

Please reply to:

Councillor Phillip L Davies
Leader of Wirral Council

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Councillor J Green
Leader of the Conservative Group
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WIRRAL CH44 8ED

Date : 17 December 2013

my ref PD0012/DLK

Dear Jeff,

I write in response to your question at Council. I will also copy this response to all Members and ask for it to be published as an appendix to the Council minutes.

A group of individuals approached me about this matter. The individuals did not wish to make a formal complaint regarding the comments allegedly made by one of my Senior Members regarding a Senior Council Officer. However I am absolutely committed to ensuring that all matters of concern are properly investigated and so chose to immediately refer the matter to the Chief Executive.

The Chief Executive instructed the Strategic Director for Transformation and Resources, in his position as Deputy Monitoring Officer, to conduct an investigation and an Independent Investigator was appointed.

The Senior Officer concerned does not wish the investigation report to be made public, and I intend to respect their wishes. However, if you would like to see a copy I will ask the Chief Executive to make it available to you. I intend to make the same offer to the Leader of the Liberal Democrats. I have been informed that you have been briefed previously regarding the outcome of that investigation however for clarity I will again outline the conclusions.

The Independent Investigator wrote on two occasions to the individuals who had brought this matter to my attention, however they refused to cooperate. All other concerned parties were interviewed, with external legal advisors present. No evidence was made available to the investigation to substantiate a serious allegation regarding inappropriate language.

The Senior Member concerned did make clear that he had made adverse comment regarding a Senior Officer, comments that he regrets. The Investigation therefore found that there had been a breach of the Council's Code of Conduct. It concluded

that an apology to the Officer concerned and a conciliation process was appropriate. At the request of the Senior Officer the matter has been dealt with in a confidential manner.

We have discussed the issue of improving the culture of this Council and I believe that both myself as Leader, and you as Leader of the Opposition have a crucial role to play in this. I have stated publicly, at Improvement Board and elsewhere, that the number one priority for this Council over the coming months must be to address this for once and for all. I do not believe this is a matter for party politics, our staff and the residents of Wirral deserve and expect us to take a lead.

I would therefore again urge you that if you have any evidence of wrong doing, or can encourage others to supply any evidence that exists of wrongdoing, that you work with me to bring this to light. I promise that if this happens that a further robust investigation will take place.

Yours sincerely

A handwritten signature in black ink on a light grey background. The signature reads "P.L. James" with a stylized flourish at the end.

Councillor Phil Davies