of trust after he continuously flouts equality laws and breaches the obligations set out.



10:38



January 2018

(fuck up. I'll not be apologising or resigning or taking any notice of a bunch of cretins like you and your ilk. Goodnight"

Using derogatory terms to describe me such as "Spoilt brat" "pathetic child" and "cretins" is highly misogynistic and hateful and as a whole this man is a bully who. Consistently uses social media to single out, violate, threaten and bully women. This outburst has made me even more frightened of this man and the attitudes he holds are highly outdated and worrying. I am highly distressed and concerned about this uncalled for. Harassment and bullying online by a man who represents our town and local area. He is supposed to make us feel safe and we are supposed to trust him. I do not trust him, and I and others do not feel safe because of him. We are consistently targeted by him.

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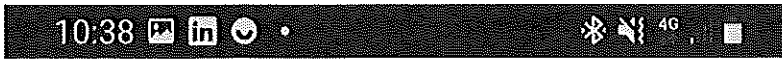


Like



Comment





January 2018

Only complete this section if you are requesting that your identity is kept confidential

In the interests of fairness and natural justice, the Council believes that Member(s) complained about have a right to the complaint against them and the nature of that complaint. It is only in exceptional circumstances that we will redact the complained about Member (the 'Subject Member'), as this may prejudice the right of the Subject Member to respond.

Further guidance can be found on pages 3 and 4 of the Member Code of Conduct procedure guide.

Signature: _____

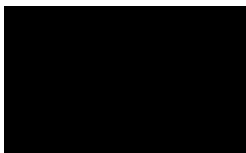
I understand that, by signing this form I:

- Give Cheshire East Borough Council permission to provide my name, together with a copy of this complaint and any supporting information (subject to data protection rules) to the individual(s) against whom the complaint has been made.
- Acknowledge that:
 - the complaints process is confidential and that (with the exception of a professional advisor retained and also bound by a duty of confidentiality), the parties to the complaint must not pass on any information to any third party without first obtaining the written permission of the Monitoring Officer.

any complainant who fails to comply with the confidentiality requirements risks being found to be in breach of the Code of Conduct which may result in no further action being taken on their complaint

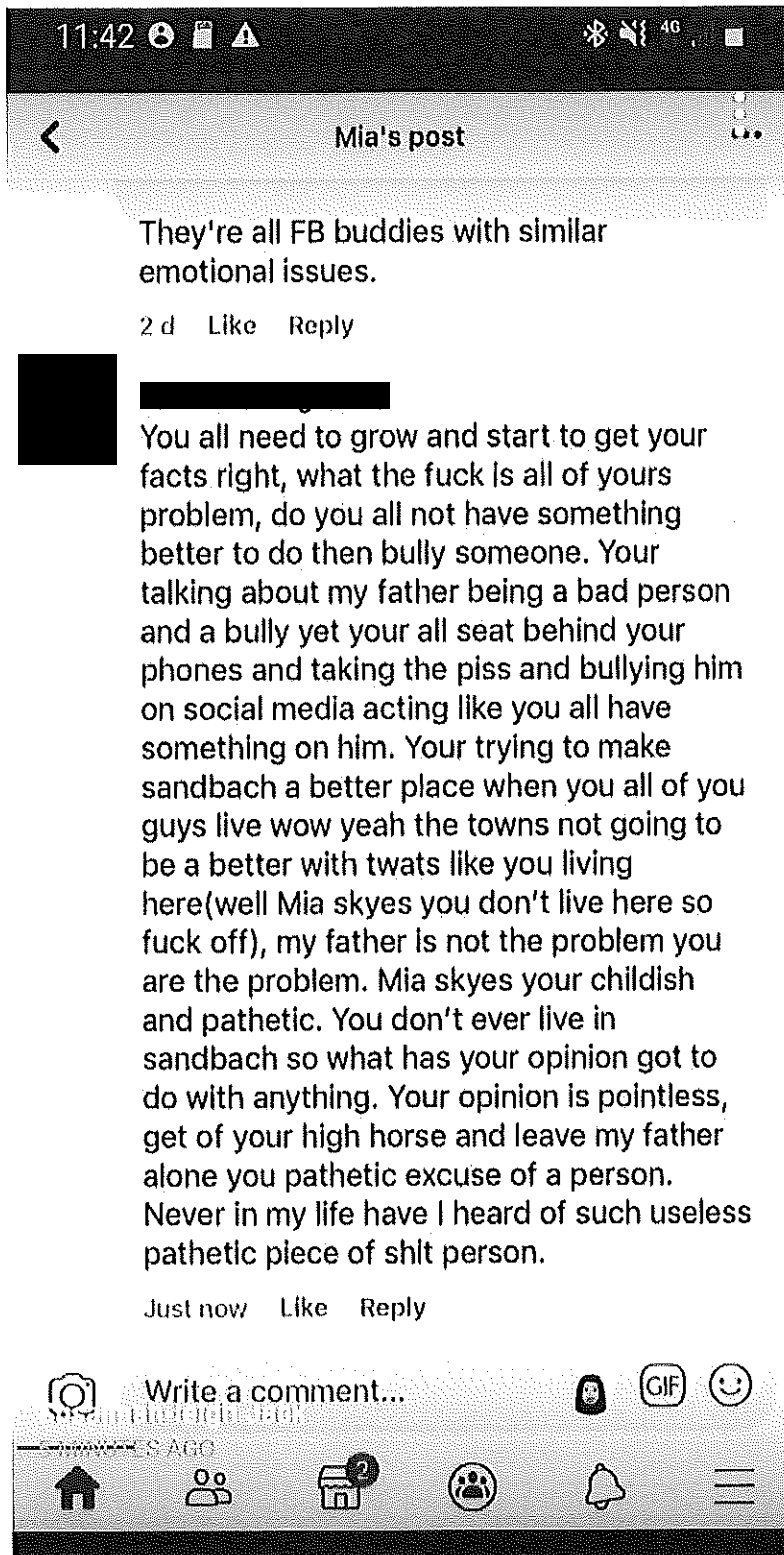
January 2018

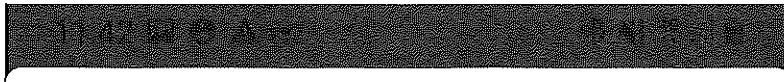
Signed:



Date: 15th November 2022

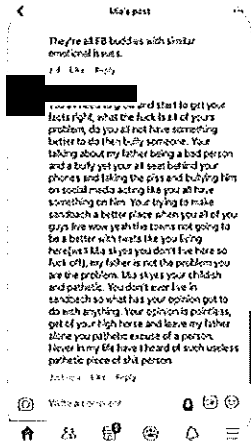






Replies

commented on her Post on her wall she now has blocked and maybe she has put a report in about me saying she's scared ahahaha



5 m Like Reply



Jack didn't realise she'd never or doesn't live in sandbach. 🙄

3 m Like Reply

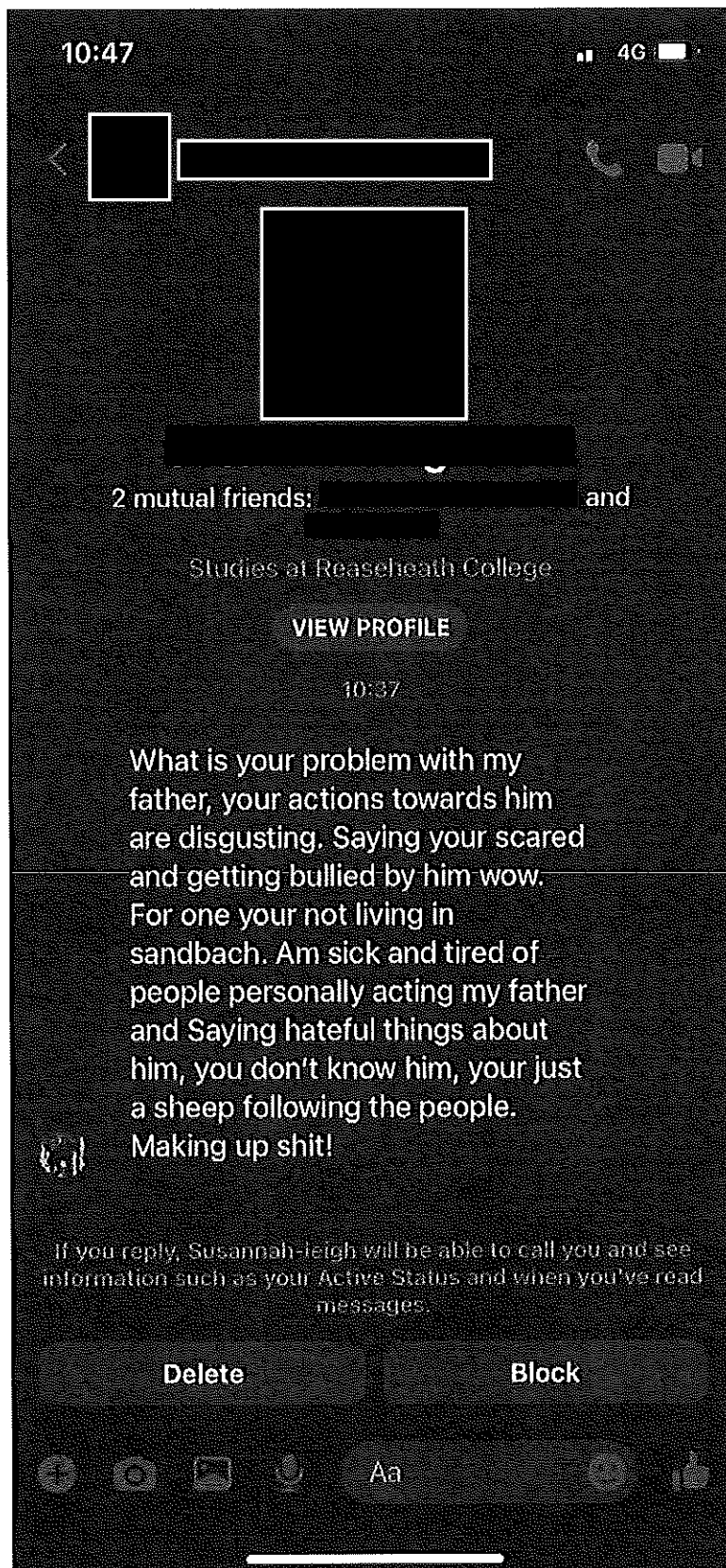


yeah fu*king little b*tch

1 m Like Reply

Write a reply...





Confidentiality: This email and its contents and any attachments are intended only for the above named. As the email may contain confidential or legally privileged information, if you are not the above named person or responsible for delivery to the above named, or suspect that you are not an intended recipient please delete or destroy the email and any attachments immediately.

Security and Viruses: This note confirms that this email message has been swept for the presence of computer viruses. We cannot accept any responsibility for any damage or loss caused by software viruses.

Monitoring: The Council undertakes monitoring of both incoming and outgoing emails. You should therefore be aware that if you send an email to a person within the Council it may be subject to any monitoring deemed necessary by the organisation from time to time. The views of the author may not necessarily reflect those of the Council.

Access as a public body: The Council may be required to disclose this email (or any response to it) under the Freedom of Information Act, 2000, unless the information in it is covered by one of the exemptions in the Act.

Legal documents: The Council does not accept service of legal documents by email.

I process personal information to enable me to carry out casework on behalf of residents. This may include contact details, financial details, education and employment details, housing information or details of complaints. I also process sensitive information that may include physical or mental health details, trade union membership, racial or ethnic origin, offences including alleged offences, political affiliation, biometric or genetic data.

I sometimes need to share personal information about residents with other organisations to help with my casework and to resolve issues raised. Where this is necessary, I am required to comply with all aspects of Data Protection legislation. Where necessary, I may share information with elected representatives and other holders of public office, landlords, local and central government, statutory law enforcement agencies and investigating bodies, political organisations, healthcare, social and welfare advisers or practitioners, suppliers, the subject of complaints.

I will keep resident details for six years or as long as I am an elected member. If you object to the sharing of your personal information in these circumstances please let me know.



[Redacted]

David Jack everyone on lock down again ??? Wats self employed surpose to do with no work ??? X

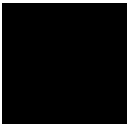
4 h Like Reply



David Jack

[Redacted] I have no idea. It's madness. But council staff want extra money for working from home. Disgusts me.

4 h Like Reply

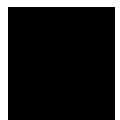


[Redacted]

David Jack thought that lot would milk it for there own ends bloody shower of 💩

3 h Like Reply

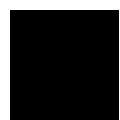
1



[Redacted]

[Redacted] does that mean I get another month off 😊

53 m Like Reply



[Redacted]

[Redacted] must be great being a kept man



Homes: **100% a brown** ideal carehomes

Send us your n

9 Letters!

pages! From B&L to a piece about health



Page 17

Sandbach news: 1-40, 13-19, 22-23 | Glimping Back: 6 | Business: 8 | Reviews: 16-17 | Letter

Councillor breaches code again after comments on social media

A Sandbach town councillor who has breached the members' code of conduct for a second time within months has been recommended to attend a briefing on the use of social media — which he will refuse to go to.

It follows a complaint about a post by Independent Coun David Jack in which he referred to "lunatics running the asylum", in reference to his claim that the town hall Labour group "blocked and amended every motion to council if it wasn't their members that brought motions".

Cheshire East Council's monitoring officer, who

considered the complaint, found the post to be "inappropriate" use of language by a councillor, labelling the choice of words used "regrettable".

In addition, a post in which Coun Jack described Sandbach Coun Laura Crane as a "housewife" in her position as the Cheshire East Cabinet member for highways, was considered to be used in a "derogatory and condescending manner", and not a "factual assertion".

That post followed the announcement by Coun Crane in June, in her Cabinet position, about closing off parking spaces in town centres, including Sandbach, for social-distancing purposes when shops reopened as

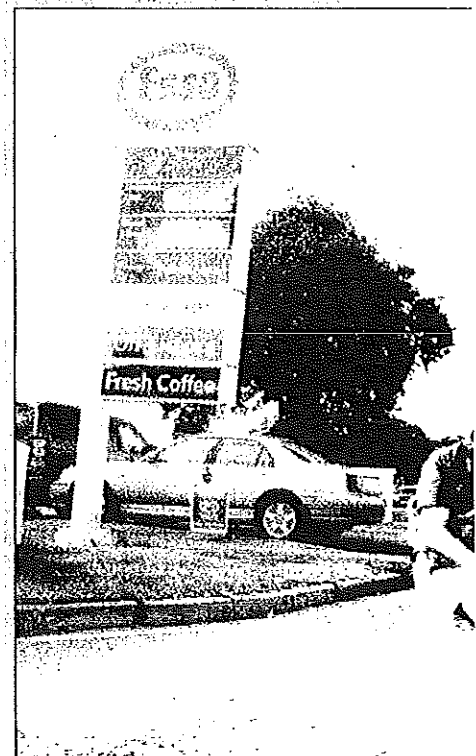
the lockdown was lifted.

Coun Jack, who had objected to the measures, posted: "In the wisdom of the newly-elected housewife who holds the portfolio for highways, Cheshire East Council have decided to close Bold Street and Welles Street parking bays and the disabled bays along the high street from tomorrow."

Coun Jack's official response to the complaint had been "that you redact the names of the individual thereby removing his defence to expose the person as not a member of the public but as a party member or activist."

He added that nothing in any of those statements he made broke the law.

— Turn to page 23



Porter's Service Station at West Heath has measures are installed, ahead of the opening of Porter on a deserted Padbury Lane. Mr Port the loss of trade at the garage. For the story, u

Speakers and artists will join demonstrators against racism

Black Lives Matters supporters in Sandbach will be staging what they describe as "a peaceful demonstration against racism" in the town centre on Saturday.

They will be joined by speakers and artists at the cobbles between 11am-3pm.

This will be the third protest by the group in Sandbach this summer.

Spokesperson [redacted] said: "We have organised a visual,

peaceful protest with brilliant black speakers and artists to uplift and exemplify black British excellence.

"We are holding a positive, visual demonstration to encourage people to think about how to make Sandbach safe and inclusive for everyone."

Among the artists making an appearance are [redacted] as well as speakers.

An online poster promoting the event encourages attendees to wear a mask and describes Saturday's protest as "peaceful and socially distanced" and that there will be "family friendly activities".

The poster includes the hashtag "EndRuralRacism" and a banner at the bottom saying "encouraging everyone to be anti-racist".

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- Greenhouse glass
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suffer any
longer, we can
now provide
all your

Home Visits



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Ga

Response to Complaint (38371/074/20) from David Jack dated 17/11/2021

The central claim is that our letter was politically motivated this is not the case. David Jack's behaviour is bringing Sandbach Town Council into disrepute. I and my fellow councillors have been asked on many occasions can David Jack be removed from the council. We have to explain that we do not have the powers to do this. It was beginning to look like we approved of his behaviour. The letter was published to call out his bad behaviour but also to show solidarity to the people (both staff, fellow Councillors and members of the public) he has attacked and protect our own reputations.

I respond below to the claims made by David Jack. Taking each claim in turn I have also added a list of attachments of evidence of David Jack's unacceptable behaviour. In conclusion I believe that David Jack's complaint is politically motivated and is tit-for-tat in response to Councillors who have stood up to his bullying behaviour to support staff, fellow Councillors and members of the public.

Yours Sincerely,



22 MARCH 2021

Councillor Alan Smith

Sandbach Town Councillor

No	David Jack Allegation	Response
1	They claimed i had made racist comments or was responsible for racist comments.	<p>The letter did not say he made racist comments. The letter stated that he often uses language that is discriminatory to minority groups and individuals. Examples of this are attached to the email (attachment 1: email to Cllr Donal Hegarty, letter referencing Rob Walker, email about Cllr Sam Corcoran)</p> <p>The letter also stated that he administers a Facebook group that uses racist language and promote discrimination. A screen shot from the Sandbach Sarcastic Society are also in attachment 1.</p>
2	They claimed I have made threatening abusive or intimidating comments to staff at town council and the public.	<p>This claim was that he regularly sends bullying and abusive emails. Staff have complained about David Jack some have been fearful about being on their own in Zoom meetings when he attends. Another member of staff sent an email to all councillors complaining of David Jack's slanderous remarks about staff. The member of staff felt intimidated by his approach and language. Sandbach Town Council blocked his emails to staff as part of our duty to care to staff and that if he wanted items on the agenda this should go through the Mayor (see attachment 2 email dated 26 November 2020 and email dated 14 November 2020.)</p>
3	They claim i have been found guilty of breaking the code of conduct daily.	<p>The claim is he breaches the code of conduct on regular basis not that he has been found guilty of it. He was found guilty by the monitoring officer and training was recommended which he refused to attend. He then publically burnt the Monitoring Officer judgement on Facebook. There have been complaints from members of the public about his behaviour. There were complaints about his sexist and belittling remarks on social media. Some phrases he used to describe women in regards to Cllr Crane "the</p>

No	David Jack Allegation	Response
		newly elected housewife" and with regards to Cllt Flavell ".....has been at the wine again" .
4	They have portrayed a picture of a racist, offensive law breaker without proof and without any such complaints being upheld on these matters.	David Jack has been found guilty of breaching the code of conduct and has openly admitted breaching the code of conduct around confidentiality. The comments in the letter are accurate and fair. He regularly copies the Sandbach Chronicle in internal Council emails and even National Broadcast media.
5	This was a bullying and slanderous article of a letter that was not sent to me but rather to the papers. I received no copy of any such open letter. This was a politically motivated letter designed to undermine, harass and intimidate myself and bring my creditability into question by misleading the public.	<p>The letter was not slanderous as the examples in this response to the complaint show. There are many more examples that could be provided. There have been many complaints to the Monitoring Officer about David Jack's misconduct.</p> <p>This was not a politically motivated letter. David Jack's behaviour is bringing Sandbach Town Council into disrepute. I and my fellow councillors have been asked on many occasions can David Jack be removed from the council. We have to explain that we do not have the powers to do this. It was being to look like we approved of his behaviour. The letter was published to call out his bad behaviour but also to show solidarity to the people he has attacked and protect our own reputations.</p> <p>My responses to his emails have not been rude or discourteous despite the fact that he publically called me an "arsehole" (see the front page of the Sandbach Chronicle dated 18/Feb/2021) and "piss head" (see council email dated 27 /11/ 2021)</p>

Attachments 1:

Reference	Comments
Email dated 13/02/2021	Use of insulting language such as scum, gutter rats, filthy socialist scum to Councillors
Email dated 12/02/2021	Calling Robert Walker a member of North West disability group a mental showcase and an utter cretin.
Emails dated 04/02/2021, 26/01/2021, 08/02/2021 and 02/07/2020	Calling Cllr Hegarty a doughnut to exemplify his IQ. Insulting the intelligence of Cllr Hegarty stating "can they be filled with crayons". Insinuating low IQ is a well known anti-Irish trope; Referring to Cllr Corcoran as having an "autistic illness"
Screen shots from Facebook Group Sandbach Sarcastic Society	This screenshot shows a Klu Klux Klan outfit. This screenshot was originally posted on the Facebook Group "Sandbach Sarcastic Society". This image is still on David Jack's facebook page.

Attachments 2:

Reference	Comments
Email from Sandbach Town Council Dated 26 November 2020	The email references the fact that members of staff had complained to the Mayor about a series of email exchanges between the staff and Councillor Jack. The action taken was to block his emails to members of staff. The member's rights were not affected as he could take any requests to the Mayor or Deputy Mayor.
Email from Sandbach Town Council dated 14/11/2020 to all Councillors and the then Acting Town Clerk	Use of aggressive language towards staff.

Attachment 3:

Reference	Comments
Email from David Jack dated 04/02/2021	Insulting language

Attachments 4:

Reference	Comments
Council email from David Jack dated 27/11/2020	Calling the Mayor and myself "clever dicks" and calling me a "piss head". Making the false claim that I stated he was unelected.
Council email from David Jack dated 26/11/2020	Threatening language "if it is a war you want....."
Front page of Sandbach Chronicle dated 18/02/2021	Councillor Jack turned up at the Finance, Governance and Policy Committee meeting as a political stunt to ask questions in the public section of the meeting despite the fact that he is a member of the committee. He tried to raise a confidential item in the meeting. I ruled this out or order he then left the meeting calling me an "arsehole" and then promptly uploaded the recording to You Tube.

Attachment 1.
Email dated 13/02/2021

Scum labour

David Jack [REDACTED]

Sat 13/02/2021 21:11

To: Councillors <[REDACTED]>; Congleton Chronicle <reporters1@chronicleseries.com>; James Kelly <james.kelly@nub.news>

If you wanted examples of how scum like crane operate on social media with her gang of happy clappers to coordinate hate campaigns work, look no further.

Her and her ilk have less than 27 months till they are expelled for being the gutter rats that they are. Filthy socialist scum that don't think twice about lying and fabricating lies. Caught out time and time again as nothing but self serving liars.

Get it through your thick fucking skulls, I will not be resigning. I will be doing everything in my powers to show the electorate what filthy utter scum bags you really are.

It's not gong too well for you as it is. Game on.

And just to spell it out once more,

I'M NOT RESIGNING. JOG ON. PLAY GAMES WITH SOMEONE WHO GIVES A FUCK END OF MESSAGE.



[REDACTED] post



Laura Crane

[REDACTED] I can assure you that we do everything within our power. We can't get him to resign, he doesn't care. We can't remove him as the law doesn't allow us to. If we

were able, we
would. We've
removed him from
chairing
committees which
is within our gift
and removed his
ability to email
staff a... See More



Write a com...



post



removed him from
chairing
committees which
is within our gift
and removed his
ability to email
staff as he was
behaving
appallingly toward

appearing, let's
them as well.

Without
government action
we have no power.

4 h Like
Reply

5   



Laura Crane you
can call for him to
resign though,



Write a com...



Regards
David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward



Attachment 1
Email dated 12/02/2021

Robert walker

David Jack [REDACTED]

Fri 12/02/2021 09:00

To: Councillors [REDACTED]

Last night, the mayor's favorite mental showcase, Robert Walker, validated himself as a member of the North West disability group as if that was some big honcho position tgat qualifies him.

Im a member of the national trust, doesn't mean I know Jack about history.

Nice to see the mayor continues to invite these utter cretins to speak at council and just spout vexatious crap.

Still. At least we all now cocoran knows nothing about cricket.

Regards

David Jack

Independent Town Councillor

Sandbach Town Council

Town Ward

[REDACTED]

Attachment 1
Email dated
04/02/2021

Re: A&S Meeting with Market Traders

David Jack

Thu 04/02/2021 17:56

To: Laura Crane; Alan Smith; Richard Hovey; Sandra Broad; Richard Hoffmann; Kieran Seymour; Donal Hegarty; Ian Williams; Geraint Price Jones
Cc: Town Ranger; Bob Nightingale; Michael Wellings

Great idea donal.

Will there be a provision for a doughnut seller and a hair restorer stand on the new market??

Asking for a friends friend.

Regards
David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward

From: [redacted]
Sent: Thursday, February 4, 2021 3:28:49 PM
To: Laura Crane; Alan Smith; Richard Hovey; Sandra Broad; Richard Hoffmann; Kieran Seymour; David Jack; Donal Hegarty; Ian Williams; Geraint Price Jones
Cc: Town Ranger; Bob Nightingale; Michael Wellings
Subject: A&S Meeting with Market Traders

Dear All

As requested via the last A&S committee meeting, I have been in touch with [redacted] and have agreed a Trader Meeting which will take place on **Tuesday 16 February, starting at 6pm with up to 1.5 hours being allowed**. We have agreed that the meeting will take place via **Zoom**, which I will organise in the very near future. In the meantime please make a note in your diary, I do hope this date and time is convenient to you and that you are able to attend.

With regard to an agenda, I shall be meeting with John on Tuesday to draft and will share with you as soon as I am able. If there is anything you feel should be included, please let me know.

I have copied all Market staff on this email, ideally at least one should be in attendance.

Regards

Town Clerk
Sandbach Town Council

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Tel: [REDACTED]

Mobile: [REDACTED]

Web: sandbach.gov.uk



Attachment 1
Email dated:
26/01/2021

News story

David Jack [REDACTED]

Tue 26/01/2021 14:25

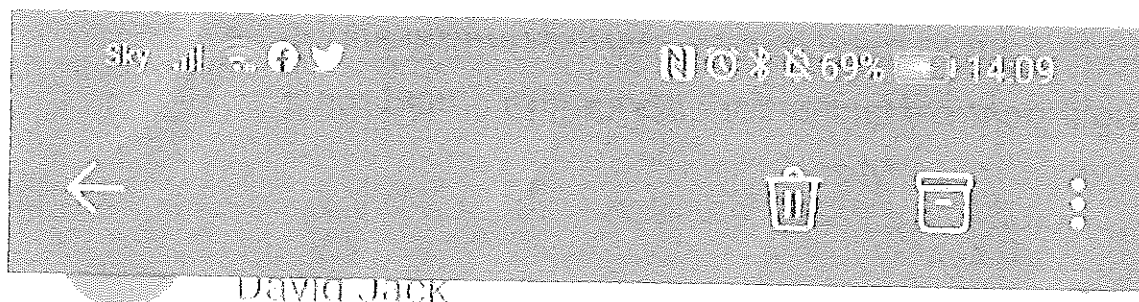
To: Councillors [REDACTED]

Seems donal is having a slow news day by rehashing old news.

For the record I didn't ca him a donut because of his hair style.

I called him a doughnut to exemplify his IQ. There is a difference. If you are going to accuse me of things at least get the facts behind the reasons right.

Good luck with issuing libel proceedings.



Hi David,

Here is the text of the article by [REDACTED] [REDACTED]. It hasn't been published on Nub News yet, but is available to use by all news organisations locally:

A series of allegations have been levelled against Sandbach Town councillor David Jack by fellow councillors.

They include accusations that Cllr Jack has mocked other town councillors' physical appearance, and "bullied" staff over email.

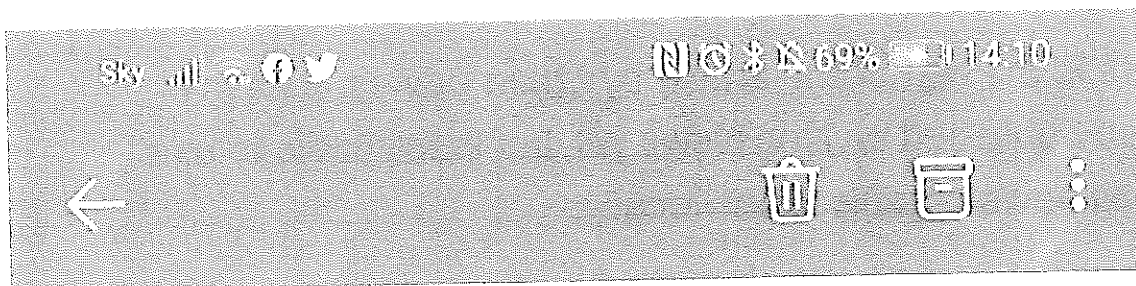
When asked about the allegations by the LDRS, Cllr Jack declined to comment.

Cllr Jack was first elected to Sandbach Town Council in 2019 and represents the town ward as an independent.

Cllr Donal Hegarty, Labour, says Cllr Jack mocked his appearance: "I got voted in and I was given the chairmanship of a sub committee that he ran the previous year [so wanted to meet him to handover].

"Before I got to meet him he started ranting about me being a political lackey for Labour and called me a

Reply



"Before I got to meet him he started ranting about me being a political lackey for Labour and called me a 'donut' because I have no hair.

"He put that on Facebook without any reason. I [could] take him for defamation of character."

Cllr Hegarty, who has worked in local government for 35 years, says he has "never heard things as obnoxious" as statements from Cllr Jack.

However, Cllr Hegarty is not the only figure to have had abrasive dealings with Cllr Jack.

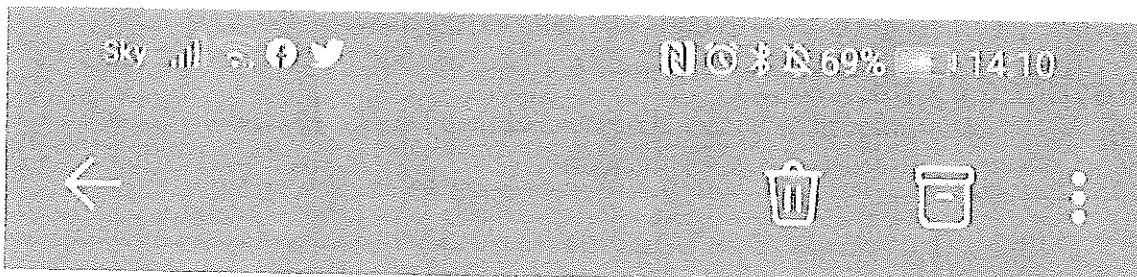
Emails seen by the Local Democracy Reporting Service show Cllr Jack branding Cheshire East's highways and waste cabinet member Cllr Laura Crane "a housewife" during a discussion over parking in Sandbach.

Sandbach Nub News has seen comments in which Cllr Jack referred to council leader Sam Corcoran as having an "autistic illness".

Other emails show Cllr Jack calling another councillor a "liar and a cheat".

Ultimately, a letter from Sandbach's mayor, [L]
https://www.facebook.com/permalink.php?story_fbid=3488312301261769&id=2301547903271554

Reply



[story_fbid=3488312301261769&id=2301547903271554](https://www.facebook.com/permalink.php?story_fbid=3488312301261769&id=2301547903271554)
[L+] posted on Facebook by Cllr Jack[L], revealed that he had all email connectivity severed from council

employees following "external, independent, professional advice".

It was taken on the basis that the content of Cllr Jack's communications were offensive to the council's staff, to such an extent that it was considered "bullying via email".

The Mayor Cllr Geraint Price Jones writes in the letter: "Following a series of email exchanges between yourself and the employees of Sandbach Town Council, referencing the Council's staff as a whole and individuals, it has been brought to the attention of the Mayor that the content of these emails has caused offence to more than one employee; recently affecting our duty of care as an employer.

"Having sought external, independent, professional advice regarding this matter, a decision under Standing Order 27 has been taken, which instructs the Council's IT provider to sever all official email connection addressed from David Jack to Council employees, with immediate effect and until further notice."

Cllr Jack declined to comment on the allegations when approached by the LDRS.

Reply

Regards
David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward



Attachment 1
Email dated
08/02/2021

Re: Policy Items (Documents Attached)

David Jack [REDACTED]

Mon 08/02/2021 13:07

To: Councillors [REDACTED]

They are a bit wordy and complicated for many labour members those forms.

Can they be filled in with crayons?? Asking for donal.

Regards

David Jack

Independent Town Councillor

Sandbach Town Council

Town Ward

[REDACTED]

From: [REDACTED]

Sent: Monday, February 8, 2021 12:48:10 PM

To: Councillors [REDACTED]

Subject: FW: Policy Items (Documents Attached)

FYI, please see below.

Regards

[REDACTED]

Town Clerk

Sandbach Town Council

[REDACTED]

[REDACTED]

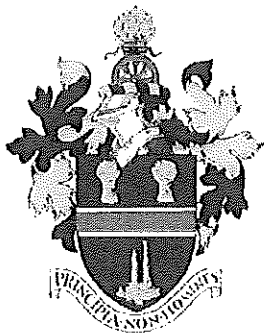
[REDACTED]

[REDACTED]

Tel: [REDACTED]

Mobile: [REDACTED]

Web: sandbach.gov.uk



From: [REDACTED]

Sent: 08 February 2021 12:21

To: STC [REDACTED]
Subject: Policy Items (Documents Attached)

Dear Members

I refer to your agenda for the forthcoming Council meeting and to the documents which were to follow.

A number of draft policies and procedures were considered by FPG when it met last week and I would like to report the following:

STC Council Agenda Items:

9.2.2 Will be withdrawn from the agenda, more work is required before this policy will be ready to present.

9.2.3 Cash Handling Policy attached, this is a clean version, with only the very latest changes highlighted for information. Following the meeting, there has been discussion with staff about cheque guarantee as discussed at the FPG meeting, these are the comments received:

Not sure what to put in re the cheque clearing before services are accessed part of the resolution, as per my notes we couldn't do this for traders as they pay on the day they trade, for town hall bookings who pay on the day the same applies, the only way round this is to stop accepting cheques for payments made on the day of the booking or market, but there are still some traders who occasionally pay by cheque. In the past if a cheque has been referred I would tell Bob and he would ask for back rent, this hasn't happened in a long time.

9.2.4 Covid 19 Employee Policy attached

9.2.5 Members Item Policy and Project Plan attached

Regards

[REDACTED]

Town Clerk
Sandbach Town Council

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Tel: [REDACTED]
Mobile: [REDACTED]
Web: sandbach.gov.uk



Fw: Polite Reminder

Alan Smith [REDACTED]

Wed 08/07/2020 22:21

To: Alan Smith [REDACTED]

From: David Jack [REDACTED]

Sent: 02 July 2020 18:05

To: Councillors [REDACTED], Sam Corcoran [REDACTED], Kieran Seymour [REDACTED]

Cc: [REDACTED]; Michael Wellings [REDACTED]

Subject: Re: Polite Reminder

Sam I have dozens of your emails as do many others from your personal accounts.

Does your autism affect your memory and ability to understand what you write and where?

You can use the accessibility features on your computer and phone so that each account has different colours. I'm sure some one will show you how if you ask.

Regards
David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward
[REDACTED]

From: Kieran Seymour [REDACTED]

Sent: Thursday, July 2, 2020 5:58:50 PM

To: David Jack [REDACTED], Councillors [REDACTED]

[REDACTED]; Sam Corcoran [REDACTED]

Cc: [REDACTED]; Michael Wellings [REDACTED]

Subject: Re: Polite Reminder

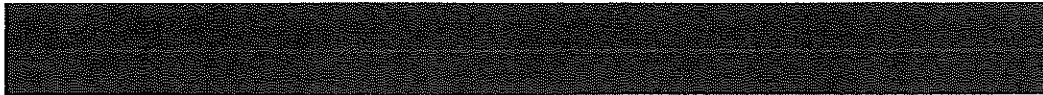
I think these is the kind of emails are what we want stopping to be honest. Councillors personal feuds between each other are not something I want to be bombarded with, or I'm sure Ann and her team want to deal with either.

If it's that much of an issue, save it for town council business as an agenda item.

Regards,

Kieran

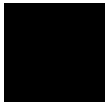
Attached 11
Screen shot
from Sandbach
Sarcastic
Society.



Comments

Done

0 h Like Reply



Confucius say protester who get up.in morning and see frost on grass go back bed....it's only weeks away...

4 h Like Reply

2 🍷



And yet another perfectly harmless post from Sandbach Life this morning and I quote 'To the administrators of Sandbach Life . I note ,as I feared that the correspondence on B.L. M. is becoming more divisive to the community.Surely this type of disputation should not be fostered on this channel.' 12 minutes later it gets reported to admin as Freddy has dared to post something that the great unwashed disagree with. Sandbach Life admin are an absolute disgrace ! Let's get Freddy to join us.

3 h Like Reply

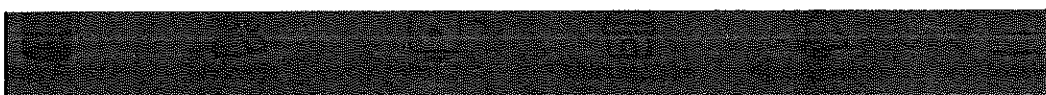
3 🍷🍷



I'll bring my raincoat just incase



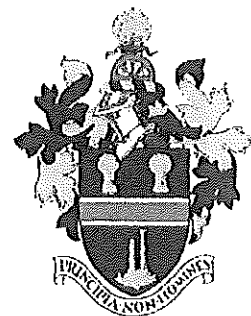
Write a comment...



Attachment 2

Sandbach Town Council

Sandbach Literary Institution



Cllr D Jack
By Email, 26 November 2020.

Dear Cllr Jack,

Following a series of email exchanges between yourself and the employees of Sandbach Town Council, referencing the Council's staff as a whole and as individuals, it has been brought to the attention of the Mayor that the content of these emails has caused offence to more than one employee; recently affecting our duty of care as an employer.

Having sought external, independent, professional advice regarding this matter, a decision under Standing Order 27 has been taken which instructs the Council's IT Provider to sever all official email connection addressed from David Jack to Council Employees, with immediate effect and until further notice.

The rationale for this decision is as follows:

1. The Council (as an employer) has a duty of care to its employees but at the same time is in a challenging position with regard to the inability to impose sanctions on members as this is the remit of the Monitoring Officer.
2. To that end, as the employer representatives have been advised by staff that they are experiencing bullying by a Council Member, via email, then there is no remedy other than action to guarantee no repeat of the email exchanges.
3. A reasonable action (to protect our employees) would be to remove them from exposure to such emails and therefore redirect or delete those messages before they reach the inboxes of staff.
4. The Member's rights have not been affected and if they require something from the staff team then they can direct their request through a named colleague, in this case the Mayor or his Deputy.

By email on behalf of:

Cllr Geraint Price Jones
Sandbach Town Mayor

Cllr Alan Smith
Chair of Finance and Governance

Dated: 26th November 2020

SLCC
Sandbach Literary Institution



LOCAL COUNCIL
AWARD SCHEME
FOUNDATION

your local market

nabma

11/22/2020

Email - Alan Smith - Outlook

Attachment 2

Email
dated

14/11/2020

Re: Staff opinion on social media

David Jack [REDACTED]

Sun 15/11/2020 14:53

To: Councillors [REDACTED]

2 attachments (2 MB)

processed.jpeg; processed.jpeg;

Having looked through standing orders, social media policy and employees responsibilities, no where can I find any term or condition that allows staff to formally wrote to social media rebutting or commenting on councillors positions and campaigns and comments.

I now formally demand that the staff be instructed to take down their post and a formal apology be issued by those staff that. Elieve they have the right to comment politically.

I also request that an agenda item at the next council meeting be added to discuss the appointment of a qualified acting clerk with experience to stand in whilst an investigation is undertaken into staffs behaviour and that the stand in remain in place until such time as either the clerk returns to work or a suitable replacement is found.

The comments and actions of [REDACTED] this weekend and the last two weeks has brought our councils staffs integrity and impartiality into serious question and the council body into disrepute.

Regards

David Jack

Independent Town Councillor

Sandbach Town Council

Town Ward

[REDACTED]

From: David Jack [REDACTED]

Sent: Saturday, November 14, 2020 1:57:44 PM

To: Councillors [REDACTED]

Subject: Re: Staff opinion on social media

Game on [REDACTED], if you think that was an attack against you or staff. When you early are touchy freely too much.

It is not the remit of staff to publically comment on councillors positions or views.

I suggest that the council send you for training to bring you up to speed on the role of a clerk.

Either that or you decide its not the role for you and you step down from that role and we get a suitable person to fulfil it.

Your the one who has made this all very personal with a string of actions recently.

Regards

David Jack

Independent Town Councillor

Sandbach Town Council

Town Ward

11/22/2020

Email - Alan Smith - Outlook

From: [REDACTED]
Sent: Saturday, November 14, 2020 1:50:27 PM
To: David Jack [REDACTED]; Councillors [REDACTED]
Subject: Re: Staff opinion on social media

My comments are on behalf of the Council staff - we agreed them - in response to your untruths about us and attempts to discredit us all publicly. I stand for and with them and all they achieve for the town.

I have not attacked you.

You have set out to humiliate a team of staff with the latest of your social media posts, knowing full well that staff asked for no money and refused any allowance.

We have purchased all our own equipment to work from home and you have accused us of greed and expressed your 'disgust'.

We set out the reality via this post as a team whose hard work over the last 5 months you have dismissed as our having 'less work to do and wanting more money'. We asked for NO money and refused the home working allowance. You know this but still chose to make the Facebook post.

It is not a lie regarding mute function in meetings where one staff is clerking or there are fewer members/public. This applied most recently at Assets, Personnel, extraordinary STC and all finance discussions - All can be muted/unmuted by Cllr at any time.

I've also never made a proposal. Audio of all meetings confirm this.

As I've stated several times to you - if you or any Councillor feels I'm unqualified or acting inappropriately I am really very accepting of any true issues raised and take them as constructive - following due process - but your attacks of me and the staff cross every line, process and policy.

This is my last comment. Again to correct further untruths.

The staff and I await our formal guidance and subsequent right to reply from essential investigations by all parties now involved and following relevant processes.

From: David Jack [REDACTED]
Sent: Saturday, November 14, 2020 1:07 PM
To: Councillors [REDACTED]
Subject: Staff opinion on social media

This is completely unacceptable from an acting clerk. I shall be taking the matter further.

Staff have no right to portray on social media that they are commenting as council staff and expressing their opposition to an elected members views.

It is a lie also that anyone can switch their microphone back on at any time.

2/21/2021

Email - Alan Smith - Outlook

Attachment 3

A fine example of the lies and corruption

David Jack [REDACTED]

Thu 04/02/2021 19:41

To: [REDACTED]; Councillors [REDACTED]
[REDACTED] Congleton Chronicle [REDACTED]; James Kelly
[REDACTED]

Enjoy.

A perfect example of the starzi like behaviour from sandbach councillors.

No evidence.

No report.

No facts.

Just a labour lie that misled the council and the public.

Oxygen thieves at the their best.

<https://youtu.be/BGcBSUYLYlk>

Regards

David Jack

Independent Town Councillor

Sandbach Town Council

Town Ward

[REDACTED]

Wed 24/03/2021 15:40

Dear Sir

I am responding to the points raised in the complaint lodged by Councillor David Jack following publication of a letter in the Sandbach Chronicle asking him to resign as a Councillor of Sandbach Town Council.

To put this into context because I became a Town councillor prior to the onset of the COV19 pandemic and my only attendance at a public meeting of the council was when I was voted in to a vacant councillors post. This is the only time I have met Councillor Jack and we have never had occasion to meet or speak face to face.

Since becoming a Councillor, Councillor Jack has chosen to describe me as a doughnut and equates my lack of hair with a lack of intelligence in emails sent to all councillors. Please see emails in the Town council e mail system dated the 4/2/2021, the 8/2/2021 and the 26/1/2021 which will evident his total lack of any common courtesy when engaging with Labour Councillors whom he appears to have some longstanding grudge against.

To compound the personal abuse of me as a person, he has never met he put a caption of a golfer pulling a trolley in a drunken state on social media stating that this is what your friends think of you advising me to keep off the Whisky. This caption is available as a screen shot as evidence of the way Councillor Jack conducts himself when dealing with Labour Councillors.

To answer the specifics of his complaint which I have to say are loose interpretations of the publisher letter his first claim is Thathe made Racist comments or was responsible for racist comments.

In response the letter did not state that he made racist comments but that he administered a facebook group called the Sarcastic society which allows racist slogans like the Klu Klux Clan to propogate racist hate on this site. The letter stated that he often uses language that is discriminatory to minority groups and individuals examples of which can be found as evidence in emails to Robert Walker, Sam Corcoran and myself. Please see email dated the 13/2/2021 titled Labour Scum.

The second point he raises is that he made threatening abusive or intimidating comments to staff. Again this claim refers to Councillor Jack breaking the code of conduct as a Councillor by writing on social media about a personel discussion that was held in part 2 of the Council meeting which is confidential. His claaims were about Coucil staff getting paid to work from home which upset staff and undermined their confidence as professional public service workers. Please see emails dated 13/2/2021, 12/2/2021 and 18/1/2021 as evidence of the effect this public media assertion had on individual members of staff. Suffice to say no other Councillor agreed with Councillor Jack and the council unanimously voted to express their support for the professional workforce we employed and the Mayor had a letter printed in the Sandbach Chronicle supporting the workforce.

Thirdly he states the letter claims that he was found guilty of breaking the code of conduct daily. Councillor Jack was found guilty of breaking the code of conduct by the monitoring officer where training was recommended but his response was to publically burn the monitoring officers judgement on Facebook. There has been complaints from members of the public about his behaviour and it is fair to say he play fast and loose with the code of conduct so the comments in the letter are accurate and fair.

Fourthly he states the letter was bullying, slanderous and politically motivated designed to undermine, harass and intimidate bringing his credibility into question and that he had not received a copy of the open letter.

The letter was not Slanderous but more an expose of behaviour which is not worthy of someone holding a public office. The evidence is there in his action and the numerous complaints that have been made to the monitoring officer. I totally refute the notion that the letter was politically motivated as it was done to preserve the good name of Sandbach Town Council, Its Staff and the Councillors who work in good faith to promote the prosperity and wellbeing of the the Town.

Finally the letter was not about undermining the Credibility of Councillor Jack but more of a public staement that if one wants to be a Town Councillor one should adhere to standards becoming of a public office.

Donal Hegarty
Town Councillor

Wed 24/03/2021 15:40

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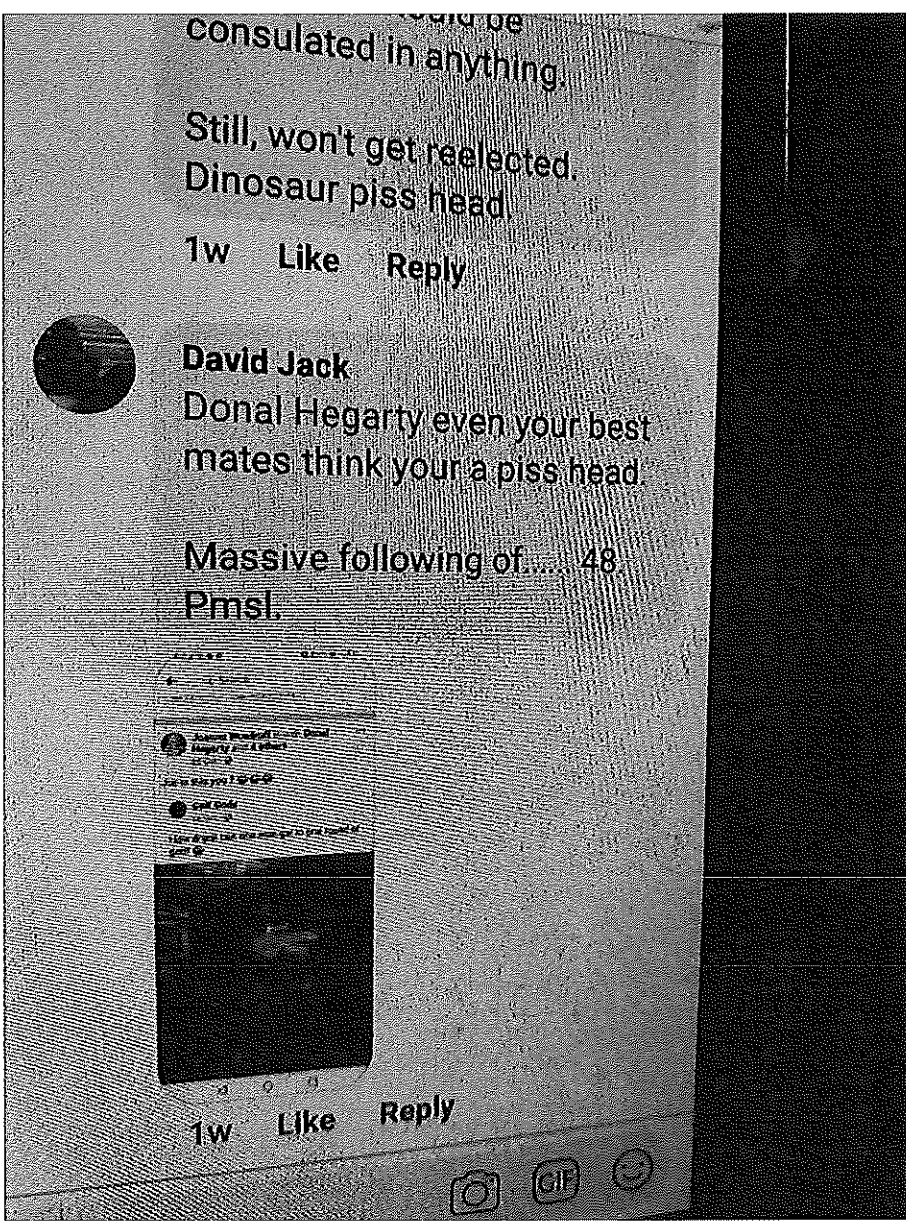
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Finally the letter was not about undermining the Credibility of Councillor Jack but more of a public staement that if one wants to be a Town Councillor one should adhere to standards becoming of a public office.

Donal Hegarty
Town Councillor



David Jack

Donal Hegarty fuck me..... You discovered social media.

Surprised you can still see the screen after all the scotch you consume in a day.


What's it like being so vile that even half the labour group think your a thicko clown too?

Doughnut oh heck it's me. The unelected Councillor of sandbach that doesn't think the public should be consulted in anything.

Still, won't get reelected. Dinosaur piss head.

1w Like Reply

David Jack


Donal Hegarty Councillor Jack
spouting bull shit?! That's all
you Labour tossers do all the
time so cut the crap having a
go at David Jack Never mind
"away in the manger" you lot
are away with the f#\$king
fairies!

1w Like Reply

1 

 David Jack

Donal Hegarty fuck me..... You
discovered social media.

Surprised you can still see the
screen after all the scotch you
consume in a day.

What's it like being so vile that
even half the labour group
think your a thicko clown too?

Donal Hegarty Councillor Jack

MEMBER CODE OF CONDUCT

COMPLAINT FORM

For Borough Councillors, Town & Parish Councillors and Co-opted Member(s).

Your details-

1. Please provide us with your name and contact details.

Title:	Cllr Mr
First name:	David
Last name:	Jack
Address:	<div style="background-color: black; width: 100px; height: 15px;"></div> <div style="background-color: black; width: 80px; height: 15px;"></div> <div style="background-color: black; width: 100px; height: 15px;"></div>
Daytime telephone:	<div style="background-color: black; width: 100px; height: 15px;"></div>
Evening telephone:	<div style="background-color: black; width: 100px; height: 15px;"></div>
Mobile telephone:	<div style="background-color: black; width: 100px; height: 15px;"></div>
Email address:	<div style="background-color: black; width: 200px; height: 15px;"></div>

Please indicate if you would prefer us **NOT** to use your email address as your postal address for **general** correspondence purposes _____

2. Please tell us which complainant type best describes you:

- ☐ Member of the public
☒ An elected or co-opted member(s) of a Council or a Town and Parish Council
☐ Local Authority Monitoring Officer
☐ Other Council Officer or employee of the Council
☐ Other - please specify

3. Please provide us with the name of the Member(s) you believe have breached the Code of Conduct and the name of their Council:

Title	First name	Last name	Council or Authority name
cllr	Kathryn	Flavall	Sandbach town council
Cllr	Richard	Hoffman	Sandbach town council
Cllr	Sandra	Broad	Sandbach town council

Cllr	Sam	Corcoran	Sandbach town council
Cllr	Laura	Crane	Sandbach town council
Cllr	Alan	Smith	Sandbach town council
Cllr	Donal	Heggerity	Sandbach town council
Cllr	Geriant	Price Jones	Sandbach town council

4. Please identify (marking with an X in the right hand side column)) which paragraphs of the Code of Conduct you believe have been breached (as set out in the Cheshire East Members' Code of Conduct):

General Obligations

4.1	Selflessness	x	4.10	Promote high standards of conduct by leadership and example	x
4.2	Integrity	x	4.11	Uphold the law and public trust	x
4.3	Make choices on merit		4.12	Treat others with courtesy	X
4.4	Remain objective	x	4.13	i) Breach equality laws	X
4.5	Exercise independent judgement	x		ii) compromise others	X
4.6	Accountability	x		iii) bully any person	X
4.7	Openness	x		iv) intimidate any person	X
4.8	Declaring interests		4.14	Disclosure of confidential information	
4.9	Use of resources		4.15	Access to information	

Declarations of Interest

9	Failure to declare a disclosable pecuniary interest (DPI)	
10	Participation at a meeting (speaking or voting) where DPI exists	
11	Discharging council functions where DPI exists	
14	Failure to declare a personal interest (Council appointment)	
15	i) Failure to declare a personal interest (Membership of public body)	
	ii) Failure to declare a personal interest (Membership of charitable body)	
	iii) Failure to declare a personal interest (Membership of a body which influences public opinion or policy)	
17	Failure to declare a personal interest which affects the Subject Member's or a relevant person's wellbeing or financial position	
20	Failure to declare a prejudicial interest	
21	Participation at a meeting as a member of the body concerned (speaking or voting) where a prejudicial interest exists	

Pre-Determination and Bias

22	Taking part in a decision when biased or have pre-determined the matter in question	
26	Failure to declare a pre-determination	
26	Failure to withdraw to the public area of the meeting room after a declaration of predetermination	

5. Please explain in this section (or on separate sheets) what the Member(s) has/have done that you believe breaches their Council's Code of Conduct. If you are complaining about more than one Member you should explain clearly what each individual person has done which you believe breaches the Code of Conduct.

In the local newspaper dated the 25th February 2021, the above mentioned councillors, being elected members of Sandbach town council, did publish an open letter that held many comments that were misleading, fabricated and downright lies.

They claimed i had made racist comments or was responsible for racist comments. They claimed i have made threatening abusive or intimidating comments to staff at town council and the public.

They claim i have been found guilty of breaking the code of conduct daily.

They have portrayed a picture of racist, offensive law breaker without proof and without any such complaints being upheld on these matters.

This was a bullying and slanderous article of a letter that was not sent to me but rather to the papers. I received no copy of any such open letter.

This was a politically motivated letter designed to undermine, harass and intimidate myself and bring my creditability into question by misleading the public. The screen shot of the article appears below.

I demand a public apology and a retraction of the lies and slanderous comments.

Sky

82% 19:25



Cong2524 (1).pdf



January 2021



Editorial

children about swearing (obviously) and recalled the radio — Dave Lee Travis

excellent television series heard and seen things that not so long ago.

ms very prudish nowadays, s to reinvent itself — words so bad in a few years, just a few years ago are barely fig.

we are currently printing, he Chronicle from a chap wrote him a most snippy is now a term that's not aningless to many. I often ack when we had regular - he'd have turned in his

deem inoffensive used to kely to cause upset but is ire hunt) for a word that e headlines over when he

id "Odsbodikins" were all ears ago — gosh was God, and the now-dated zounds ls", from back when taking bloody serious.

are offensive today once it of Berkshire hunt and ies (and street names) in swearing by God's body nctions were not.

andbach, campaigned for o be given its name back, e once descriptive of their

ind swive were pretty rude, f-word; today we'd regard intellectual, indicative of a of Mr Shakespeare.

we didn't spell out rude in we printed ----! it was f-word. (Damn itself used condemn someone to Hell). the first complaints ever in 1893 someone (not not new either) wrote in on the football field. Our dad — had complained e used on the football state of things" said our

to blame so much as their so wondered why we could ub.

itative of the Hornets' FC hrase he would have used, he 1930s) and said the club police to attend games, to on the terraces led to more

Open letter to David Jack

Dear Sir, — The named councillors below are calling for Coun David Jack to resign his position on Sandbach Town Council forthwith.

Elected and co-opted councillors are required to sign and agree to abide by a code of conduct based on the Nolan principles of public office.

Coun David Jack has repeatedly breached this code of conduct and continues to do so on a daily basis.

His use of inappropriate language, that is often discriminatory to minority groups and individuals, is unacceptable. He administers a Facebook group that often uses racist language and promotes discrimination.

He has shown that he has no respect for his fellow councillors, or members of the town council staff, and has regularly sent bullying and abusive emails, as well as using defamatory language to criticise staff and councillors on social media. He has, on several occasions, insulted members of the public in an offensive and intimidating way, both publicly and via emails.

Coun Jack has been found guilty of breaching confidentiality of council business by Cheshire East's monitoring officer but this did not cause him to change his behaviour and he has continued to share confidential information regarding staff and other matters on social media.

He has declined the offer to engage in training on use of social media and also refused to agree to abide by the council's social media policy.

His behaviour at public meetings is often inappropriate and disruptive, and he openly shows his contempt for the council's business by, for example, using his phone throughout meetings, reading the paper, playing the guitar and not taking part in voting on agenda items.

As someone who lacks integrity, honesty, selflessness and respect for others, and is unable to moderate his behaviour, David Jack is totally unsuitable for public office and we believe he should step down, allowing someone else to take up his place who is willing to work for the good of the town and its residents in a way that shows respect for others and does not bring the council into disrepute. — Yours faithfully,

GERAINT PRICE JONES,
KATHRYN FLAVELL, ALAN
SMITH, SAM CORCORAN,
RICHARD HOFFMAN, LAURA
CRANE, DONAL HEGARTY,
SANDRA BROAD

many posts and banned post of such material as soon as I y made aware of such posts. To li me to such odious people is j nonsense. No proof has ever be provided to the contrary, and standards complaints against for such have been dismissed without merit or evidence.

Likewise, calling for clar of job descriptions and opposi extra payments for staff work at home does not constit bullying, threatening or offens behaviour. It is every elec member's duty under Localism Act 2011 to call i question the use of the taxpaye money. On no less than occasions I have asked for cop of these alleged emails and i written report. These have i been supplied and any atten to openly question this stai has been met with silence, r muting and meeting expulsio Likewise, no complaints to standards monitoring offi have been substantiated as th is no proof other than accusati made by the baying socia crowd.

If calling out party politi bullies, name-shaming peo who mislead the public a standing up for the taxpa; purse against a group councillors that twist everythi to suit their agenda and h their uncaring, hurtful a spiteful, budget cuts that h the vulnerable and financia disadvantage people of our to then I make no apology for i these same elected councill themselves feel the heat from i electorate.

Since last March 2020, mys my family and my support have received abuse, onl and out on the street. Fam members have been harass and hounded and I have had involve the police on a numl of occasions. Despite my ci for their condemnation, Labc has remained silent, fuell online and actual abuse furtl with incendiary comments a accusations.

If Labour members are offended by my working cl use of language and my dogg determination to defend mys against such ludicrous a unfounded accusations, then i they that need to reflect and t stock of their partisan bullyi and perhaps resign themsel Socialism has a clear pattern wanting to dictate and control free expression and freedom thought, and the recent acti by these members goes to enfo this view.

Meantime, I will continue work for my constituents a town and help make Sandb grow and continue to be the n welcoming friendly town wel

6. Only complete this section if you are requesting that your identity is kept confidential

In the interests of fairness and natural justice, the Council believes that Member(s) complained about have a right to know who has made the complaint against them and the nature of that complaint. It is only in exceptional circumstances that we will withhold your details from the complained about Member (the 'Subject Member'), as this may prejudice the right of the Subject Member to respond to the complaint.

Further guidance can be found on pages 3 and 4 of the Member Code of Conduct procedure guide.

Please provide us with details of why you believe we should withhold your name and/or the details of your complaint:

6. **Signature:**

I understand that, by signing this form I:

- Give Cheshire East Borough Council permission to provide my name, together with a copy of this complaint and any evidence supplied in support [subject to data protection rules] to the individual(s) against whom the complaint has been made.
- Acknowledge that:
 - the complaints process is confidential and that (with the exception of a professional advisor retained for those purposes who is also bound by a duty of confidentiality), the parties to the complaint must not pass on any information relating to the complaint to any third party without first obtaining the written permission of the Monitoring Officer.
 - ***any complainant who fails to comply with the confidentiality requirements risks being found to have contravened the process which may result in no further action being taken on their complaint***

Signed:



Date: 17/11/2020

7. Additional Help

Complaints must be submitted in writing and sent to the Monitoring Officer:

**By Post: Monitoring Officer, Cheshire East Council, c/o Municipal Buildings
Earle Street, Crewe CW1 2BJ**

By email: [REDACTED]

The above mailbox should also be used for all general enquires. If you need help in completing the form (in line with the requirements of the Equality Act 2010), please contact Monitoring Officer Support using the above email address.

This page is intentionally left blank

Sandbach Town Council

Weightmans reference: SIG/W15383/504

Report of an investigation into an allegation concerning the
conduct of Councillor David Jack

SG 22

Wed 14/04/2021 10:23

Mr walker is a local Labour Party member and has serious mental health issues.

I currently have the police investigating him over harrasment and threats to both myself, my wife and my family.

He has sent over 800 emails to myself, family members, friends, local businesses and many others including press and media.

He has constantly attacked my character without respite.

The cheshire police investigation reference is IML 923160

He is neither a member of any disability organisation nor an appointed member of any government panel.

He was not a candidate for the partnership and didn't have a valid nomination.

He has harassed many other members of the public and local businesses as well as the town clerk and the partnership chair.

The complaint he has submitted was written between the mayor cllr Price Jones and the portfolio holder at Cheshire East cllr flavall.

You will also note he ask for me to be removed from office, a power that isn't available.

As for my membership of a selarcastoc page, that has nothing to do with my role as a Councillor and is done a member of the public. The page no longer exists in any event.

I trust this matter will immediately be dismissed as without merit and politically motivated and malicious as well as vexatious.

Regards

David Jack

Independent Town Councillor

Sandbach Town Council

Town Ward

██████████

Simon Goacher

From: David Jack [REDACTED] >
Sent: 24 November 2020 10:18
To: Monitoring Officer CEC
Subject: Re: Confidential: 037307/049/20 Standards matter to Subject Member

And I've published a copy of the complaint and shall be passing to police as this is a continuous and ongoing line of harassment.

Regards
David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward
[REDACTED]

From: David Jack [REDACTED]
Sent: Tuesday, November 24, 2020 10:15:34 AM
To: Monitoring Officer CEC [REDACTED]
Subject: Re: Confidential: 037307/049/20 Standards matter to Subject Member
I couldn't give a fuck for thsi complaint or any other complaints from the arse holes at black lives matters. Theybhave hounded and harassed me and my family continuously since the last arse hole of a monitoring officer decided that he would play policitcs.

I have he'd enough of the bollox coming out of your office. Shove this right up your fucking arse.

Corrupt bastard who have fuck all better to do then harass and hound public elected officers.

Dont ever contact me again.

Regards
David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward
[REDACTED]

From: Monitoring Officer CEC [REDACTED]
Sent: Tuesday, November 24, 2020 10:12:13 AM
To: David Jack [REDACTED]
Subject: Confidential: 037307/049/20 Standards matter to Subject Member



Simon Goacher

From: David Jack [REDACTED]
Sent: 24 November 2020 10:16
To: Monitoring Officer CEC
Subject: Re: Confidential: 037307/049/20 Standards matter to Subject Member

I couldn't give a fuck for thsi complaint or any other complaints from the arse holes at black lives matters. Theybhve hounded and harassed me and my family continuously since the last arse hole of a monitoring officer decided that he would play policitics.

I have he'd enough of the bollox coming out of your office. Shove this right up your fucking arse.

Corrupt bastard who have fuck all better to do then harass and hound public elected officers.

Dont ever contact me again.

Regards
David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward

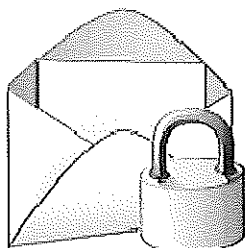
[REDACTED]

From: Monitoring Officer CEC [REDACTED]
Sent: Tuesday, November 24, 2020 10:12:13 AM
To: David Jack [REDACTED]
Subject: Confidential: 037307/049/20 Standards matter to Subject Member



This email has been sent to you securely by a contact at Cheshire East Council. If you have any doubts about this email, please contact the sender directly at their email address which should end with @cheshireeast.gov.uk

Click to [read this secure email](#) online.



This free service is provided by Egress Software and enables you to communicate securely.

If you have Switch installed, simply open the attachment.

Your email will be available online for a period of 90 days. For guidance on

Simon Goacher

From: [REDACTED]
Sent: 14 May 2021 10:23
To: [REDACTED]
Subject: FW: Confidential: 39151/011/21 Standards matter to Subject Member

From: David Jack [REDACTED]
Sent: 14 May 2021 07:06
To: Monitoring Officer CEC [REDACTED]
Subject: Re: Confidential: 39151/011/21 Standards matter to Subject Member

You know what, tell the monitoring officer to stick his standards up his arse.

It really is a kangaroo court and a witch hunt now.

No equality or even handedness at all.

I'll not be responding to anything any further.

In any event you have no powers and I shall continue on council until my term ends.

He could of course call me but then he's just a coward who hides behind his title.

Regards
David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward
[REDACTED]

From: Monitoring Officer CEC [REDACTED]
Sent: Thursday, May 13, 2021 2:24:08 PM
To: David Jack [REDACTED]
Subject: Confidential: 39151/011/21 Standards matter to Subject Member



This email has been sent to you securely by a contact at Cheshire East Council. If you have any doubts about this email, please contact the sender directly at their email address which should end with @cheshireeast.gov.uk

Sandbach Town Council

Weightmans reference: SIG/W15383/504

Report of an investigation into an allegation concerning the
conduct of Councillor David Jack

SG 23

Simon Goacher

From: David Jack [REDACTED]
Sent: 01 July 2021 18:07
To: Simon Goacher; Monitoring Officer CEC
Subject: Re: Complaint against you

Sensitivity: Confidential

DOCID: 34126855

This message originated from outside our organisation and was sent to Simon Goacher. The sender name was [REDACTED] and the sender's email address was [REDACTED]

Just as a side note.

This was supposed to be a fact finding interview to take my statement for the committee hearing.

It was on one complaint, mia sykes.

Each and every complaint should be taken in their own merits and dealt with as seperate complaints.

I was unaware of the majority of the complaints in the report.

I was also shocked to see that you have also made a predetermined judgement of wrong doing without any evidence what so ever and contrary to statutory law in some cases.

The whole process is corrupt and fettered from start to finish and does not provide for a fair hearing.

Regards

David Jack

Independent Town Councillor

Sandbach Town Council

Town Ward

From: Simon Goacher [REDACTED]
Sent: Wednesday, June 30, 2021 10:39:45 AM
To: David Jack [REDACTED]
Subject: Complaint against you

Dear Cllr Jack

I attach my draft report in respect of the complaints against you.

Please let me have any comments you wish to make on the draft report by 5.00pm on 8 July 2021. I will consider any comments you, or the complainants make before finalising my report.

Simon Goacher

From: CORCORAN, Sam (Leader of Cheshire East Council)
[REDACTED]
Sent: 30 June 2021 17:01
To: Simon Goacher
Subject: RE: Your complaint against Cllr Jack
DOCID: 34098278

This message originated from outside our organisation and was sent to Simon Goacher. The sender name was [REDACTED] and the sender's email address was [REDACTED]

Dear Mr Goacher,

Many thanks for your email.

I have a couple of minor comments

Para 19 says

"Cllr Jack has been a member of the Council since May 2019. He is not on any committees of the Council."

In fact Cllr Jack was on ALL of Sandbach Town Council's committees until May 2021 when he was removed from Finance Committee & Personnel Committee but remained on the other committees.

On a proof-reading point para 137 says

"It is unfortunate that the powers available to curb his behaviour and it is cases such as this which have led the Committee on Standards in Public Life to call on the government to increase the powers available to deal with poor behaviour by members."

Should this be

"It is unfortunate that the powers are not available to curb his behaviour and " or

"It is unfortunate that the powers available to curb his behaviour are limited and"

Best wishes,

Sam

S.A.M. Corcoran MA(Oxon), FCA, CTA (Fellow)

Leader of Cheshire East Council and Chair of Corporate Policy Committee

PA [REDACTED] Tel No: [REDACTED]

A banner with a dark background. On the left, there is a laptop with several white envelope icons floating above it. On the right, the text "Sign up for email updates" is written in a large, bold, white font. Below this, in a smaller white font, it says "Enter your email below to get COVID-19 information and service updates from Cheshire East Council". At the bottom left, there is a white button with the text "Click here to sign-up". At the bottom right, there is the Cheshire East Council logo, which consists of a stylized circular emblem with the words "Cheshire East Council" next to it.

Sign up for email updates

Enter your email below to get COVID-19 information and service updates from Cheshire East Council

[Click here to sign-up](#)

Cheshire East Council

Simon Goacher

From: Mia Sykes [REDACTED]
Sent: 05 July 2021 12:05
To: Simon Goacher
Subject: Re: Your complaint against Cllr Jack

Importance: High

DOCID: 34166920

This message originated from outside our organisation and was sent to Simon Goacher. The sender name was [REDACTED] and the sender's email address was [REDACTED]

Hi Simon,

Thanks for sending this over.

I have had a look and it seems all fine to me and I am happy to proceed with it!

Best wishes
Mia

On 30 Jun 2021, at 10:38, Simon Goacher [REDACTED] wrote:

Dear Ms Sykes

I attach my draft report in respect of your complaint against Cllr Jack.

Please let me have any comments you wish to make on the draft report by 5.00pm on 8 July 2021. I will consider any comments you, the other complainants or Cllr Jack make before finalising my report.

The process and the draft report at this stage remains confidential between the parties so you should not share or discuss any of the contents with any other person without the agreement of me or the Monitoring Officer.

Yours sincerely,

Simon Goacher
Partner
Weightmans LLP

<image001.png>

Simon Goacher

From: Robert Walker [REDACTED]
Sent: 30 June 2021 13:11
To: Simon Goacher
Subject: Re: Your complaint against Cllr Jack

DOCID: 34086032

This message originated from outside our organisation and was sent to Simon Goacher. The sender name was [REDACTED] and the sender's email address was [REDACTED]

Dear Simon

My comments are as follows:

1. Have you scoped all the complainants with the monitoring officer, i believe that there maybe more?
2. You refer to the term enhanced protection in the draft. I do feel that Sandbach Town Council have failed in their duty to protect and safeguard the public including vulnerable people like me. This includes reasonable adjustments when it comes to communicating with elected officers on matters relating to their community.

I believe no individual should be subject to the level of abuse the complainants have, is there any case law relating to actions being taken by the public in such instances. I am sure that you will be familiar with Human Rights Law which includes My Human Rights:

- a. That people working in public services must respect my rights and being able to talk to them about my care and treatment in my community. This could include my well-being and safety such as dog fouling, mobility access etc.
- b. I believe my freedom to express my concerns with a local councillor has been compromised, why do i feel that this is the case. I believe this is the case because as the draft report has highlighted people just get abused when they use their freedom to express any concerns via a STC email address.
- c. Right not to be discriminated against.

I think and believe that Sandbach Town Council have failed in their duty in applying their Code of Conduct policy in a responsive, effective, caring and well-led manner. I believe that together with the government they have failed to apply the following aspects that are important to public office and services and these include;

- a. Fit and proper persons test including enhanced DBS checks
- b. Nolan principles
- c. Due diligence.

3. Have you interviewed Cllr Hoffman regarding his comments as identified in the report? If it can be ascertained that he made such comments then i believe he also should be put through process!

4. Appears to be some ambiguity regarding the alleged numbers of emails i have sent David Jack, 50,100,800.

5. The lady in question was a business colleague partner but i feel an acquaintance/friend is more appropriate in this case(ref to drinking)

6. In section 73 evidence is misspelt.

7. It was myself that initially involved the Police and i believe their records will identify this,what Jack has done previously i believe in his defense he will claim tit for tat, undoubtedly a consummate professional in deceit and being divisive([REDACTED] Editor Sandbach Chronicle)

8. It is the IPSO not IPSA- I can not discuss their ongoing enquiry as it is confidential

In conclusion i believe the term "Balance of Probability's has to be considered does it not" i believe that Cllr David Jack is in fact all the things that have been referred to in the draft report,i put it to you that the whole political thing is just a game, a type of sport so to speak.

Robert Walker

On Wed, 30 Jun 2021 at 10:38, Simon Goacher [REDACTED] wrote:

Dear Mr Walker

I attach my draft report in respect of your complaint against Cllr Jack.

Please let me have any comments you wish to make on the draft report by 5.00pm on 8 July 2021. I will consider any comments you, the other complainants or Cllr Jack make before finalising my report.

The process and the draft report at this stage remains confidential between the parties so you should not share or discuss any of the contents with any other person without the agreement of me or the Monitoring Officer.

Yours sincerely,

Simon Goacher
Partner

Weightmans LLP

This page is intentionally left blank

Councillor David Jack

By Email



Working for a brighter future

Westfields
c/o Municipal Buildings
Earle Street
Crewe
CW1 2BJ

www.cheshireeast.gov.uk

DATE: 30th July 2021

Dear Councillor Jack

RE. Code of Conduct Independent Investigation

I am writing to you now that the independent investigation about the Code of Conduct complaints that concern you has been completed by Weightmans.

As you know, the investigator concluded that you have failed to comply with the Code for the reasons set out in his report. You have now been given time to reflect upon that report and the findings made.

I have consulted with the Independent Person, as required under the Arrangements for dealing with Code of Conduct complaints and I write to advise you that I would wish you to consider an informal resolution to this matter and, subject to my views expressed below, this may be an appropriate resolution to this matter.

Accordingly, I would like you to consider if you are willing to conclude this investigation by informal resolution and the purpose of this letter is to advise you what that will entail.

An apology may be accepted as an informal resolution. If an apology is to be considered an appropriate measure it must include these essential elements:

Firstly, I would expect an apology to acknowledge that your behaviour on each occasion, which the investigator found to be in breach of the Code of Conduct, fell below that which should be expected of a councillor.

Secondly, I would expect such apology to show regret or contrition, on your part, for your behaviours that have breached the Code.

Thirdly, acknowledge and apologize for the impact on those who have made complaints; in other words, a sincerely offered apology accepting responsibility for your behaviours.

Fourthly, I would expect such apology to include a genuinely offered assurance that you will make every possible effort to avoid any repeat of the behaviours that have given rise to complaints.

Finally, I would expect such apology to be written and to be made public, through the forum of the Town Council.

I acknowledge that this may not be an easy task and that you have expressed, many times, that your only wish is to advocate strongly for those you represent. It is acknowledged that your stated intention is to properly represent the residents of Sandbach, and it is of course the case that not everyone will agree about matters that affect the local area. Nevertheless, it is the content of your communications and behaviours, in endeavouring, no doubt, to do your best as a councillor, that have resulted in a numerous complaints which have been upheld on investigation, particularly in relation to the expected standards of leadership and accountability.

If you wish to offer an apology as a proposed informal resolution a draft will need to inform me as soon as reasonably practicable. If you would like assistance in framing the apology you should provide an early draft for discussion by 4 August 2021, otherwise the apology should be provided to me for consideration no later than 6 August 2021. If you do not wish to provide a complete fulsome apology to the complainants, the matter will proceed to a hearing before the Audit and Governance Hearing Sub-Committee.

Finally, I remind you that the Code of Conduct investigation remains confidential at this stage and this letter, and its contents must not be disclosed, other than to a professional or other person engaged to advise or support you on the issues covered within the letter.

Yours sincerely

A handwritten signature in black ink, appearing to read 'David Brown', with a horizontal line underneath.

David Brown
Director of Governance & Compliance Services
Monitoring Officer

From: David Jack <David.Jack@sandbach.gov.uk>
Sent: 04 August 2021 13:41
To: HOLLIS, Jamie <Jamie.Hollis@cheshireeast.gov.uk>
Cc: Monitoring Officer CEC <MonitoringOfficerCEC@cheshireeast.gov.uk>
Subject: Re: [OFFICIAL] Code of Conduct Independent Investigation letter

So you want me to apologise to people who have lied about me, contacted my family and friends and harassed them, rung around people's places of employment and lied to them trying to get them sacked.

You want me to apologise for exercising my legal statutory rights in filming in public places, for calling out members of cancel culture?

Do you think I was born on a banana boat.

Please pass on to the monitoring officer my sincere apologies for thinking he was actually a sensible and fair man. He's clearly a deluded arse hole along with the rest of the pricks who haven't listened to a single bit of the evidence I gave.

Dont contact me again. I won't be answering.

Regards

David Jack

Independent Town Councillor

Sandbach Town Council

Town Ward

07584258823

From: HOLLIS, Jamie <Jamie.Hollis@cheshireeast.gov.uk>
Sent: Tuesday, August 3, 2021 3:13:13 PM
To: David Jack <David.Jack@sandbach.gov.uk>
Cc: Monitoring Officer CEC <MonitoringOfficerCEC@cheshireeast.gov.uk>
Subject: [OFFICIAL] Code of Conduct Independent Investigation letter
Dear Cllr Jack

I write further to your email below.

Could you please confirm by return whether or not you wish to agree to the proposed informal resolution? If you do wish to agree, please let us have your draft by 6 August.

Many thanks

Jamie

Jamie Hollis | Interim Head of Legal | Cheshire East Council

| 012706 85820 | 07866 184122 | Jamie.Hollis@cheshireeast.gov.uk

Westfields, Middlewich Road, Sandbach, Cheshire, CW11 1HZ

Postal address: C/o Municipal Buildings, Earle Street, Crewe, CW1 2BJ

From: David Jack <David.Jack@sandbach.gov.uk>

Sent: 31 July 2021 12:11

To: Monitoring Officer CEC <MonitoringOfficerCEC@cheshireeast.gov.uk>

Subject: Re: Code of Conduct Independent Investigation letter

Let's just say, who ever wrote that letter must have bee drunk.

Regards

David Jack

Independent Town Councillor

Sandbach Town Council

Town Ward

07584258823

From: Monitoring Officer CEC <MonitoringOfficerCEC@cheshireeast.gov.uk>

Sent: Friday, July 30, 2021 4:45:05 PM

To: David Jack <David.Jack@sandbach.gov.uk>

Subject: Code of Conduct Independent Investigation letter

This email has been sent to you securely by a contact at Cheshire East Council. If you have any doubts about this email, please contact the sender directly at their email address which should end with @cheshireeast.gov.uk

Click to read this secure email online.

This free service is provided by Egress Software and enables you to communicate securely.

If you have Switch installed, simply open the attachment.



Working for a brighter future together

Cllr David Jack

via email:

David.Jack@sandbach.gov.uk

davidrjack536@gmail.com

Legal Services
C/o Municipal Buildings
Earle Street
Crewe
Cheshire
CW2 2BJ

Telephone number: 01270-685820
Email: jamie.hollis@cheshireeast.gov.uk

DATE: 16 August 2021

OUR REF: MO 049/20,078/20,010/21,011/21,012/21

Dear Cllr Jack

Re: Sandbach Town Council – Member Misconduct Investigation

I write further to the following complaints about your conduct as a member of Sandbach Town Council, which have been the subject of recent investigation:

1. MO049/20 – Mia Sykes
2. MO078/20 – Robert Walker
3. MO010/21 – Cllr Sam Corcoran
4. MO011/21 – Cllr Donal Hegarty
5. MO012/21 – Cllr Alan Smith

As you will be aware, the investigation process in all the above matters has now concluded and the investigators findings have been provided to the Monitoring Officer.

In response, and in accordance with our adopted procedure, the Monitoring Officer has concluded that the above complaints should be referred to the Audit and Governance Hearings Sub-Committee for further consideration. Please find attached determination notice to this effect.

A physical meeting of the Hearings Sub-Committee has been arranged for Thursday 9 September 10am, at the Council's Municipal Buildings, Earle Street, Crewe, CW1 2BJ.

In anticipation of the hearing, can you please advise –

1. Whether you intend to attend the hearing;

OFFICIAL

2. Whether you intend to be represented, and if so, by whom;
3. Whether you intend to rely upon any witness evidence, and if so, whom and in relation to which specific issue;
4. Whether, in advance of the hearing, you are able to agree:
 - Any or all of the facts of the complaints as described by the investigator in each matter;
 - Any or all of the conclusions / findings reached by the investigator.
In each instance, please briefly outline the basis for your agreement or disagreement.
5. Whether you consider the hearing should be held in public or private session.

Please respond by return email, and by no later than 5pm Monday 23 August 2021.

If you have any concerns regarding the content of this letter or the proposed arrangements, please advise, and those concerns will be directed to the Sub-Committee for consideration ahead of the proposed hearing date.

Thank you for your attention to this matter.

Yours faithfully

A handwritten signature in black ink, appearing to read 'J Hollis', with a long horizontal flourish extending to the right.

Jamie Hollis
Interim Head of Legal



Arrangements for Dealing With Standards Complaints Against Members.

Determination Notice – August 2021

Complainant(s)	Subject Member(s) and Council	Reference
1. Mia Sykes; 2. Robert Walker; 3. Cllr Sam Corcoran; 4. Cllr Donal Hegarty; 5. Cllr Alan Smith;	Councillor David Jack, Sandbach Town Council	MO049/20 MO078/20 MO010/21 MO011/21 MO012/21

Summary of the Complaints

1. The complaints concern Councillor David Jack ('the Subject Member') of Sandbach Town Council, in connection with the above listed matters.
2. The complainants comprise fellow Sandbach Town Councillors and members of the public.
3. In summary, the complaints potentially engage the following elements of the Sandbach Town Council Code of Conduct:
 - General obligation 4.10 – Leadership
 - General obligations 4.12 – Respect for others
 - General obligation 4.14 – Disclosure of Information

Investigation

4. In accordance with the Council's adopted procedure, the Monitoring Officer considered each of the above complaints upon receipt, in consultation with the Independent Person, and determined that each complaint should be referred for formal investigation.
5. An independent external investigator was duly appointed, and the investigation process has now completed. The findings of the investigations are that there have been breaches of all of the above provisions of the Code of Conduct.

Decision

6. The Monitoring Officer has reviewed the Investigators report in consultation with the Independent Person. The Monitoring Officer is satisfied that the investigations have been conducted properly and thoroughly, and that the Subject Member has had an appropriate opportunity to engage with the process and make representations.
7. Following consultation with the Independent Person, the Monitoring Officer offered the Subject Member an opportunity to resolve the complaints by way of informal resolution. The proposed resolution entailed an apology, to be made public through the forum of the Town Council. The Subject Member responded using expletives, refusing to consider the suggested resolution.
8. Taking into account the findings of the investigator, the representations of the Subject Member, and the Subject Member's response to the proposed informal resolution, the Monitoring Officer considers that all of the above complaints should now be referred to the Audit and Governance Hearing Sub-Committee for further consideration.

Appeal

9. With the exception of external legal and Local Government Ombudsman processes, there is no right of appeal under the Council's procedure for the Complainant or for the Subject Member(s) against this decision of the Monitoring Officer.

PP:



David Brown
Monitoring Officer
Dated: 16.08.21

Confidentiality Notice

The contents of this Notice must not be disclosed, other than a professional engaged to advise on the issues covered within this notice, without the explicit written consent of the Monitoring Officer of Cheshire East Borough Council.

From: David Jack <David.Jack@sandbach.gov.uk>
Sent: 20 August 2021 09:43
To: HOLLIS, Jamie <Jamie.Hollis@cheshireeast.gov.uk>
Subject: Re: [OFFICIAL] Member misconduct complaints

I'm going to ask one more time. Then I'm reporting you to the cheif executives office, who gave you my personal email address and why have you got it stored on your system?

Regards

David Jack
Independent Town Councillor
Sandbach Town Council
Town Ward

07584258823

From: David Jack <David.Jack@sandbach.gov.uk>
Sent: Tuesday, August 17, 2021 9:28:47 AM
To: HOLLIS, Jamie <Jamie.Hollis@cheshireeast.gov.uk>
Subject: Re: [OFFICIAL] Member misconduct complaints

Who the hell do you people think you are?

You are narcissistic bullies who use your position to drive your own agendas.

You show no respect to elected members who asked legitimate questions and think you can control me by making me answer to a baying mob?

I shall write to the cheif executive and explain everything to them about your politically biased position and the manner in which your whole department is run.

You will not use my personal email ever again. You had no right even having that address let alone storing it.

You are a public servant, the lowest of any public servant at that.

You hide behind your glass and ivory Tower as some sort of god.

You are not.

You have no power to do anything. Why waste my time.

Regards

David Jack

Independent Town Councillor

Sandbach Town Council

Town Ward

07584258823

From: David Jack <David.Jack@sandbach.gov.uk>

Sent: Monday, August 16, 2021 6:25:05 PM

To: HOLLIS, Jamie <Jamie.Hollis@cheshireeast.gov.uk>; davidrjack536@gmail.com
<davidrjack536@gmail.com>

Subject: Re: [OFFICIAL] Member misconduct complaints

And don't send anything to my personal email again.

Regards

David Jack

Independent Town Councillor

Sandbach Town Council

Town Ward

07584258823

From: David Jack <David.Jack@sandbach.gov.uk>

Sent: Monday, August 16, 2021 6:24:48 PM

To: HOLLIS, Jamie <Jamie.Hollis@cheshireeast.gov.uk>; davidrjack536@gmail.com
<davidrjack536@gmail.com>

Subject: Re: [OFFICIAL] Member misconduct complaints

I'll not be attending any kangaroo courts. You've made your decision without fact.

It is just a witch hunt to satisfy a baying mob. The monitoring officer is guilty of many breeches and you haven't listened to a word of mine.

Why would I attend a hearing that has no power and simply serves to further humiliate and belittle me?

Regards

David Jack

Independent Town Councillor

Sandbach Town Council

Town Ward

07584258823

From: HOLLIS, Jamie <Jamie.Hollis@cheshireeast.gov.uk>

Sent: Monday, August 16, 2021 6:16:59 PM

To: David Jack <David.Jack@sandbach.gov.uk>; davidrjack536@gmail.com
<davidrjack536@gmail.com>

Subject: [OFFICIAL] Member misconduct complaints

Dear Cllr Jack

Please find attached correspondence for your attention.

Regards

Jamie

Jamie Hollis | Interim Head of Legal | Cheshire East Council

| 012706 85820 | 07866 184122 | Jamie.Hollis@cheshireeast.gov.uk

Westfields, Middlewich Road, Sandbach, Cheshire, CW11 1HZ

Postal address: C/o Municipal Buildings, Earle Street, Crewe, CW1 2BJ

From: david jack <davidrjack536@gmail.com>

Sent: 16 August 2021 18:26

To: HOLLIS, Jamie <Jamie.Hollis@cheshireeast.gov.uk>

Subject: Re: [OFFICIAL] Member misconduct complaints

Who gave you my personal email address?

On Mon, 16 Aug 2021, 18:17 HOLLIS, Jamie, <Jamie.Hollis@cheshireeast.gov.uk> wrote:

Dear Cllr Jack

Please find attached correspondence for your attention.

Regards

Jamie

Jamie Hollis | Interim Head of Legal | Cheshire East Council

| 012706 85820 | 07866 184122 | Jamie.Hollis@cheshireeast.gov.uk

Westfields, Middlewich Road, Sandbach, Cheshire, CW11 1HZ

Postal address: C/o Municipal Buildings, Earle Street, Crewe, CW1 2BJ

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From: HOLLIS, Jamie <Jamie.Hollis@cheshireeast.gov.uk>

Sent: 17 August 2021 10:04

To: BURNS, Jane <Jane.Burns@cheshireeast.gov.uk>; BROWN, David (Director of Governance and Compliance) <David.C.Brown@cheshireeast.gov.uk>

Cc: MOORE, Leanne <Leanne.Moore@cheshireeast.gov.uk>

Subject: [OFFICIAL] FW: Member misconduct complaints

Hi Jane / David

I just wanted to bring to your attention the emails below (and attached), and also some telephone conversations I have had with Cllr David Jack this morning.

Late yesterday I sent an email to Cllr Jack regarding the upcoming Standards Hearing into his alleged misconduct. I am aware that some Sandbach TC facilities may have been removed from Cllr Jack's disposal, and I didn't want to run the risk of him not being alerted to the hearing date, so I emailed him on both his councillor and personal email. The personal email address was contained within the various complaint paperwork we have on file.

As a result, I received 2 missed phones call last night at 18:29 followed by a text message from the same number which read "I suggest you explain where you got my personal email address from immediately. How dare you contact me as a Councillor in my personal email"

This morning I received one missed call and 3 further calls from the same number. Upon answering the second call, Cllr Jack demanded to know where I got his personal email address from. I told him it was from the complaint paperwork and that it was used to make sure he received the email, and that I didn't consider it to be a particular issue. Cllr Jack began shouting and swearing saying the officers were pricks etc so I ended the call.

On answering the third phone call I was greeted with swearing, and was called a c**t so I hung up. I answered the final phone call to more swearing so I told Cllr Jack that if he continued to call I would block his number. He went on to rant about officers being a***holes sitting in their ivory tower and refusing to listen to any evidence he put forward. I asked him in return how he thought it was appropriate that he had been elected to a responsible office and speaks to people as he does. He continued swearing so I ended the call.

I then received the email below, which makes reference to complaining to the CEX. I wanted to flag this with you in case this eventuates.

I will also include this email chain in the paperwork for the upcoming hearing.

Kind regards

Jamie

From: David Jack <David.Jack@sandbach.gov.uk>
Sent: 17 August 2021 09:29
To: HOLLIS, Jamie <Jamie.Hollis@cheshireeast.gov.uk>
Subject: Re: [OFFICIAL] Member misconduct complaints

Who the hell do you people think you are?

You are narcissistic bullies who use your position to drive your own agendas.

You show no respect to elected members who asked legitimate questions and think you can control me by making me answer to a baying mob?

I shall write to the chief executive and explain everything to them about your politically biased position and the manner in which your whole department is run.

You will not use my personal email ever again. You had no right even having that address let alone storing it.

You are a public servant, the lowest of any public servant at that.

You hide behind your glass and ivory Tower as some sort of god.

You are not.

You have no power to do anything. Why waste my time.

Regards

David Jack

Independent Town Councillor

Sandbach Town Council

Town Ward

07584258823

From: David Jack <David.Jack@sandbach.gov.uk>

Sent: Monday, August 16, 2021 6:25:05 PM

To: HOLLIS, Jamie <Jamie.Hollis@cheshireeast.gov.uk>; davidrjack536@gmail.com
<davidrjack536@gmail.com>

Subject: Re: [OFFICIAL] Member misconduct complaints

And don't send anything to my personal email again.

Regards

David Jack

Independent Town Councillor

Sandbach Town Council

Town Ward

07584258823

From: David Jack <David.Jack@sandbach.gov.uk>

Sent: Monday, August 16, 2021 6:24:48 PM

To: HOLLIS, Jamie <Jamie.Hollis@cheshireeast.gov.uk>; davidrjack536@gmail.com
<davidrjack536@gmail.com>

Subject: Re: [OFFICIAL] Member misconduct complaints

I'll not be attending any kangaroo courts. You've made your decision without fact.

It is just a witch hunt to satisfy a baying mob. The monitoring officer is guilty of many breeches and you haven't listened to a word of mine.

Why would I attend a hearing that has no power and simply serves to further humiliate and belittle me?

Regards

David Jack

Independent Town Councillor

Sandbach Town Council

Town Ward

07584258823

From: HOLLIS, Jamie <Jamie.Hollis@cheshireeast.gov.uk>

Sent: Monday, August 16, 2021 6:16:59 PM

To: David Jack <David.Jack@sandbach.gov.uk>; davidrjack536@gmail.com
<davidrjack536@gmail.com>

Subject: [OFFICIAL] Member misconduct complaints

Dear Cllr Jack

Please find attached correspondence for your attention.

Regards

Jamie

Jamie Hollis | Interim Head of Legal | Cheshire East Council

| 012706 85820 | 07866 184122 | Jamie.Hollis@cheshireeast.gov.uk

Westfields, Middlewich Road, Sandbach, Cheshire, CW11 1HZ

Postal address: C/o Municipal Buildings, Earle Street, Crewe, CW1 2BJ

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From: Katy Pepper <katy.pepper@sandbach.gov.uk>
Sent: 24 August 2021 08:40
To: HOLLIS, Jamie <Jamie.Hollis@cheshireeast.gov.uk>
Cc: Mark Bailey <m Bailey@winsford.gov.uk>
Subject: [OFFICIAL] Member complaints

Good Morning Jamie,

Many thanks for your recent update re. conclusion of external investigation into the complaints regarding a Sandbach Town Councillor and scheduled Sub-Committee Hearing, 9 September.

In response to your queries, I can confirm that the Councillor named within your email was removed from both the Finance and Personnel Committee's by decision at the Council AGM (6.5.21) and his use of official email to contact Council Staff has been prohibited (w.e.f 26.11.20); any contact is to be made via the Mayor or Deputy.

The Councillor remains a Member of all other existing Committee's, Working Groups and Sub-Committees and there are no current restrictions on facilities, venues etc.

I hope this is a help but please don't hesitate to contact us should you require additional information.

Best regards,

Katy

cc. Acting Town Clerk, Mark Bailey.

Katy Pepper

Assistant Town Clerk ~ Sandbach Town Council

Town Hall, High Street, Sandbach, CW11 1AX

Landline: 01270 600830

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Reception: 01270 600800

www.sandbach.gov.uk