Assessment Decision Ref 2026-058

Complainant: [redacted]

Subject Member: **Holme Valley Parish Councillor Andrew Wilson**

Consultees: **N/A**

Decision Makers: **Councillor Bill Armer (Chair of Standards), Samantha Lawton (Monitoring Officer), Mike Stow (Independent Person)**

This decision notice relates to two complaints that were made about the behaviour of Cllr Wilson when responding to a request from a fellow Councillor for disclosure of documents that he possessed as part of his role as a Holme Valley Parish Council (HVPC) Staffing Committee member.

As Monitoring Officer, Independent Person and Chair of Standards, we have considered what action should be taken in respect of these complaints, having also consulted with the Assessment Panel.

The relevant Code of Conduct is that of Holme Valley Parish Council.

The breach that has been alleged is of:

4.1 I do not disclose information:

a. *given to me in confidence by anyone*
b. *acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature*

In coming to their decision, we as decision makers gave consideration to various items of correspondence and evidence provided by the complainants. We also took the detailed response of Cllr Wilson to the complaint into consideration, noting that he did not dispute that he had made the disclosures.

Conclusion/Decision

In respect of the complaint it was accepted that Cllr Wilson was acting in his capacity as a Councillor at the time of the alleged breach.

It was also noted that the conduct that had been alleged was admitted by Cllr Wilson and no determination was therefore required on this. It was simply a matter of determining whether the conduct was a breach.

The complaint

The complaint itself arose following a meeting of the HVPC's Staffing Committee, which had been convened to address a complaint made by 'Councillor X' about a member of the HVPC staff. As part of the Staffing Committee's consideration of the complaint, various documentation had been distributed on a confidential basis to the members of the Committee to assist them in reaching a conclusion on the complaint.

'Councillor X' sought copies of the documentation, and made an FOI request and an SAR, seeking copies. Both requests resulted in exemptions being applied and 'Councillor X' was informed that they were not entitled to copies of the documents.

'Councillor X' then contacted each of the members of the Staffing Committee asking them to forward copies of the documents, despite knowing at the time that these were exempt from disclosure under FOI and SAR legislation.

As a consequence of this, the HVPC wrote to all members of the Staffing Committee, with a suggested response to 'Councillor X', advising them that they should not comply with the request, which had been considered and determined to be an FOI request, individual Councillors being data holders in their own right.

Despite the advice and guidance on this, Cllr Wilson chose not to follow that advice and provided 'Councillor X' with copies of the Staffing Committee documents that he still held, many of which contained personal information. Cllr Wilson advised the HVPC clerking team that he had chosen not to follow the advice and guidance and had provided copies of the documents that he still had to 'Councillor X'. This resulted in a data breach report being made to the ICO by HVPC and advice being given to HVPC by the ICO.

The decision makers agreed with the Assessment Panel members that there was a breach and that it was a serious and deliberate breach which has resulted in the recommended sanctions. It was felt that Cllr Wilson's failure to follow the advice and guidance that he had been given was an aggravating feature and didn't allow the decision makers to be able to take the view that the disclosure may have been accidental or unknowing.

The decision makers find that the following breach of the Code of Conduct occurred:

4.1 I do not disclose information:

a. *given to me in confidence by anyone*
b. *acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature*

Sanctions

To this end, the following sanctions are to be recommended to HVPC to consider:

- The removal from the Staffing Committee of Cllr Wilson (for the rest of his term)

- The removal from the other committees that Cllr Wilson sits on (for the rest of his term) – these are:
    - Finance and Management Committee
    - Service Provision Committee

- That Cllr Wilson should be asked to issue a formal apology to the member of HVPC staff who was the subject of the complaint that was being considered by the Staffing Committee.

This decision notice will be published on the Kirklees Standards complaints page and the entry will be updated as and when Cllr Wilson complies with the sanctions.

Signed: Samantha Lawton, Cllr Bill Armer, Michael Stow

Dated: 21st September 2026

Samantha Lawton	**Cllr Bill Armer**	**Michael Stow**
Monitoring Officer	**Chair of Standards**	**Independent Person**