

## **STANDARDS AND ETHICS COMMITTEE**

### **25 APRIL 2018**

## **CODE OF CONDUCT – COMPLAINTS UPDATE**

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### **Recommendation**

- 1. The Head of Legal and Democratic Services recommends that the Committee notes the formal complaints that have been made about the conduct of County Councillors.**

### **Summary**

2. To update the Committee on formal complaints which have been made against the conduct councillors since the last report.

### **Background**

3. The Council receives a small number of formal complaints concerning the conduct of county councillors. None of these have progressed to formal investigation but have been resolved informally through the facilitation of the Monitoring Officer.

### **Complaint 01/17**

4. A member of the public complained about the accuracy of various reported comments made by a member a number of years before. The Monitoring Officer considered the filtering guidelines set by the committee and decided that the matter would not be further investigated, having made preliminary enquiries. The matters raised were minor, historical and were driven by relationship issues with the councillor and so no further action was appropriate.

### **Complaint 01/18**

5. A complaint was made concerning a comment made by a councillor at a meeting of full Council. The Monitoring Officer consulted the Chairman of the Committee and also an independent member of the committee. The consensus was that the personal jibe made was somewhat below the belt and not done in the spirit of treating others with respect, but did not warrant pursuing more formally. The member in question was written to by the Monitoring Officer and reminded of the need to comply with the Code in political debate and to treat others with respect, but it was not considered necessary to move to a formal investigation of the complaint.

### **Complaint 02/18**

6. This complaint concerned a social media comment by a 3<sup>rd</sup> party which had been reposted on Facebook by a councillor who was said to be in breach of the Code for not treating others with respect or bringing the office into disrepute through 3<sup>rd</sup> party material which had been reposted. The councillor's Facebook account was public and referenced the fact of being a councillor etc, thus blurring distinctions between acting as

a councillor or in a private or party political capacity. However, even on the assumptions that the Code of Conduct was engaged, and that the councillor supported the post, the nature of the material reposted did not amount to a breach of the Code. It related to party politics; whether right or wrong was not the issue as it fell within the concepts of freedom of speech and expression and there was nothing within the repost itself which amounted to a breach of the Code. Therefore no further investigation was required.

7. The Councillor was not deemed to be responsible for the original poster's other actions or views. However, the repost allowed access to other comments connected with the original post involving some vulgar abuse, although the councillor was not responsible for them and may have been unaware of them.

8. Accordingly, the Monitoring Officer has raised with the councillor the danger of reposting pages on social media which have associated comments which might then reflect upon the councillor, inadvertently or otherwise, and to bear this in mind for future posts.

## **Contact Points**

### County Council Contact Points

County Council: 01905 763763

Worcestershire Hub: 01905 765765

### Specific Contact Points for this report

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## **Background Papers**

In the opinion of the proper officer (in this case the Head of Legal and Democratic Services) there are no background papers relating to the subject matter of this report.