

## Case summary

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SBE case number	SBE21553.08
member	Councillor David McGrath
authority	Bromsgrove District Council
allegation	The member disclosed confidential information and failed to treat others with respect.
date received	18 March 2008
date completed	26 August 2008
SBE outcome	The ethical standards officer found that no action needs to be taken

**Summary**  
The complainant alleged that Councillor David McGrath breached Bromsgrove District Council's Code of Conduct by disclosing confidential information in contravention of section 103 of the Representation of the People (Amendment) Regulations 2002.

It was alleged that Councillor McGrath provided a copy of the full Register of Electors for the district to a police officer for the purpose of inviting single occupant residents to a church Christmas lunch.  
Councillor McGrath did not dispute that he provided a copy of the register to a local police officer for the purpose above, but when advised by council officers he immediately and successfully retrieved it.

The ethical standards officer took into consideration that Councillor McGrath had taken these steps and also concluded that the disclosure was reasonable and made in the public interest and in good faith. However, it did not comply with the reasonable requirements of the council, which were very clear and which the council had highlighted to Councillor McGrath. Therefore, the ethical standards officer considered that Councillor McGrath had failed to comply with the Code by making the disclosure. However, given Councillor McGrath's good intentions and his quick action once he realised he needed to retrieve his copy of the register, the ethical standards officer did not consider that Councillor McGrath had brought his office or authority into disrepute.

Ends.

**recommendations**

**relevant paragraphs of the Code of Conduct**  
The allegations in this case relate to paragraphs 2(b) and 3(a) of the Code of Conduct. Paragraph 2(b) states that a member must "treat others with respect". The allegation in this case relates to Paragraph 3(a) of the Code of Conduct. Paragraph 3(a) states that "a member must not disclose information given to him in confidence by anyone, or information acquired which he believes is of a confidential nature, without the consent of a person authorised to give it, or unless he is required by law to do so".

