

Council

15 October 2026

Councillor Conduct

Report from: Bhupinder Gill, Monitoring Officer

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Summary

The Councillor Conduct Committee (the Committee) considered two reports setting out the findings of investigations into alleged breaches of the Councillor Code of Conduct, the Code. The Committee determined that on both complaints Councillor Spalding had breached the Code and has recommended that the Council censure him and require him to return his Council issued laptop.

1. Recommendations

1.1. The Councillor Conduct Committee recommends that in respect of case

1.1.1. CCC/2026/003 the Council

1.1.1.1. Censure Councillor Spalding for the reasons set out in decision letter (**Appendix 2**).

1.1.1.2. Require the return of his Council issued laptop for a minimum period of 3 months and that Councillor Spalding only be returned the laptop after this period once he completes further training on the code of conduct, as required by the Councillor Conduct Committee.

1.1.2. CCC/2026/010 the Council

1.1.2.1. Censure Councillor Spalding for the reasons set out in the decision letter (**Appendix 3**).

1.1.2.2. Require the return of his Council issued laptop for a minimum period of 3 months, which will commence following the expiry of the three-month period specified in paragraph 1.1.1.2 above, and that Councillor Spalding only be returned the laptop after this period once the training referred to above has been completed.

2. Budget and policy framework

- 2.1. The Council is required to have a Standards Committee (the Councillor Conduct Committee) that is responsible for upholding high standards of conduct in public office and determining complaints submitted under the Councillor Code of Conduct. On finding a breach the Committee may refer the matter to Council to consider issuing a formal censure.

3. Background CCC/2026/003

- 3.1 On 2 March 2026 the Monitoring Officer received a complaint under the Council's Code of Conduct.
- 3.2 In late 2025 St Mary Hoo Parish Council was inquorate due to there being an insufficient number of parish councillors and thus could not lawfully convene a parish council meeting. A number of individuals met informally to consider how to respond to the granting of planning permission by Medway Council. An individual at that meeting proposed to instruct lawyers to commence legal action. Councillor Spalding was not present at the meeting.
- 3.3 Councillor Spalding met with that individual and Councillor Spalding instructed lawyers to commence action against Medway Council.
- 3.4 Once the Parish Council was quorate and able to lawfully meet again, they considered a request to reimburse the private citizen who had offered to commence legal action to challenge the planning decision. The individual was invited to submit a request for reimbursement.
- 3.5 Councillor Spalding noted the minutes of the Parish Council and unilaterally decided to submit a request for reimbursement, using his Medway Council email address and Medway Council letterhead.
- 3.6 On 15 April 2026, the Committee considered an initial screening report into a complaint arising from the above circumstances and requested the Monitoring Officer to commence an investigation. Councillor Spalding was requested on several occasions to assist the investigation however failed to engage constructively. An investigation report was considered by the Committee on 5 August 2026.
- 3.7 The Committee determined the engagement of lawyers by Councillor Spalding was an entirely personal matter unconnected with his office of Medway Councillor and thus the use of Medway Council email address and Medway Council letterhead was wholly inappropriate.
- 3.8 The Committee determined that Councillor Spalding had
 - brought his office into disrepute,
 - brought Medway Council into disrepute and
 - made inappropriate use of resources allocated to him.
- 3.9 A copy of the decision letter sent to Councillor Spalding is attached and marked as **Appendix 2**.

4. Background CCC/2026/010

- 4.1. On 28 May 2026 the Monitoring Officer was made aware of an email sent by Councillor Spalding to a junior officer. The contents of the email suggested a serious breach of the Councillor's Code of Conduct such that the Monitoring determined to abridge the initial screening report to the Committee and proceeded straight to an investigation.
- 4.2. Additionally, after consultation with the Council's Head of Paid Service and Section 151 Officer, he informed Councillor Spalding that from that moment onwards, that he would be Councillor Spalding's single point of contact at the Council.
- 4.3. Councillor Spalding was invited to assist the investigation however failed to engage constructively and an investigation report was considered by the Committee on 5 August 2026.
- 4.4. The Committee ratified the Monitoring Officer's decision to abridge the initial screening process and confirmed that the matter warranted investigation.
- 4.5. The Committee found that Councillor Spalding had used his Council email address, and signed off an email as Councillor Spalding, in which he requested a junior council officer to disclose details of a financial matter pertaining to a private individual, to assist him to progress a purely personal financial matter involving him and that private individual.
- 4.6. The Committee determined that Councillor Spalding had
 - brought his office into disrepute,
 - made inappropriate use of resources allocated to him and;
 - sought to confer an advantage to himself and a disadvantage to another.
- 4.7. A copy of the decision letter sent to Councillor Spalding is attached and marked as **Appendix 3**.

5. Sanctions

- 5.1 The Committee determined the following sanctions:
- 5.2 CCC/2026/003
 - i. a recommendation be made to the next Full Council meeting to censure Councillor Spalding.
 - ii. Councillor Spalding be asked to send a sincere and fulsome letter of apology to the complainant and to Medway Council, which should first be shared with and approved by the Chairperson of the Councillor Conduct Committee, Councillor McDonald.
 - iii. Councillor Spalding's conduct identified a training need and so additionally, the Committee requested that he undertake further training on the Code of Conduct with the Monitoring Officer.

- iv. a recommendation to full Council requiring Councillor Spalding to return the Council supplied laptop for a minimum of three months and that he only be returned the laptop after this period once he has complied with step (iii) above.
- v. That Step (iv) above be implemented after a period of 14 days of the full Council decision to allow Councillor Spalding to remove any information stored on the equipment.

5.3 CCC/2026/010

- i. a recommendation be made to the next Full Council meeting to censure Councillor Spalding.
- ii. Councillor Spalding be asked to send a sincere and fulsome letter of apology to the officer, which should first be shared with and approved by the Chairperson of the Councillor Conduct Committee, Councillor McDonald.
- iii. Councillor Spalding's conduct identified a training need and so additionally, the Committee requested that he undertake further training on the Code of Conduct with the Monitoring Officer (this would be the same training required within the sanctions that relate to complaint CCC/2026/003).
- iv. a recommendation to full Council requiring Councillor Spalding to return the Council supplied laptop for a minimum of three months and that he only be returned the laptop after this period once he has complied with step (iii) above. This period to run consecutive to the earlier period determined by this Committee at the same meeting (CCC/2026/003).
- v. That step (iv) above be implemented immediately after the earlier period ceases.

6. Post Decision

- 6.1. Decision letters were shared with Councillor Spalding on 19 August via email. To date no letters of apology have been received by the Monitoring Officer to share with the Chairperson of the Councillor Conduct Committee for consideration. To date, whilst other communications have been received Councillor Spalding has not responded to the decision letters, save to the press, nor requested training.

7. Risk management

Risk	Description	Action to avoid or mitigate risk	Risk rating
Lack of process in dealing with complaints	The Council is mandated to have a Code of Conduct that is applicable to	The Council has adopted a code of conduct and processes	D3

Risk	Description	Action to avoid or mitigate risk	Risk rating
	Councillors and to have process for determining complaints regarding its breach	for determining if it has been breached	
Reputational	The Committee has made a determination of a breach and requested the Council to issue a censure	The Council need to determine whether to accept the recommendation	D2
Quality and timeliness of the adjudication	The Committee considered complaint, however for justice to be done it needs to be seen to be done	The minutes of the Committee have been made public and this report considering the imposition of sanction will be consider in public	C2

For risk rating, please refer to the following table:

Likelihood	Impact:
A Very likely B Likely C Unlikely D Rare	I Catastrophic II Major III Moderate IV Minor

8. Legal and financial implications

- 8.1 The legal implications are as set out in the body of the report. The costs associated with the investigation have been met from within an approved budget.

Lead officer contact

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Appendices

Appendix 1 – 5 August Minutes, Councillor Conduct Committee
Appendix 2 – 19 August Decision letter to Cllr Spalding CCC/2026/003
Appendix 3 – 19 August Decision letter to Cllr Spalding CCC/2026/010

Background papers

None