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**Service Director – Legal, Governance and
Commissioning**

Samantha Lawton

Governance and Commissioning

PO Box 1720

Huddersfield

HD1 9EL

Tel: 01484 221000

Please ask for: Andrea Woodside

Email: andrea.woodside@kirklees.gov.uk

Tuesday 15 October 2024

Notice of Meeting

Dear Member

Standards Committee

The **Standards Committee** will meet in the **Leadership Meeting Room, Civic Centre 3, Huddersfield** at **2.00 pm** on **Wednesday 23 October 2024**.

The items which will be discussed are described in the agenda and there are reports attached which give more details.

A handwritten signature in black ink, appearing to read "S Lawton".

Samantha Lawton

Service Director – Legal, Governance and Commissioning

Kirklees Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair/Clerk of their intentions prior to the meeting.

Standards Committee:-

Member

Councillor Bill Armer (Chair)

Councillor Martyn Bolt

Councillor Musarrat Khan

Councillor Jo Lawson

Councillor Harry McCarthy

Councillor Alison Munro

Councillor Mohan Sokhal

Agenda

Reports or Explanatory Notes Attached

Pages

1: Membership of the Committee

To receive any apologies for absence.

2: Minutes of Previous Meetings

1 - 4

To approve the Minutes of the Meetings of the Committee held on 20 March and 22 May 2024.

3: Declaration of Interests

5 - 6

Committee Members will be asked to advise if there are any items on the Agenda in which they have a disclosable pecuniary interest, or any other interests, which may prevent them from participating in the discussion or vote on any of the items.

4: Admission of the Public

Most agenda items will be considered in public session, however, it shall be advised whether the Committee will consider any matters in private, by virtue of the reports containing information which falls within a category of exempt information as contained at Schedule 12A of the Local Government Act 1972.

5: Deputation/Petitions

The Committee will receive any petitions and/or deputations from members of the public. A deputation is where up to five people can attend the meeting and make a presentation on some particular issue of concern. A member of the public can also submit a petition at the meeting relating to a matter on which the body has powers and responsibilities.

In accordance with Council Procedure Rule 10, Members of the Public must submit a deputation in writing, at least three clear

working days in advance of the meeting and shall subsequently be notified if the deputation shall be heard. A maximum of four deputations shall be heard at any one meeting.

6: Public Question Time

To receive any public questions.

In accordance with Council Procedure Rule 11, the period for the asking and answering of public questions shall not exceed 15 minutes.

Any questions must be submitted in writing at least three clear working days in advance of the meeting.

7: Code of Conduct Complaints Update

7 - 18

To receive an update on complaints received under the Code of Conduct.

Contact: David Stickley, Legal Services

8: Cases and News Update

19 - 54

To receive an update on news and cases of interest.

Contact: David Stickley, Legal Services

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

STANDARDS COMMITTEE

Wednesday 20th March 2024

Present: Councillor Harry McCarthy (Chair)
Councillor Martyn Bolt
Councillor Alison Munro
Councillor Mohan Sokhal

In attendance: Mike Stow – Independent Member

Apologies: Councillor Itrat Ali
Councillor James Homewood
Councillor Manisha Roma Kaushik

1 Membership of the Committee

Apologies for absence were received on behalf of Councillors Ali, Homewood and Kaushik.

The Committee acknowledged the pending retirement of Julie Muscroft, Service Director (Legal, Governance and Monitoring), and conveyed thanks for the contribution that Julie had made to the Council and the work of the Committee over the previous years.

2 Minutes of Previous Meeting

RESOLVED – That the Minutes of the Meeting held on 23 October 2023 be approved as a correct record.

3 Declaration of Interests

No interests were declared.

4 Admission of the Public

It was noted that all agenda items would be considered in public session.

5 Deputation/Petitions

No deputations or petitions were received.

6 Public Question Time

No questions were asked.

7 Code of Complaints Update

The Committee received a report which provided an update on complaints that had been received since the previous meeting of the Committee in October 2023. The Committee noted that the report reviewed complaints from the period of 1 September to the end of February 2024, during which there were a total of 24

Standards Committee - 20 March 2024

complaints, 19 of which related to Kirklees Councillors and 5 related to Town or Parish Councillors. The report advised that 9 of these complaints had not progressed beyond the initial assessment process and that 5 had been resolved informally, and that the remaining ten were being considered within the assessment process.

Paragraph 2.4 of the report provided a summary of the published decisions, in cases where complaints had been upheld and published on the Council's website. Appendix A provided a summary of the complaints including total numbers and the source of complaints.

RESOLVED - That the report be received and noted.

8 Cases and News Update

The Committee received a report which provided an update on matters relating to developments and news on Local Government ethics, including decisions of other local authorities, or any existing standards boards.

The report also provided an update on the work of the Committee on standards in Public Life.

RESOLVED - That the report be received and noted.

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL
STANDARDS COMMITTEE

Wednesday 22nd May 2024

Present: Councillor Bill Armer (Chair)
Councillor Martyn Bolt
Councillor Musarrat Khan
Councillor Jo Lawson
Councillor Harry McCarthy
Councillor Alison Munro
Councillor Mohan Sokhal

1 Admission of the Public

RESOLVED –

It was determined that all agenda items would be considered in public session.

2 Appointment of Standards Committee

RESOLVED -

- 1) That the appointment of the Standards Sub-Committee be approved.
- 2) That the Sub-Committee should not be in accordance with the requirements of Section 15 and 16 of the Local Government and Housing Act 1989 and that the membership shall be drawn from the membership of the Standards Committee.

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KIRKLEES COUNCIL			
COUNCIL/CABINET/COMMITTEE MEETINGS ETC			
DECLARATION OF INTERESTS			
Standards Committee			
Name of Councillor			
Item in which you have an interest	Type of interest (eg a disclosable pecuniary interest or an "Other Interest")	Does the nature of the interest require you to withdraw from the meeting while the item in which you have an interest is under consideration? [Y/N]	Brief description of your interest

Signed: Dated:

NOTES

Disclosable Pecuniary Interests

If you have any of the following pecuniary interests, they are your disclosable pecuniary interests under the new national rules. Any reference to spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.

Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses.

Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -

- under which goods or services are to be provided or works are to be executed; and
- which has not been fully discharged.

Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.

Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.

Any tenancy where (to your knowledge) - the landlord is your council or authority; and the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.

Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -

- (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
- (b) either -

the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.



REPORT TITLE: Code of Conduct complaints update

Meeting:	Standards Committee
Date:	23rd October 2024
Cabinet Member (if applicable)	N/A
Key Decision Eligible for Call In	No No – not a decision-making report
<p>Purpose of Report</p> <p>To brief the standards committee on Councillor complaints under the Code of Conduct since the last Standards Committee meeting in March 2024.</p>	
<p>Recommendations</p> <ul style="list-style-type: none"> • That the report be noted by members <p>Reasons for Recommendations</p> <ul style="list-style-type: none"> • The report is for information only 	
<p>Resource Implications:</p> <p>None</p>	
<p>Date signed off by Executive Director & name</p> <p>Is it also signed off by the Service Director for Finance?</p> <p>Is it also signed off by the Service Director for Legal Governance and Commissioning?</p>	<p>Rachel Spencer-Henshall – 7th October</p> <p>Kevin Mulvaney– 7th October</p> <p>Samantha Lawton– 7th October</p>

Electoral wards affected: All

Ward councillors consulted: None

Public or private: Public

Has GDPR been considered? Yes

1. Executive Summary

- 1.1 This report follows on from the similar report that was before the Standards Committee on the 20th of March 2024.
- 1.2 This report will look at the number of complaints received from the 1st of March 2024 to the end of August 2024, along with their type and nature.
- 1.3 It will also look at which of those new complaints have been resolved and which are still subject to investigation or further action. It will also provide an update on those complaints that were received in the previous reporting period and were not resolved at the time of the previous report.
- 1.4 It will also compare this period's complaints with the previous period, to see if there are any significant differences or trends.

2. Information required to take a decision

2.1 Complaints Summary

- 2.1.1 Since the 1st of March 2024 the Monitoring Officer has received 38 complaints relating to alleged breaches of the Code of Conduct.
- 2.1.2 29 relate to Kirklees Councillors, 5 relate to Town or Parish councillors and the remaining 4 relate to both Kirklees Councillors and Town or Parish Councillors. A total of 15 Kirklees councillors have been the subject of complaints, with 6 Town and Parish Councillors complained of.
- 2.1.3 Of these 38, 1 was withdrawn by the complainant, 3 were not pursued, 15 were not progressed after the initial assessment process. 8 were found to be breaches of the Code of Conduct, but were resolved informally. The remaining 11 complaints are currently being investigated, being considered currently under the initial assessment process.

2.2 Update on previous complaints

2.2.1 Of the 11 complaints that were carried forward from the previous report as ongoing, 9 were dismissed at the initial stage, 1 was not pursued by the complainant, and 1 was taken through the formal standards process and was dismissed.

2.2.1 11 complaints have been carried forward in this reporting period.

2.3 Previous Report and comparison with the present report

2.3.1 The previous report, for the period the 1st of September 2023 to the end of February 2024, contained a total of 24 new complaints that related to 17 named Kirklees Councillors and 4 Town or Parish Councillors. This compares with the current period under review, where there is a total of 38 complaints, with 29 complaints relating to Kirklees Councillors and 5 complaints relating to Town or Parish Councillors, with 4 complaints made against both Kirklees and Town or Parish Councillors. A total of 15 Kirklees members and 6 Town or Parish Council members have been the subject of complaints in this period.

2.3.2 The nature of the complaints in the present report concern behaviour of members towards members of the public / fellow members (3 complaints relating to 3 members), behaviour at meetings (10 complaints relating to 4 members), behaviour during the election period (13 complaints about 3 members), social media behaviour (9 complaints relating to 11 members), allegations of criminal conduct (1 complaints relating to 1 member) and correspondence (2 complaints about 2 members).

Members are asked to note that a number of complaints that have been recorded as being related to behaviour at meetings also contained an element of social media complaint, as the meeting in question resulted in social media commentary. Whilst these complaints have been recorded as being related to behaviour at meetings, as this was the principal source of the complaint the social media 'element' of the complaints has been recorded in the total of 11 members who were the subject of complaints relating to social media above.

The sources of the complaints are that 24 were received from members of the public, 14 received from members (5 Kirklees members, 9 Town or Parish Council members) and 0 from officers.

2.3.3 Comparing this to the previous report, complaints then concerned the behaviour of members towards members of the public / fellow members (14 complaints relating to 11 members), behaviour at meetings (3 complaints relating to 5 members), social media behaviour (2 complaints relating to 2 members), the planning process (1 complaints relating to 1 member) and press statements (1 complaint about 1 member).

The sources of the complaints in the previous reporting period were that 19 were received from members of the public, 5 received from members (2 Kirklees members, 3 Town or Parish Council members) and 0 from officers.

- 2.3.4 Comparison between the two reports shows that the overall number of complaints has risen, from 24 to 38. If we extend this to earlier periods, we can see that the general downward trend to the number of complaints being made that was apparent is being reversed, with complaints at a new high in this period, up from the previous high of 32 complaints about Kirklees members in 2020 (the exceptional number of complaints about one member of a Parish Council have been discounted) that now appears to be being reversed. The number of Councillors complained about has stayed the same, at 21.
- 2.3.5 In this period, we have seen no instances of ‘multiple’ complaints.
- 2.3.6 The total number of complaints relating to Town or Parish Councils has risen in this reporting period, from 5 to 8.
- 2.3.7 The number of complaints relating to the planning process has fallen in this period, from 1 to 0.
- 2.3.8 In terms of any discernable trends, the numbers of complaints being made continues to rise, after a sustained period of complaints falling. Factors that may be influencing this are the fact that we have had two elections in this period which have both been affected by national events which resulted in an increased independent presence, particularly in North Kirklees.

2.4 **Published Decisions**

- 2.4.1 This report now contains a simple summary table that informs members of standards decisions that have been published on the Kirklees website. In line with the decision of the Committee, the published decisions will now only be complaints that have been upheld.
- 2.4.2 This is a summary only and full details, including copies of the relevant decision notices, remain available on the website.

Council	Councillor	Complaint	Date of decision	Outcome
Holme Valley	Cllr James Dalton	member's use of	05/07/2023	Complaint upheld

Parish Council		social media		
Holme Valley Parish Council	Cllr James Dalton	member's use of social media	06/12/2021	Complaint upheld
Holme Valley Parish Council	Cllr James Dalton	member's use of social media	03/8/2020	Complaint upheld
Holme Valley Parish Council	Cllr James Dalton	member's use of social media	23/10/2019	Complaint upheld
Mirfield Town Council	Cllr Steven Benson	member's use of social media	16/10/2019	Complaint upheld

2.4.3 Members will note that this is the same as in the previous period's report.

3. Implications for the Council

3.1 Working with People

N/A

3.2 Working with Partners

N/A

3.3 Place Based Working

N/A

3.4 Climate Change and Air Quality

N/A

3.5 Improving Outcomes for Children

N/A

3.6 Financial Implications

N/A

3.7 Legal Implications

The promotion and maintenance of high standards of conduct by councillors is an important part of maintaining public confidence in both the council and its members. Failure to do so could have adverse reputational implications.

3.8 Other (eg Risk, Integrated Impact Assessment or Human Resources)

None

4. Consultation

N/A

5. Engagement

None

6. Options

6.1 Options Considered

It is recommended that the report be noted.

6.2 Reasons for Recommended Option

The report is an 'information-only' report.

7. Next steps and timelines

The Monitoring Officer will continue to assess any complaints about members' conduct as and when they are received and will report the outcomes to this committee as appropriate.

8. Contact officer

David Stickley
Principal Lawyer
01484 221000
david.stickley@kirklees.gov.uk

9. Background Papers and History of Decisions

N/A

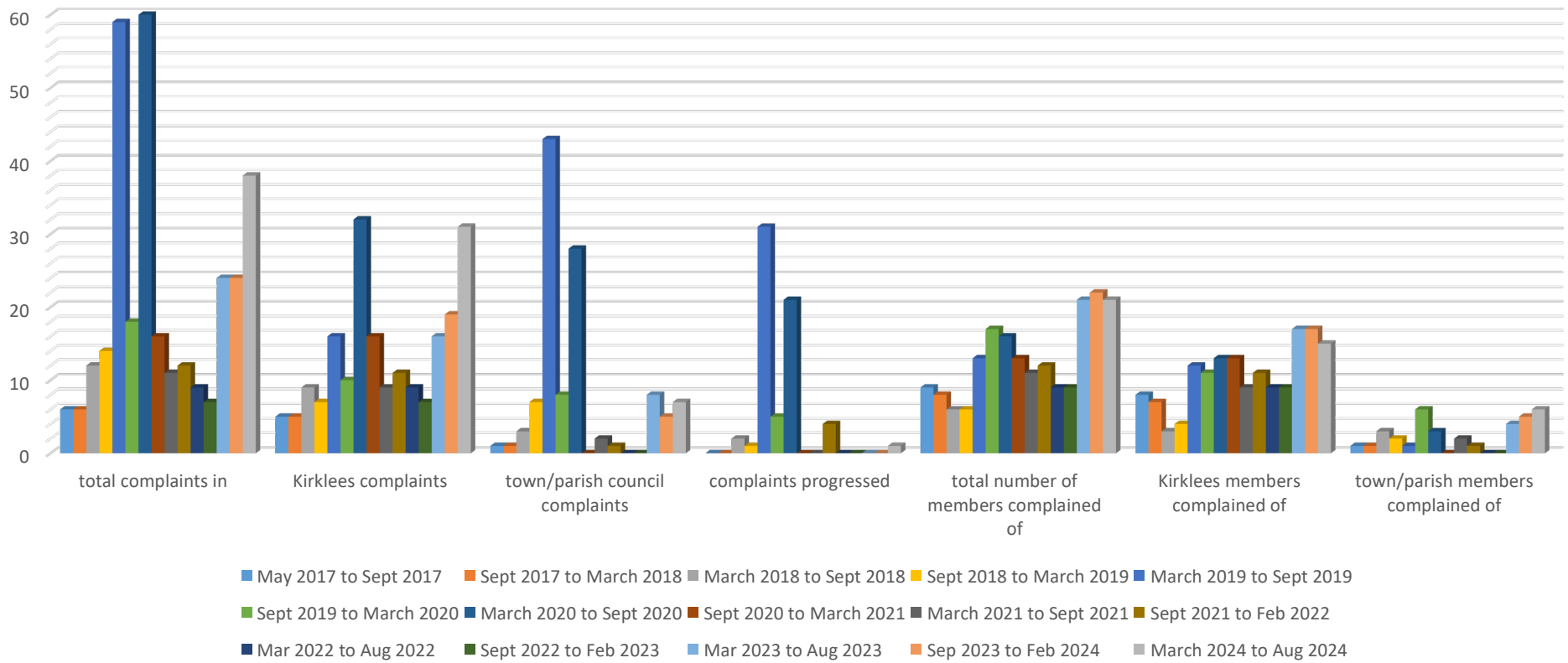
10. Appendices

11. Service Director responsible

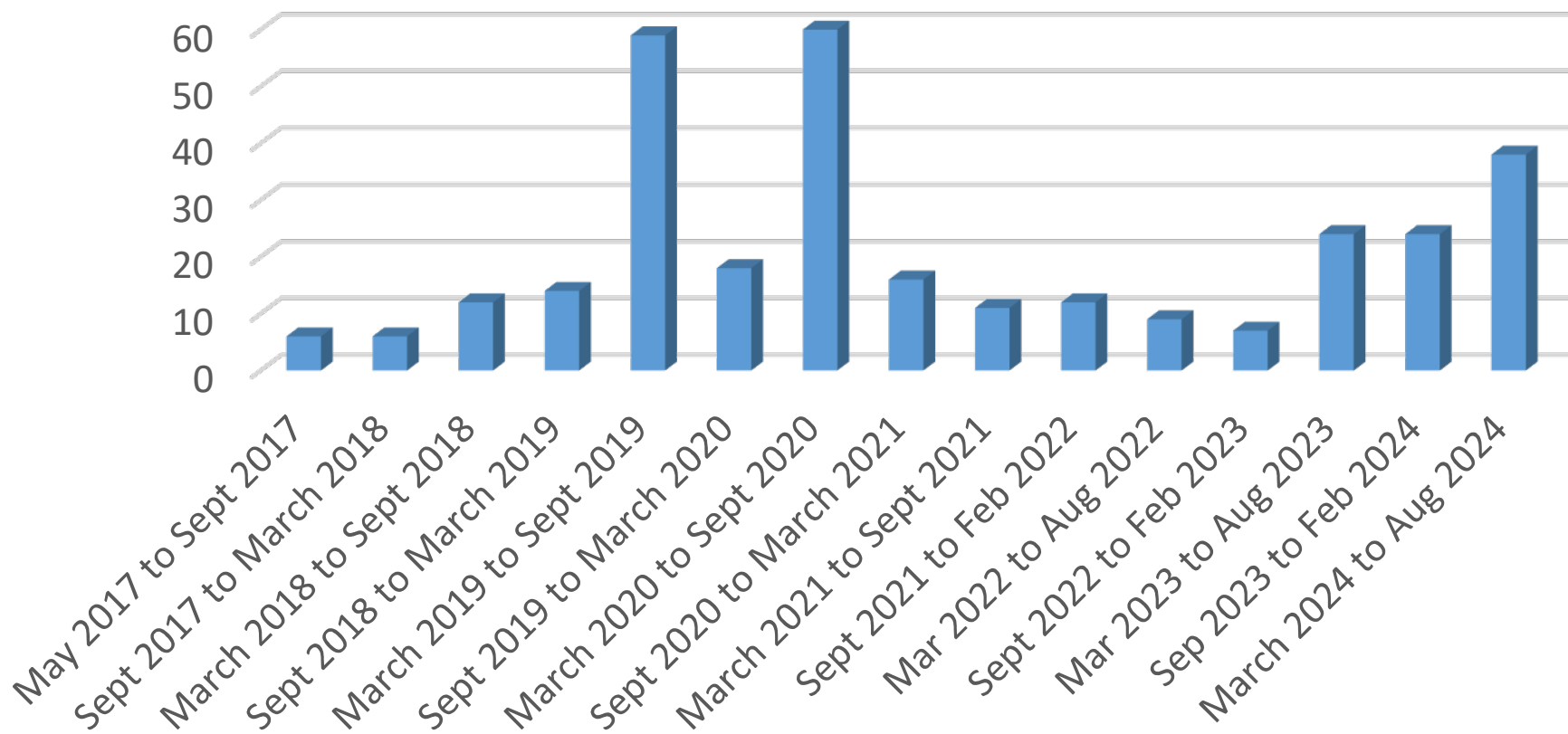
Samantha Lawton
Service Director – Legal, Governance and Commissioning
01484 221000
samantha.lawton@kirklees.gov.uk

Appendix A

Complaints summary

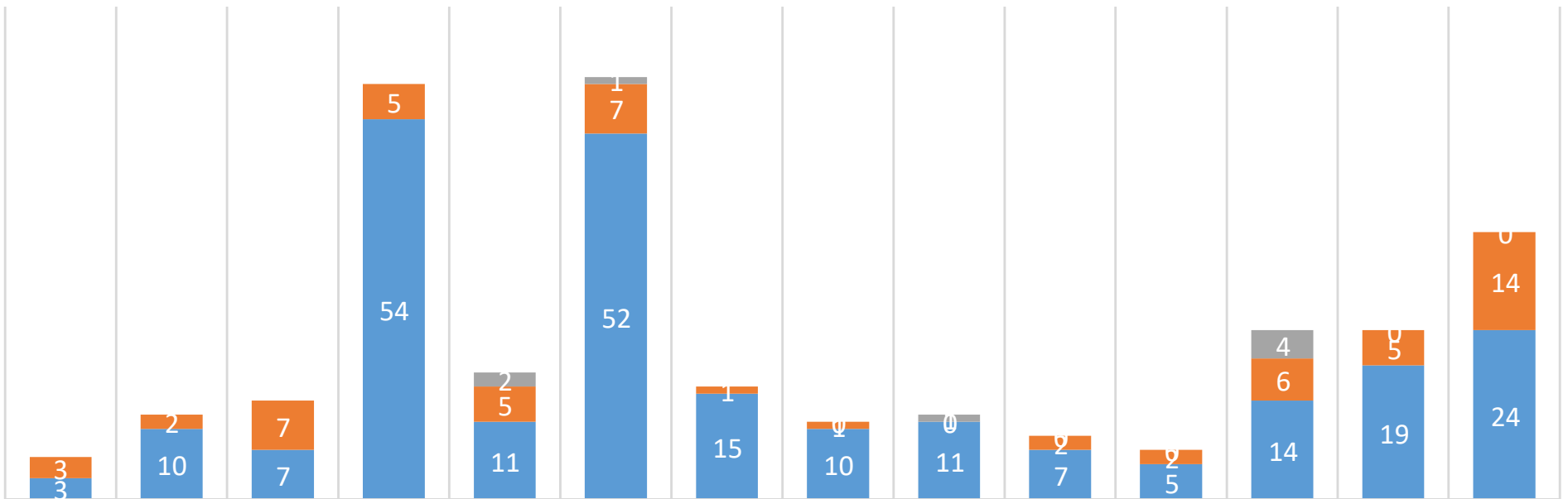


total complaints in



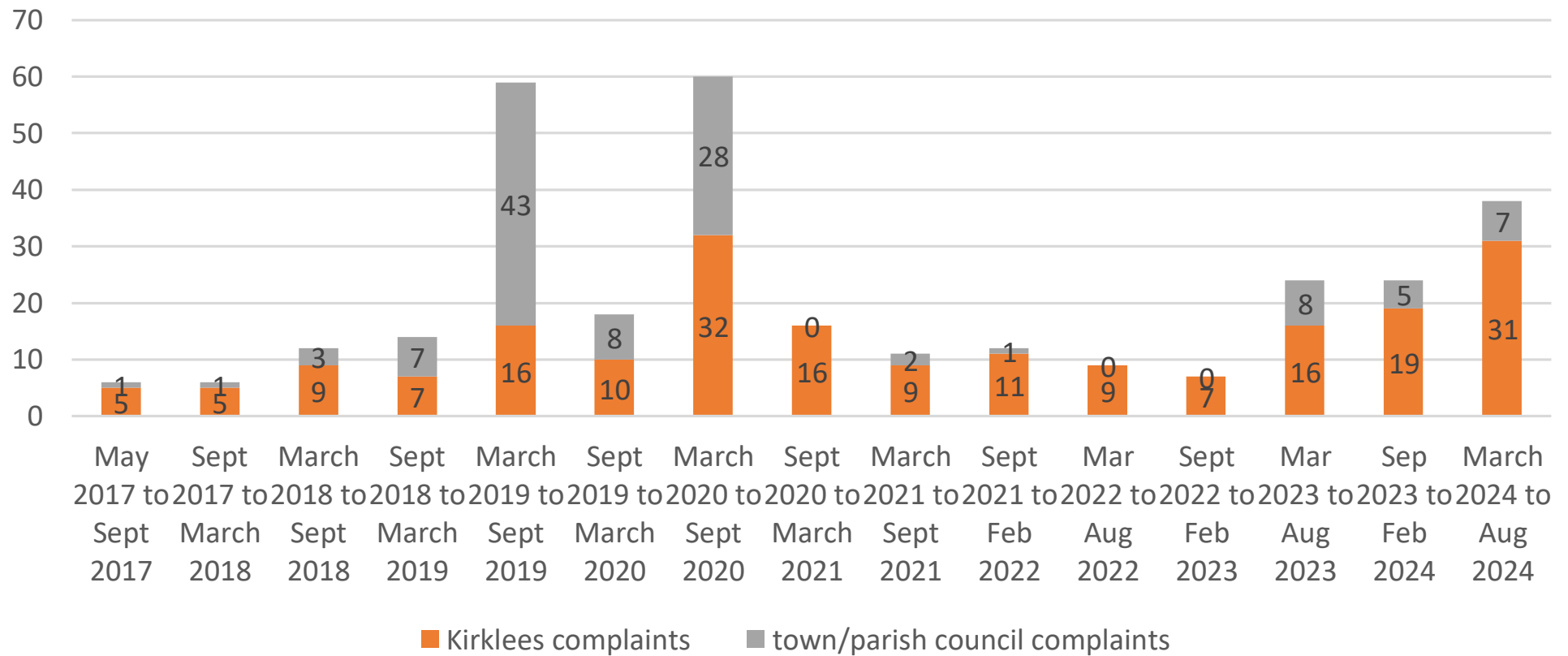
SOURCES OF COMPLAINTS RECEIVED

from mop from cllrs from officers



SEPT 2017 TO MARCH 2018 MARCH 2018 TO SEPT 2018 SEPT 2018 TO MARCH 2019 MARCH 2019 TO SEPT 2019 SEPT 2019 TO MARCH 2020 MARCH 2020 TO SEPT 2020 SEPT 2020 TO MARCH 2021 MARCH 2021 TO SEPT 2021 SEPT 2021 TO FEB 2022 MAR 2022 TO AUG 2022 SEPT 2022 TO FEB 2023 MAR 2023 TO AUG 2023 SEP 2023 TO FEB 2024 MARCH 2024 TO AUG 2024

COMPLAINTS - KIRKLEES / TOWN AND PARISH COUNCILS





Cases and News Update

Meeting:	Standards Committee
Date:	23rd October 2024
Cabinet Member (if applicable)	N/A
Key Decision Eligible for Call In	No No – not a decision-making report
Purpose of Report To brief the standards committee on any news and cases of interest since the last Standards Committee meeting in March 2024.	
Recommendations <ul style="list-style-type: none"> • That the report be noted by members Reasons for Recommendations <ul style="list-style-type: none"> • The report is for information only 	
Resource Implications: None	
Date signed off by Executive Director & name	Rachel Spencer-Henshall – 7th October
Is it also signed off by the Service Director for Finance?	Kevin Mulvaney – 7th October
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Samantha Lawton – 7th October

Electoral wards affected: All

Ward councillors consulted: None

Public or private: Public

Has GDPR been considered? Yes

1. Executive Summary

- 1.1 This report is intended to brief members on any developments and news on matters of local government ethics.
- 1.2 It will look at news items and any relevant case law, as well as any recent published decisions from other local authorities or any of the existing standards boards.
- 1.3 It will also provide an update on the work of the CSPL, in particular that which follows on from their report 'Ethical Standards in Local Government'.

2. Information required to take a decision

2.1 News since March 2024

- 2.1.1 In an article about investigating councillor conduct by Adam Carey, published by Local Government Lawyer, he reflects on the effects of the abolition of the Standards Board. In respect of sanctions, a number of those quoted in the article agreed that this was a problem with Paul Hoey, the former head of the Standards Board, suggesting that the lack of sanctions following the reforms has led to a rise in serious misconduct, stating:

'I remember describing very early on when the Standards Board was abolished, and the new regime came in that the change was essentially a 'bully's charter', because now you can get away with bullying, and I do see councillors now recognising there is very little that can be done about them and that their behaviour can't be checked.'

- 2.1.2 Local Government Lawyer reported on the case of *R v Thomas Casserly*, which involved an alleged malicious communication that was sent to a Councillor by a resident. Casserly was convicted under the Malicious Communications Act of '*sending an indecent or grossly offensive electronic communication with intent to cause distress or anxiety*'. On appeal, the conviction was quashed and the court considered the matter under Article 10 of the ECHR.
- 2.1.3 The Independent reported on a recently elected Labour MP whose social media posts from 10 years ago came in for criticism. This story shows that any elected official should take care with any social media presence as any injudicious posts can return to haunt them.
- 2.1.4 The recent unrest that has led to a number of convictions and prison sentences has also involved an elected councillor in controversy.

Dartford Labour Councillor Ricky Jones has been suspended by his party following the release of a video in which it is claimed he said, of the rioters, *'we need to cut all their throats and get rid of them'*.

- 2.1.5 In June, the BBC reported on a councillor who had set up a fake Facebook profile to exchange explicit images with men. Kyle Daisley was also a special constable and was subject to the Police misconduct process. He remains a Councillor, but stepped down from his role as Chair of the Council and now sits as an independent councillor.
- 2.1.6 In July, the East Anglian Daily Times reported on two councillors who had been sanctioned for a number of breaches of the Code of Conduct. The breaches included bullying, discrimination and harassment.
- 2.1.7 In April MyLondon reported on the suspension by his party of a Sutton councillor, Steve Alvarez, following what was alleged to have been a two-year feud with a fellow councillor. This story is of interest as it appears that the council's standards process has not been involved in addressing the allegations and that it was the Conservative Party at a national level that investigated and imposed sanctions on their own member. The local Conservative group agreed with Alvarez who had alleged that he was the victim of harassment.

2.2 Recent published decisions

- 2.2.1 Some Local Authorities in England publish their decisions on member complaints, as do the Standards Boards in Wales, Scotland and Northern Ireland.
- 2.2.2 The Standards Commission for Scotland continues to hold hearings and publish the outcomes.
- 2.2.3 Since March 2024, the Commission has considered 6 cases, with a further 4 to be considered, and has published its findings in respect of the 6 cases that have been heard.
- 2.2.4 In these 6 cases, breaches were found to have occurred in 4, and these resulted in suspension of the members complained of. The breaches included behaving disrespectfully, disclosing confidential information and issues around interests. Of the 2 findings of no breach, one is of interest as it considers the applicability of enhanced freedom of expression. Some of the Commission's press releases are in the Appendix. Members can read the full decision notices on the Commission's website.
- 2.2.4 The Commissioner for Standards in Northern Ireland has heard 1 case referred to it since March 2024, with 2 more referrals yet to be heard.
- 2.2.5 In the 1 decided case, which involved bringing the Council into disrepute, a 5 year disqualification was given.

2.2.7 The Public Services Ombudsman for Wales publishes its finding directly to its website. There were 12 alleged breaches reported and investigated. Often the Ombudsman works by referring matters back to local authorities.

2.2.8 A number of findings have been published by the Ombudsman in this reporting period, with sanctions reported in 5 cases. These included censure, suspension and disqualification. The Appendix contains details of some of the more interesting decisions.

2.2.9 In England, publication of decisions still remains discretionary, although the CSPL did recommend publishing these, so it may be the case that we start to see more decisions from English local authorities being published in due course.

2.2.10 No reports have been identified in this period.

2.3 **Case Law**

2.3.1 The case of R v Thomas Casserly has been referred to above. It related to the application of Article 10 of the ECHR to political comment.

2.4 **The work of the Committee on Standards in Public Life**

2.4.1 In March 2024, the Committee announced that it would be carrying out a review looking at accountability within public bodies. Terms of reference have been published and an open consultation is to be carried out, with a report highlighting best practice due to be published in Spring 2025. A copy of the terms of reference are in the Appendix.

2.4.2 As reported previously, follow up on the 2019 report on Local Government Ethical Standards is no longer a standing item on the CSPL meeting agenda. The annual report, published in July 2024, does make reference to the 2019 report, but it is unclear whether, with a change of government, the Committee is planning to raise the issues again.

2.4.3 The annual report says, of the 2019 report:

Local Government Ethical Standards, 2019

Our evidence-based report, published in January 2019, exploring ethical standards in local government was welcomed by the sector, backing our call to strengthen the arrangements in place to support high ethical standards, whilst respecting the benefits of a localised approach.

The previous government responded three years later in March 2022. We were disappointed that the previous government in its response rejected most of our recommendations, stating that it thought that the best route for change was best practice by local authorities. Lord Evans, our former Chair, wrote a number of times to the then Department for Levelling Up, Housing and Communities. The most recent reply from the then Minister for Local Government in February 2023 confirmed that the government will not be taking up our recommendations.

We believe this is a missed opportunity to update and improve the locally-based standards regime in local government. We continue to make the case for our recommendations and influence where we can.

- 2.4.4 The latest published Committee minutes pre-date the General Election, so there is no indication yet of whether the Committee is wishing to raise the 2019 report again with the new government.

3. Implications for the Council

3.1 Working with People

N/A

3.2 Working with Partners

N/A

3.3 Place Based Working

N/A

3.4 Climate Change and Air Quality

N/A

3.5 Improving Outcomes for Children

N/A

3.6 Financial Implications for the people living or working in Kirklees

N/A

3.7 Other (eg Legal/Financial or Human Resources)

The promotion and maintenance of high standards of conduct by councillors is an important part of maintaining public confidence in both the council and its members. Failure to do so could have adverse reputational implications.

3.8 Do you need an Integrated Impact Assessment (IIA)?

No

4. Consultation

N/A

5. Engagement

None

6. Options

6.1 Options Considered

It is recommended that the report be noted.

6.2 Reasons for Recommended Option

The report is an 'information-only' report.

7. Next steps and timelines

The Monitoring Officer will continue to monitor any relevant news and cases and will report back to this committee. She will also continue to monitor and report back on any relevant work of the CSPL.

8. Contact officer

David Stickley
Principal Lawyer
01484 221000
david.stickley@kirklees.gov.uk

9. Background Papers and History of Decisions

N/A



10. Appendices – Appendix attached

11. Service Director responsible

Samantha Lawton
Service Director – Legal, Governance and Commissioning
01484 221000
samantha.lawton@kirklees.gov.uk

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Labour MP apologises and says she ‘regrets’ now-deleted social media posts

Story by Rhiannon James • 6d • 2 min read



 Lauren Edwards

A Labour MP has apologised and said she “deeply regrets” a series of tweets she made more than 10 years ago after the posts resurfaced on social media.

In a statement on X, formerly Twitter, Lauren Edwards said she had made a “significant error of judgement”.

The recently elected MP for [Rochester](#) and Strood made remarks about Estonians, a halal restaurant and Parliamentary cleaners in the now-deleted posts dated between 2009-2011.



Not found

In one post, Ms Edwards wrote: "I want these f***** Estonian retards out of my flat now!"

Another post, which appeared to be responding to an account called Baroness Wrenthorpe, said: "Baroness Wrenthorpe text me from [Walthamstow](#) to say he's seen a halal Pakistani [Chinese](#) Grill place. Hope he's not suggesting we go there."



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Elsewhere, Ms Edwards also tweeted: "Are the cleaners on recess too? My desk has so many coffee rings it looks like Saturn."


Between 2008 and 2013, Ms Edwards worked as a parliamentary researcher for Labour [MPs](#) including Barbara Keeley, Teresa Pearce and Lisa Nandy.

On Thursday, Ms Edwards said: "I have recently been made aware of a small number of tweets that I posted on Twitter from over a decade ago, which I now deeply regret.

"They were a significant error of judgement on my part, and I apologise wholeheartedly.

"Since becoming a local councillor and more recently an MP, I have seen first-hand the importance of bringing communities together and working with tolerance and respect for all in our society.

She (Ms Edwards) had no concern airing them publicly when working for a Labour MP, only deleting them after public pressure. Holding these divisive and unpleasant views she now represents our towns and community



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Former Tory MP Kelly Tolhurst

"I pledge to use my platform to continue that important work and dedicate myself to serving all residents of Rochester and Strood."

Ms Edwards was elected as an MP at the General Election in July with 15,403 votes.

Her predecessor, former Tory MP Kelly Tolhurst, said she was "shocked and concerned by the views held by" Ms Edwards.

In a post on X, she added: "She had no concern airing them publicly when working for a Labour MP, only deleting them after public pressure. Holding these divisive and unpleasant views she now represents our towns and community."



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The Independent

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Labour councillor suspended and arrested after video emerges of him urging crowd to cut people's throats

Story by David Maddox • 6d • 2 min read



 ricky jones.jpg
© Dartford Council

[A councillor suspended by Labour](#) has been arrested over a speech calling for the throats of 'fascists' to be cut.

Dartford councillor Ricky Jones has been suspended by the party over a video which shows him in the middle of a cheering crowd at a protest in Walthamstow, east London, organised to stop the far-right from targeting asylum centres and the offices of lawyers helping asylum seekers.



The Independent


Labour councillor arrested over video of call to cut people's throats



In the speech on Wednesday evening, he said: "We need to cut all their throats and get rid of them."

He followed his speech with leading a chant of "free, free Palestine".

The Metropolitan Police posted a statement on X, formerly Twitter, to which the original video was linked, and said: "Officers have arrested a man aged in his 50s at an address in south-east London."



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"He was held on suspicion of encouraging murder and for an offence under the Public Order Act. He is in custody at a south London police station."

A Labour spokesperson said: "This behaviour is completely unacceptable and it will not be tolerated. The councillor has been suspended from the party."


After the video emerged, Reform UK leader Nigel Farage took to Twitter claiming Mr Jones should be arrested.

Tagging in the Metropolitan Police, he said: "This man should be arrested. If not, we know there is two-tier policing."

In a rare moment of unity across the Brexit divide, Mike Galsworthy, chair of the pro-EU European Movement, also called for the councillor to be arrested.

Also tagging in the Met, he tweeted: "This horrific man needs arresting, and all those visibly clapping here should have this video sent to their bosses and families."

"There's no place for this murderous talk anywhere in our society."



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It also emerged that Jones is also an organiser for the union the Transport Salaried Staffs' Association (TSSA).

A TSSA spokesperson said: "TSSA remains steadfast in supporting communities that peacefully stand against fascist aggression. We unequivocally do not condone any threats or acts of violence, as these actions are contrary to our values."

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Special PC posed as woman to exchange sexual images



WORCESTERSHIRE COUNTY COUNCIL

| Kyle Daisley was appointed chairman of Worcestershire County Council after his arrest

Nicola Goodwin

West Midlands Investigations

Shehnaz Khan

BBC News, West Midlands

28 June 2024

A special constable and councillor who set up a fake Facebook profile to pose as a woman and exchange explicit images with men has been found to have committed gross misconduct.

Kyle Daisley, a former chairman of Worcestershire County Council, used the account to contact 52 men, a Warwickshire Police misconduct panel heard.

The 26-year-old apologised and told the hearing he was "having a joke", but Chief Constable Debbie Tedds said she was satisfied the purpose had been for sexual gratification.

The panel concluded he would have been sacked had he not already resigned and he has been barred from serving with another force. Worcestershire County Council said safeguarding procedures were followed.

Mr Daisley, who stepped down in December 2023, had been arrested in August 2022 by another force on an unrelated matter, and had his devices seized.

That revealed he had set up the fake Facebook profile using a picture of an unknown woman under the fictional name of Chloe Taylor.

Most of the conversations had been deleted, but in communications with four men he was found to have exchanged sexually explicit images and messages.

Appointed chairman

No further action was taken against Mr Daisley by that force, the panel was told.

He was suspended by Warwickshire Police following his initial arrest, but the Bromsgrove councillor went on to be appointed as chairman of Worcestershire County Council in May 2023.

In his time at the local authority he has also been chairman of the children and families panel, and had also began leading the scrutiny task group looking into Children's Adolescent Mental Health Service.

"I apologise for any upset I've caused," Mr Daisley told the misconduct panel. "It was a joke. I did it in jest."

He had accepted that he committed misconduct, but had denied gross misconduct.



KYLE DAISLEY

Daisley resigned as a special constable at Warwickshire Police in December

Ms Tedds said the men involved "were deceived" and "not in on the joke".

"Some may have suspected it, but when questioned you denied it and then called the police to further your deception," she said.

Mr Daisley confirmed he had been challenged by one of the men he was communicating with and had denied it was a fake account, rather claiming he had been hacked.

He later shared screenshots of himself calling police on 101 to report it.

"I accept that was a mistake," he said.

"I accept it was a totally stupid decision on my part.

"I've never been in trouble in any of my roles before. I've made a mistake and I take responsibility for my mistake."

Representing him, Insp Steve Martin, from the Police Federation, said he had not gained any sexual gratification from his actions, but the panel rejected that.

"It's gross misconduct as, you are clearly culpable, I accept your actions were misjudged but you should have known better, known not to do it at all and known when to stop," Ms Tedds said.

"It's potentially damaging to the men if this had been made public. Such behaviour is serious and can undermine the public's trust in the police."

At the time of his arrest, Mr Daisley was also head of the Severn Valley Railway guards department, but was suspended by that organisation.

The BBC has approached the local Conservative association.

A spokesperson for Worcestershire County Council said it wanted to reassure residents that "keeping people safe" was "at the heart of what we do".

"We can confirm Warwickshire Police notified us of the hearing and the allegation being considered. This concerned misconduct during their employment with Warwickshire Police.

"Whilst the individual is not an employee of the county council, we can confirm that safeguarding procedures have been, and continue to be followed."

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Features



West Suffolk councillors sanctioned for 'serious' misconduct

17th July

By Joao Santos
Local Democracy Reporter

Two councillors - including the leader of the Conservatives - have been found to have committed 'serious' breaches, including bullying, discrimination, and harassment.

West Suffolk Cllrs Nick Clarke and Andy Drummond were found to have breached six codes each of the councillors' code of conduct.

These included codes of bullying, disclosing confidential information, using their positions to the advantage or disadvantage of themselves or anyone else, and bringing their role or local authority into disrepute.

The chairman of West Suffolk's standards committee, Cllr Roger Dicker made the announcement at last night's full council meeting.

Cllr Clarke, the leader of Conservative Group, has been replaced by Cllr Beccy Hopfensperger following the breaches and removed from his other roles.

He also broke rules to do with harassment and treating other councillors and members of the public with respect.

When asked to apologise to the council, Cllr Clarke maintained he had nothing to say.

The council's leader, Cliff Waterman, called the announcement very sad and disappointing.

He added: "My advice to [Cllr Nick Clarke] would've been to apologise and move on, but he has made the situation worse.

We expect the very highest standards from all our councillors, our residents elect us and they expect us to behave well.

"We have seen over recent years a deterioration in the behaviour of some elected representatives in public life."

Cllr Drummond broke codes to do with respect for volunteers and employees of the council or other partner organisations, and discrimination unlawfully against a person.

Sanctions imposed on him by the committee included that he should apologise to the council, that a statement about his conduct should be released to the media, and that he should write a letter of apology to each of the complainants.

Cllr Drummond was also removed from his seat on the officer appointments and development control committees, as well as from the Local Plan working group for the remainder of the current administration.

When prompted to apologise, Cllr Drummond said: "Obviously, I would like to apologise to the council, I can't go into the detail of exactly what happened."

His speech was cut short so as not to reveal any private information.

Tory Sutton councillor suspended after misconduct hearing following two-year feud with Labour member

Harrison Galliven
22 April 2024

A Conservative Sutton councillor was suspended by his party over claims he harassed a fellow member, and was ordered to undergo social media training after posting what the accused claimed was a naked photo of him online. Conservative ward councillor for St Helier, Steve Alvarez, was briefly suspended by his own party last month after allegations of online harassment against Labour councillor Sheldon Vestey, who represents the Hackbridge ward.

The suspension was the culmination of a bitter two-year feud between the pair, with Cllr Vestey alleging that Cllr Alvarez had subjected him to constant online harassment; a Met Police officer warned Alvarez to cease contact unless work-related, though no arrest was ever made. Among social media posts directed at or responding to Vestey, was a photo of him appearing naked on the top half, though only his shoulders were visible.

This picture, taken when he was in his 20s, was posted by Alvarez, who claimed it showed the Labour member was sharing explicit images of himself online. This photo, which Vestey says would involve some considerable searching through his social media to find, was posted by Alvarez at least twice in public messages on Twitter and at least once in a private message to Vestey. In his messages, Alvarez also referred to property Vestey owned in Norfolk and other information published on Facebook groups Vestey was in that had no local link, which Vestey claimed showed he had spent considerable time going through his social media posts.

Alvarez, in turn, alleges that it is Vestey who has been harassing him through complaints and messages on social media. Vestey told the Local Democracy Reporting Service (LDRS) that the bad blood seems to have started after he'd raised concerns with all councillors at Sutton Council over a video shared by Alvarez that was deemed racist by the charity Stop Hate UK. Vestey claims a council officer recommended he report the video to police, which he says he did.

Vestey told the LDRS: "For the following 18 months I attracted the unreasonable attention of what is ostensibly a coworker – who demonstrated a fascination with myself and my family, making comments about our plans, routines and holidays, commenting about pictures of our

children, even sending highly sexualised [in respect of the historic photo showing me topless] and harassing messages resulting in the police asking him to cease contact."

In an email seen by the LDRS, a Met Police officer tells Vestey he has asked Alvarez to stop contacting him unless it's work-related. The officer also says he will 'make arrangements for an arrest enquiry' and that the investigation 'will be treated as stalking'. However Alvarez was not subsequently arrested and he denies any allegations of harassment or stalking.

The alleged racist video shared by Alvarez showed the controversial columnist Katie Hopkins mocking Shamima Begum. The Met Police said it assessed the video as a possible hate crime but a spokesperson told the LDRS it was 'not possible to identify the person responsible for posting the video and a decision was taken there would be no further action'.

Alvarez told the LDRS he disputed the claim that a council officer had explicitly said the video he shared was racist. He said: "Vestey then claims a council employee referred to me posting a 'racist video', the implication clearly being I am racist."

Alvarez admits to sharing the video in July 2020 but claims he captioned the post 'Can you believe this woman?' making it clear he did not agree with the content. He says that he deleted it in 2022 but says that was due to the potential for people getting the wrong impression about his views. He also alleges that Vestey must have been trawling through his own social media page to find a post from two years prior that could be seen as offensive.

Alvarez admits posting the picture of a topless Vestey but denied there was any harassment involved. He said: "While I acknowledge that my responses were somewhat childish, they were frustrated tit-for-tat responses to constant harassment and bullying of me by Vestey and his associates. For Vestey to suggest, as he has elsewhere, that I have some kind of sexual motive for doing this is plainly absurd. I was clearly mocking him."

The Conservative Party carried out an investigation and held a misconduct hearing. Witness statements were submitted by Vestey as well as fellow Sutton councillor David Tchilingarian and another Sutton resident who previously stood as a Labour candidate. Alvarez says he 'has had many online run-ins with the Sutton resident'.

On March 22, 2024, Conservative Campaign headquarters informed Vestey that its investigation had concluded, with Alvarez being suspended until the conclusion of its sanctions. They wrote: "In this instance the panel decided that the appropriate sanction is a severe rebuke, social media training, removal of offending posts and that the respondent will be suspended until completion of the sanctions."

That suspension, which has since lifted, was not made public by CCHQ or Sutton Conservatives and it is not known which allegations were found proved. However, according to Alvarez, the training and other conditions were undertaken immediately and he was allowed to rejoin the party without the whip being withdrawn.

Alvarez remains a councillor for St Helier West, alongside fellow councillor Wendy Clarke. Former Labour councillor Sheila Berry's resignation last month triggered a by-election in the ward which is due to take place on May 2.

After the suspension, Vestey told the LDRS he 'welcomed the severe rebuke and suspension of Cllr Alvarez by the Conservative Party following my complaint of sexual harassment and intimidation'. Nearly two years on from his initial interactions with Alvarez, Vestey claimed that he and his family had suffered from the dispute. He also told the LDRS that his poor attendance at council meetings has in part been due to him wanting to avoid being in the same room as Alvarez.

He said: "Whilst I can't speak for the others impacted, this has taken a toll on our family life and health, with time being taken off from council work, impacting residents. Under guidance from the police, I suspended public appearances, with disclosures made to our places of work, and our children's schools around security concerns." Vestey concluded: "There is simply no place for racism, harassment or bullying in elected life, and I hope that this brings the matter to a close."

Dave Tchill, a fellow Hackbridge councillor and the other half of Sutton Labour's now two-strong group, was a witness to Alvarez's conduct and gave a statement to that effect. He told the LDRS: "Having observed this torrid affair I am appalled by the intransigence of the Sutton Conservatives during the time this went on. The behaviour of the suspended councillor damages the reputation of politics and the lives of those affected.

"If the suspended councillor's own leaders wouldn't act to call it out then at least their national party did. The suspension speaks for itself, he should have spent less time trolling and more time doing real work."

A spokesperson for Sutton Conservatives said, despite their national party's decision to suspend Alvarez, that they agreed with him it was Vestey whose conduct had amounted to harassment. The spokesperson accused Vestey of acting 'in a totally bullying and unbecoming way as a councillor' in complaining about the video shared by Alvarez with the whole council.

When approached for comment, a spokesperson from Sutton Council said: "Matters relating to councillors' behaviour in undertaking their duties are covered by a Code of Conduct which is publicly available. Any specific allegations of breach of the Code are dealt with in accordance with the procedure set out in the council's constitution. The council cannot comment on matters relating to individual allegations."



10 April 2024

MEDIA RELEASE

INVERCLYDE COUNCILLOR FOUND TO HAVE BREACHED CODE OF CONDUCT

Inverclyde Councillor, Innes Nelson, was suspended for one month by the Standards Commission at a Hearing held in Greenock. This was for failing to declare an interest in a planning application for a development at the former IBM Site in Spango Valley, Greenock, which was considered by Inverclyde Council's Planning Board at a meeting in March 2022.

Ashleigh Dunn, Standards Commission Member and Chair of the Hearing Panel, said: "The Panel found that Cllr Nelson failed to declare an interest in the planning application and, instead, took part in the discussion and decision-making, despite the site that was the subject of the planning application being located near his property."

The Panel noted that it was not in dispute that, at the Planning Board meeting in question, Cllr Nelson proposed that planning permission be granted subject to the conditions recommended by officers, as outlined in the Council's report (which restricted the number of houses to be erected on the site). He then voted in favour of granting the application, subject to the recommended conditions.

The Panel acknowledged that, while it was the nearest property to the proposed development, Cllr Nelson's farmhouse was still some distance from it. The Panel further acknowledged that Cllr Nelson had supported the recommendation made by officers to grant the application at the meeting, albeit in an amended form with conditions on the number of properties to be built.

The Panel nevertheless considered that, having applied the objective test, as required by the Code, Cllr Nelson should have reached the view that his connection to the planning application would reasonably be regarded as being so significant that it would be considered as being likely to affect his potential discussion and decision-making on the agenda item under consideration. While the Panel noted that it did not have sufficient evidence before it to confirm whether the outcome of the decision on the matter would have had an impact, either positive or negative, on Cllr Nelson's property, it nevertheless considered that given the proximity and the fact that it was an adjacent property separated only by the A78, a person with knowledge of these facts would reasonably consider that Cllr Nelson's connection to the site of the development proposal would be sufficiently significant as to be likely to affect his discussion or decision-making.

The Panel agreed, therefore, that Cllr Nelson should have declared an interest, withdrawn from the meeting and taken no part in the discussion and decision-making on the matter.

In reaching its decision on sanction, the Hearing Panel noted that Cllr Nelson had co-operated fully with the investigative and Hearing processes, and had a previously unblemished record as a councillor. The Panel accepted that there was no evidence or suggestion that Cllr Nelson had tried to conceal his interest. The Panel was not satisfied that it had evidence before it that would lead it to conclude that Cllr Nelson's interest had affected his discussion or decision-making as a member of the Planning Board, or that he had acted in anything other than good faith, when taking part in the decision-making. The Panel agreed, however, that it was necessary to impose a suspension in order to reflect the seriousness of the breach, to promote adherence to the Code and to maintain and improve the public's confidence that councillors will comply with the Code and will be held accountable if they fail to do so.

Ms Dunn noted: "The Panel emphasised that the requirement for councillors to declare interests is a fundamental requirement of the Code as it gives the public confidence that decisions are being made in the public interest, and not the personal interest of any councillor or their friends or family. A failure to comply with the Code's requirements in this regard can erode confidence in the Council and leave its decisions open to legal challenge."

A full written decision of the Hearing will be issued and published on the Standards Commission's website within 10 days.

ENDS

NOTES FOR EDITORS

1. Complaints about councillors are made to the Ethical Standards Commissioner (ESC). The Standards Commission and ESC are separate and independent, each with distinct functions. The ESC is responsible for investigating complaints. Following investigation, the ESC will refer its report to the Standards Commission for Scotland for adjudication. Email: info@ethicalstandards.org.uk, <https://www.ethicalstandards.org.uk/> Tel: 0300 011 0550
2. The [Standards Commission for Scotland](#) is an independent public body, responsible for encouraging high standards of behaviour by councillors and those appointed to boards of devolved public bodies including in education, environment, health, culture, transport, and justice. The role of the Standards Commission is to encourage high ethical standards in public life; promote and enforce the Codes of Conduct; issue guidance to councils and devolved public bodies and adjudicate on alleged breaches of the Codes of Conduct, applying sanctions where a breach is found.
3. The [Codes of Conduct](#) outline the standards of conduct expected of councillors and members of devolved public bodies. In local authorities, there is one Code of Conduct, approved by Scottish Parliament, which applies to all 1227 councillors elected to Scotland's 32 Local Authorities.



2 April 2024

MEDIA RELEASE

HIGHLAND COUNCILLOR CLEARED OF BREACH OF CODE OF CONDUCT

At a Hearing held online on 2 April 2024, Highland Councillor Andrew Jarvie was found by the Standards Commission to have breached the Councillors' Code of Conduct, on the face of it, in respect of a comment he made about the Council's former Chief Executive at a full Council meeting held online on 8 December 2022. The Hearing Panel found, however, that Cllr Jarvie was entitled to enhanced protection of freedom of expression, as a politician commenting on a matter of public interest. The Panel was of the view that a restriction on this right could not be justified in the circumstances of the case and, therefore, that a formal finding of breach could not be made.

Helen Donaldson, Standards Commission Members and Chair of the Hearing Panel, said: "The Panel found that, at the meeting, Cllr Jarvie made a public comment that amounted to a personal attack on the then Chief Executive."

The Standards Commission's Hearing Panel heard that it was not in dispute that Cllr Jarvie stated at the meeting that: "in view of this am I wrong in feeling the Chief Executive came to Caithness and lied to us", when discussing the Chief Social Work Officer's Annual Report and the closure of a children's home in his ward.

The Panel noted that Cllr Jarvie's position was that after a press release about the home was issued by the Council in June 2022, the then Chief Executive met local councillors in Caithness, stated that the press release was incorrect and promised the home would not close. The Panel accepted that when it was then reported in a local media outlet, on 7 December 2022, that the home was to close, Cllr Jarvie had a right to raise the matter and question why the position had changed.

The Panel was of the view that such a public attack on the then Chief Executive's character could have been highly damaging, not only to her reputation as an individual, but also to the Council itself, given she was its senior officer. The Panel accepted the question of whether the position in respect of the closure of the home may have changed between June and the Council meeting in December 2022, and that the then Chief Executive's position on the home, as outlined in June, may have been accurate and made in good faith at that time.

The Panel considered that Cllr Jarvie must have known that the making of such an accusation in the context of a discussion on such an emotive subject, had the potential to have a significant, detrimental impact on the then Chief Executive's reputation. The Panel noted that there had been nothing to prevent Cllr Jarvie from raising his concerns about the

apparent change in position regarding the potential closure of the home in a respectful manner.

As such, the Panel concluded that Cllr Jarvie had, on the face of it, contravened the requirements under the Code for councillors to treat council officers with courtesy and respect and to refrain from criticising their conduct, performance or capability in public.

The Panel accepted, nevertheless, that Cllr Jarvie was entitled to the enhanced right to freedom of expression under Article 10 of the European Convention on Human Rights afforded to politicians commenting on matters of public interest. The Panel noted that the Courts have held that where a statement amounts to a value judgment, there must exist a factual basis to support it, failing which it will be excessive.

In this case, the Panel accepted that the Cllr Jarvie's accusation that the former Chief Executive had lied was a value judgement made in good faith. In considering it was made in good faith, the Panel accepted that Cllr Jarvie was motivated by concerns about the closure of the home, rather than a desire to question the then Chief Executive's integrity in general. The Panel further considered that there was evidence to demonstrate that, while not necessarily accurate, the accusation had a basis in fact, given it appeared the position had changed in respect of the potential closure of the home, despite the apparently categorical assurances that the then Chief Executive had given at the meeting in Caithness. The Panel was satisfied, therefore, that in the very specific and particular circumstances of the case, Cllr Jarvie's comment amounted to a value judgement that was not excessive.

The Panel found that, in the circumstances, Cllr Jarvie's comment was not sufficiently offensive, personally abusive or gratuitous as to justify a restriction on his enhanced right to freedom of expression, that a finding of a breach of the Code and imposition of a sanction would entail. In reaching this view, the Panel took account of its finding that Cllr Jarvie had expressed an opinion in good faith. It also took account of the fact that Cllr Jarvie and others had sought information on the position in respect of the home in advance of the Council meeting on 8 December 2022, and that this had not been provided. The Panel was satisfied, therefore, that Cllr Jarvie had attempted to seek clarification about whether the Chief Executive's position, as outlined at the meeting in Caithness, was accurate or had changed.

The Panel concluded, therefore, that a formal finding of a breach of paragraphs 3.1, 3.8 and 3.10 of the Code could not be made.

Ms Donaldson, stated: "The Code of Conduct does not prevent councillors from being able to express their views or to ask questions and scrutinise the performance of the Council. The Standards Commission considers, however, that they should do so without making serious, unfounded allegations about officers, particularly if any such allegations have the potential to have a significantly detrimental impact on the reputation of the officers in question."

A full written decision of the Hearing will be issued and published on the Standards Commission's website within 7 days.

ENDS

NOTES FOR EDITORS

1. Complaints about councillors are made to the Ethical Standards Commissioner (ESC). The Standards Commission and ESC are separate and independent, each with distinct functions. The ESC is responsible for investigating complaints. Following investigation, the ESC will refer its report to the Standards Commission for Scotland for adjudication. Email: info@ethicalstandards.org.uk, <https://www.ethicalstandards.org.uk/> Tel: 0300 011 0550
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13 May 2024

MEDIA RELEASE

SCOTTISH BORDERS COUNCILLOR FOUND TO HAVE BREACHED CODE OF CONDUCT

Having been found to have breached the Councillors' Code of Conduct, Scottish Borders Councillor, Mark Rowley, was suspended from attending full Council and Council Executive meetings for one month, by the Standards Commission at a Hearing held online. This was for failing to declare his employment, as a Strategy Manager, with South of Scotland Enterprise at three council meetings held between February and August 2022, when matters concerning, or that could impact upon the work of South of Scotland Enterprise, were being discussed.

Ashleigh Dunn, Standards Commission Member and Chair of the Hearing Panel, said: "The Panel found that Cllr Rowley failed to declare an interest in relation to agenda items relating to matters in which the South of Scotland Enterprise was involved and, instead, took part in the discussion and decision-making."

The Panel acknowledged that Cllr Rowley had recorded promptly his employment on his Register of Interests and, as such, was satisfied there was no attempt to conceal it. The Panel nevertheless considered that, having applied the objective test, as required by the Code, Cllr Rowley should have reached the view that his connection, being his paid employment with a local enterprise agency, would reasonably be regarded as being so significant to the agenda items in question as to be likely to affect his potential discussion and decision-making on those matters.

The Panel agreed, therefore, that Cllr Rowley should have declared an interest, withdrawn from the meetings and taken no part in the discussion and decision-making on the specific matters in question.

The Panel further found that on one occasion, having declared an interest in relation to an item being discussed, Cllr Rowley emailed a fellow elected member and suggested that they could comment on a particular point. While the Panel accepted it may not have been the Respondent's intention to influence anyone remaining in the meeting, it found that by suggesting that a fellow councillor could "comment on the challenges" arising from the item, the Respondent had continued to participate, in breach of the Code.

In reaching its decision on sanction, the Hearing Panel noted that Cllr Rowley had co-operated with the investigative and Hearing processes, and had a previously unblemished record as a councillor. The Panel accepted Cllr Rowley had registered his employment and, as such, there was no suggestion he had tried to hide or conceal his interest. The Panel agreed, nevertheless, that it was necessary to impose a suspension in order to reflect the seriousness of the breach, to promote adherence to the Code and to maintain and improve the public's confidence that councillors will comply with the Code and will be held accountable if they fail to do so.

Ms Dunn noted: “The Panel emphasised that the requirement for councillors to declare interests is a fundamental requirement of the Code as it gives the public confidence that decisions are being made in the public interest, and not the personal interest of any councillor or their friends, family or employer. A failure to comply with the Code’s requirements in this regard can erode confidence in the Council and leave its decisions open to legal challenge.”

A full written decision of the Hearing will be issued and published on the Standards Commission’s website within 14 days.

ENDS

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4 June 2024

MEDIA RELEASE

ABERDEENSHIRE COUNCILLOR SUSPENDED FOR DISCLOSING CONFIDENTIAL INFORMATION

Following a Hearing held online on 4 June 2024, Aberdeenshire Councillor Alastair Forsyth was found by the Standards Commission to have breached the Councillors' Code of Conduct by disclosing confidential information to a local journalist about the potential future use of a care home as asylum accommodation. Cllr Forsyth was suspended for a period of two months.

Helen Donaldson, Standards Commission Member and Chair of the Hearing Panel, said: "the obligation on councillors to refrain from disclosing confidential information is a key requirement of the Councillors' Code of Conduct. A failure to respect confidentiality can damage the reputation and integrity of a Council, and can also impede free and frank discussions and decision-making."

"The Panel agreed that, in this case, it was perfectly legitimate for the Council to have decided that the information was to be kept confidential until such a time as any final decision on the proposal was made. It would further afford the Council time to prepare by, for example, providing support to local councillors and preparing communications on the subject."

The Panel noted that Cllr Forsyth stated he had disclosed the information in order to address speculation and any concerns his constituents may have. The Panel was satisfied, nevertheless, that he had done so, at least in part, for political reasons. This was because the Panel considered that providing information to a local journalist about an apparently contentious matter, that had been the subject of considerable local speculation, would only serve to raise public awareness and to bring the proposal into the open. The Panel agreed that Cllr Forsyth must have been aware that doing so would highlight the issue and potentially encourage constituents to bring pressure to bear on officers and other decision-makers, in order to affect the outcome.

The Panel further found that, as Cllr Forsyth used his council email account to facilitate the disclosure, he had also breached the provisions in the Code regarding the improper use of a council's IT facilities.

The Panel noted, in mitigation, that Cllr Forsyth had referred himself to the Ethical Standards Commissioner and had co-operated fully with the investigative and Hearing processes. The Panel noted there was no evidence that the incident had been anything other than a one-off event or of any previous contraventions of the Code by Cllr Forsyth.

The Panel nevertheless noted the potential impact of the Respondent's actions on others, particularly council officers, who would have been responsible for dealing with any resulting

enquiries from the press and public. The Panel further noted that the disclosure was likely to have resulted in speculation about the use of the facility, before any final decision had been taken, which may have caused undue and unnecessary concern.

In the circumstances, the Panel concluded that a suspension of two months was an appropriate sanction.

Ms Donaldson noted, “The Panel was disappointed to note that Cllr Forsyth had disclosed the information, despite the provisions in the Code that make it clear that information provided to councillors for use in that role must not be disclosed or in any way used for personal or party-political advantage or in such a way as to discredit the Council. The Code states that the requirement to maintain confidentiality also applies in instances where a councillor holds the personal view that such information should be publicly available.”

A full written decision will be published on the Standards Commission’s website within seven working days.

NOTES FOR EDITORS

1. Complaints about councillors are made to the Ethical Standards Commissioner (ESC). The Standards Commission and ESC are separate and independent, each with distinct functions. The ESC is responsible for investigating complaints. Following investigation, the ESC will refer its report to the Standards Commission for Scotland for adjudication. Email: info@ethicalstandards.org.uk, <https://www.ethicalstandards.org.uk/> Tel: 0300 011 0550
2. The [Standards Commission for Scotland](#) is an independent public body, responsible for encouraging high standards of behaviour by councillors and those appointed to boards of devolved public bodies including in education, environment, health, culture, transport, and justice. The role of the Standards Commission is to encourage high ethical standards in public life; promote and enforce the Codes of Conduct; issue guidance to councils and devolved public bodies and adjudicate on alleged breaches of the Codes of Conduct, applying sanctions where a breach is found.
3. The [Codes of Conduct](#) outline the standards of conduct expected of councillors and members of devolved public bodies. In local authorities, there is one Code of Conduct, approved by Scottish Parliament, which applies to all 1227 councillors elected to Scotland’s 32 Local Authorities.

PRESS RELEASE

24 May 2024

Former councillor William Walker disqualified for 5 years

Former councillor William Walker (Newry, Mourne and Down District Council) has been disqualified from holding the office of councillor for 5 years following an Adjudication Hearing held today (24 May).

Commissioner for Standards Margaret Kelly ruled that former councillor Walker had breached the Local Government Code of Conduct for Councillors by bringing his position as councillor and his council into disrepute. The finding followed a conviction of attempted communication with two persons under 16 years of age for the purpose of obtaining sexual gratification.

In June 2023 the Court imposed a 100 hours Community Service Order, a 3 year Probation Order, a 5 year Sexual Offences Prevention Order, and the former councillor was placed on the Sex Offenders Register for 5 years.

When interviewed as part of an investigation by the Deputy Commissioner, the former councillor acknowledged he had not only let himself down, but also his colleagues within the council.

At the Adjudication Ms Kelly said it was beyond doubt that a member of the public, knowing all of the relevant facts in this case, would reasonably consider that the former councillor's conduct was such that it brought his position as a councillor into disrepute.

She said that although his criminal behaviour was not linked directly to his position as a councillor, she was also satisfied that his actions had brought the Council into disrepute.

Stating that Mr Walker had shown he was not fit for public office, she believed it was appropriate to apply the maximum sanction available to her, which was to disqualify him from holding the position of councillor for 5 years.

Notes:

The Commissioner's full written decision will be made available shortly on the Commissioner's website at:

<https://www.nipso.org.uk/nlgcs/hearings>

Mr Walker may appeal to the High Court against this decision in accordance with the provisions of the Local Government Act (Northern Ireland) 2014.

ENDS

For further information contact Andrew Ruston on 07503640551 or communications@nipso.org.uk



NOTICE OF DECISION

TRIBUNAL REFERENCE NUMBER: APW/007/2023-24/CT

RESPONDENT: Former Councillor Jeff Davies

RELEVANT AUTHORITY: New Quay Town Council

1. A Case Tribunal convened by the President of the Adjudication Panel for Wales ('APW') has considered a reference in respect of the above Respondent.
2. By letter dated 27 March 2024, the APW received a referral from the Public Services Ombudsman for Wales ('the PSOW') in relation to an allegation made against the Respondent.
3. The Case Tribunal determined its adjudication on the papers during a meeting on 3 July 2024, conducted by means of remote attendance technology.
4. The allegation was that the Respondent had breached Paragraph 6(1)(a) of the Code of Conduct for Members.
5. Paragraph 6(1)(a) of the Relevant Authority's Code of Conduct states; '*you must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.*'
6. The Case Tribunal found by unanimous decision that the Respondent had failed to comply with Paragraph 6(1)(a) of the Code of Conduct as he had sent messages of a sexually explicit nature to an individual which amounted to the offence of harassment, and which resulted in a conditional caution being issued by the Police. The Case

Tribunal considered that this conduct could reasonably be regarded as bringing the Respondent's office or authority into disrepute.

7. The Case Tribunal decided by unanimous decision that the Respondent should be disqualified for **12 months** from being or becoming a member of the Relevant Authority, or any other relevant authority within the meaning of the Local Government Act 2000, with effect from the date of this notice.

8. The Relevant Authority and its Standards Committee are notified accordingly.

9. The Respondent has the right to seek the leave of the High Court to appeal the above decision.

10. The Reasoned Decision Report will be published on the APW website in due course.

Signed.....  Date 3 July 2024

Chairperson of the Case Tribunal: Ms C Jones

Case Tribunal Member: Ms M Tudur

Case Tribunal Member: Mr H E Jones

The Committee on Standards in Public Life

Accountability within public bodies - acting on early warning signs

Terms of Reference

The [Committee on Standards in Public Life](#) is carrying out a review into accountability in public life.

The Seven Principles of Public Life

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

In recent years we have seen several examples of major failures within public institutions, where it seems that opportunities were missed to address issues before they escalated. We are asking, when things go wrong in public bodies, why does it take so long for problems to be recognised and the leadership to respond appropriately and, most importantly, what needs to change?

Our review will identify where public bodies should focus their attention to maximise the likelihood of problems being uncovered and addressed before issues escalate and lives are damaged. We have chosen to look especially at accountability *within* public bodies because we want to help organisations to get better at holding themselves to account for the effective delivery of public services.

Our review will consider:

1. How the Nolan Principles can guide decision-making within public bodies.
2. How public bodies can support Parliament, regulators and other bodies to hold them to account on behalf of the public, including but not limited to making available the information necessary for them to do so effectively.
3. Best practice in managing risk within public sector organisations. We will look at how organisations can use data to analyse patterns, identify early warning signs and escalate issues of concern in a timely manner.
4. The role of boards of public bodies, including how they can maximise their effectiveness at providing timely challenge to the organisation.
5. How a healthy organisational culture can help public bodies to learn from their mistakes and take action swiftly to put things right.

The Committee on Standards in Public Life

Accountability within public bodies - acting on early warning signs

Terms of Reference - frequently asked questions

Q1. Why have you chosen this area for your review?

A. When public institutions fail badly, there is a huge personal cost for those affected. And the cost to the public purse of investigating what went wrong and providing compensation, where due, can be colossal. Major failures sometimes lead to the government commissioning public inquiries at a high cost to the public purse, for example, the cost of the infected blood inquiry was reported as £130.350 million to date in March 2023.¹

A common theme of a number of public sector failings in recent years is that there were numerous indicators that something was amiss. We have seen a failure of public bodies to listen to and act on concerns raised by employees and the public; a failure to properly investigate issues and a failure of boards to have proper oversight of issues and concerns or to be sufficiently inquisitive about what was going on in their organisation. We want to look at how organisations can be more responsive to the early warning signs and be guided by the Nolan Principles in choosing how to act.

Q2. Are you looking at how to sanction public office-holders for wrongdoing?

A. When mistakes happen in the public sector due to negligence or recklessness, the public rightly expects elected and appointed public office holders to pay the price. Considering who should bear responsibility when things go wrong and what form this should take is therefore a legitimate area for consideration, but it is not within the scope of this review. We want to identify good practices to help organisations to get better at holding themselves to account and pre-empting failures in the first place where possible.

Q3. You are looking at what happens inside an organisation, but isn't true accountability about how external bodies - like the NAO or Parliamentary select committees - hold public bodies to account for their actions?

A. The scrutiny provided by external bodies, such as Parliament, ombudsmen and regulators, is a crucial and fundamental part of the accountability framework for public life. We recognise how important this is. We have chosen to focus on accountability within organisations because it is an area where we think there needs to be greater attention as getting this right should prevent far greater problems further down the line. As part of our review we will be looking at how public bodies should make available the information required to enable other bodies such as Parliament and the NAO to scrutinise them.

Q4. Are you looking at the whole of public life? How can you cover it all?

¹ <https://www.infectedbloodinquiry.org.uk/about/financial-reports>

A. Our review will take a high-level overview of the public sector rather than an in-depth exploration of any specific area. We will explore some important themes that will arise in all areas of public life and we are looking for examples of good practice that can have wide application.

Q5. There are already numerous public inquiries underway looking at where things have gone wrong. Are you going to be duplicating this work?

A. No. We will not be investigating any particular instance of failure. Where there are lessons to be learned from inquiries that have reported, we will take these on board, but we are focused on looking for good practice that we can share across the public sector. We want to understand what organisations can do, across the areas listed in our terms of reference, to implement the processes and culture needed to support issues being surfaced and addressed earlier and to disclose meaningful information about decisions made in the public interest, so that they can be properly held to account.

Q6. Who will you be speaking to for this review?

A. As well as an open consultation, we will be speaking to a range of people with an interest in accountability in the public sector, including experts in this area and public body leaders from different parts of the public sector.

Q7. How can I contribute to the review?

A. We have launched an open consultation on our website.

Q8. How long will this review take?

A. We expect the review to report in the spring of 2025. As with all Committee reviews, the report will be presented to the Prime Minister and published on our website.