

## STANDARDS COMMITTEE

12 NOVEMBER 2020

Present: Councillors Roberts (Vice-Chair), Bishop and Edwards,

Independent Persons: Baker and McIntyre

### 31. APOLOGIES FOR ABSENCE

Apologies received from Councillors Barnett and Turner.

### 32. DECLARATIONS OF INTEREST

Councillor	Minute	Interest
Roberts	34.	Personal- Knows the complainant

### 33. MINUTES OF THE PREVIOUS MEETING HELD ON 30 SEPTEMBER 2019

**RESOLVED-** that the minutes of the meeting held on 30 September 2019 be approved as a true record

### 34. STANDARDS COMMITTEE

The Monitoring Officer presented a report to decide what action to take in respect of a complaint against Councillor X regarding the following paragraphs of the Code of Conduct:

- Paragraph 3.1- You must treat others with respect
- Paragraph 3.2 (b)- You must not bully any person
- Paragraph 5- You must not conduct yourself in a manner which could reasonably be regarded as bringing your office into dispute.

The Council's Monitoring Officer received a complaint on 23rd April 2020 from a person on behalf of the Broomgrove Residents Association (BRA) stating that Councillor X posted a Facebook comment on 25<sup>th</sup> March 2020 stating that BRA had closed the community centre and thus blocked access to the food bank for vulnerable residents. The post was incorrect and attracted negative comments about the Trustees of BRA. Councillor X also emailed fellow councillors trying to get them involved. The food bank re-opened on 14<sup>th</sup> April. The complainant asked Councillor X to remove the Facebook post and make a full public apology to the BRA trustees.

Councillor X removed the post on the GAP Facebook page but declined to make a public apology stating that he/she was acting in a personal capacity at the time he/she made the comments and not as a councillor of Hastings Borough Council.

The Committee asked questions of the Monitoring Officer and sought the views of both Independent Persons.

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The Sub-Committee considered if the complaint met the initial tests as set out in the report:

- a) It is a complaint against one or more named councillors of the Council;
- b) The named councillor was in office at the time of the alleged conduct and the Code of Conduct was in force at the time; and
- c) The complaint, if proved, would be a breach of the Code under which the councillor was operating at the time of the alleged misconduct.

The Committee felt that the complaints did not meet paragraph (b) of the initial tests and therefore the Code of Conduct was not engaged.

### **RESOLVED: (unanimously)**

**The Standards Committee after much debate decided there was no case to answer as Councillor X was not acting as a councillor for Hastings Borough Council when he/she posted the message on Facebook or when he/she sent various emails and thus the Code of Conduct does not apply. Unanimous decision.**

### Reasons for Decision

Councillors are entitled to a private life. Whilst the Councillors intentions were well meant the language used was ill-advised and could be interpreted as inflammatory. However, there was no evidence to show that he/she was acting as a councillor when he/she made the initial post or when he/she contacted other councillors. Anyone can contact councillors as their contact details are in the public domain. Whilst the councillor is responsible for their own actions the Committee came to the decision that the evidence was not compelling enough to say he/she did so as a councillor of Hastings Borough Council. They did collectively form a view that councillors need further awareness training of the Council's Policy on Social Media for Councillors and they need to be very careful as to their web domain address and how they refer to themselves.

### **35. ADDITIONAL URGENT ITEMS (IF ANY)**

None received.

*(The Chair declared the meeting closed at 1.03 pm)*