Rotherham Metropolitan Borough Council

Public Report
Council

Committee Name and Date of Committee Meeting
Council - 03 March 2021

Report Title
Outcome of Standards and Ethics Sub-Committee Hearing re Alleged Breach of the Code of Conduct - Councillor Ireland

Is this a Key Decision and has it been included on the Forward Plan?
No

Strategic Director Approving Submission of the Report
N/A

Report Author(s)
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Ward(s) Affected
Borough-Wide

Report Summary
This report sets out the outcome of a Standards and Ethics Sub Committee Hearing which took place on 18th January 2021 in relation to an alleged breach of the Anston Parish Council Code of Conduct by Anston Parish Councillor Jonathan Ireland.

Recommendations

It is recommended that the Council:

1. Note the outcome of the Standards and Ethics Sub-Committee Hearing on 18th January 2021

List of Appendices Included

Appendix 1 Decision Notice in Respect of the Hearing on 18th January 2021

Background Papers
None

Consideration by any other Council Committee, Scrutiny or Advisory Panel
Standards and Ethics Committee - 21 January 2021

Council Approval Required
No

Exempt from the Press and Public
No

Outcome of Standards and Ethics Sub-Committee Hearing re Alleged Breach of the Code of Conduct - Councillor Ireland

1. Background

1.1 A Hearing of the Standards and Ethics Committee Sub-Committee took place on 18th January 2021. The Decision Record in respect of the Hearing is at Appendix 1.

1.2 A complaint was considered at the Hearing which alleged as stated in the Decision Notice:

The Subject Member had breached the Anston Parish Council Code of Conduct by making comments under the pseudonym "Anstonian" on a social media blog site, named Anston Parish Council Watch. The comment was in the context of a contract awarded to a local firm of surveyors by Anston Parish Council. A statement has been received from the owner of that firm of surveyors who considered the statement to be defamatory.

As set out in the Decision Record, the Sub-Committee found that Parish Councillor Ireland had made the posts under the pseudonym of Anstonian and due to the content of the post was in breach of the Code of Conduct in that he had failed to treat others with respect.

1.3 Further the Sub-Committee also found that by making the post Parish Councillor Jonathan Ireland had conducted himself in a manner which could reasonably be regarded as bringing his office of Parish Councillor and the Parish Council into disrepute.

1.4 The Sub-Committee decided that the following sanctions should be applied to Cllr Ireland:

1.4.1 The Member shall be censured

1.4.2 The formal decision notice setting out the findings of the Sub-Committee shall be published on agenda of the next meeting of the Standards and Ethics Committee

1.4.3 That the findings in respect of the Subject Member's conduct should be published on the Council's website.

1.4.4 That the findings should be reported to full Council for information.

1.4.5 That the Councillor's Group Leader be recommended to remove the Subject Member from the Council's Standards and Ethics Committee.

1.5 Members are asked to note the Decision of the Sub-Committee.

2. Key Issues

2.1 The key issues are set out above.

3. Options considered and recommended proposal

3.1 The Sub-Committee decided that this matter should be reported to Council, and this report is in accordance with that part of their decision.

4. **Consultation on proposal**

4.1 As required by the Localism Act 2011, one of the Committee's Independent Persons was consulted by the Sub-Committee during the Hearing on 18th January 2021.

5. **Timetable and Accountability for Implementing this Decision**

5.1 N/A

6. **Financial and Procurement Advice and Implications**

6.1 The officer time in dealing with this complaint is met within existing Legal Services resources.

7. **Legal Advice and Implications**

7.1 The Council and the Standards and Ethics Committee have a statutory duty to maintain and promote ethical standards. Pursuant to the Localism Act 2011, the Council is required to adopt an appropriate Code of Conduct and arrangements for the investigation of allegations of breach of the Code of Conduct.

8. **Human Resources Advice and Implications**

8.1 None

9. **Implications for Children and Young People and Vulnerable Adults**

9.1 None

10. **Equalities and Human Rights Advice and Implications**

10.1 None

11. **Implications for Partners**

11.1 Cllr Ireland is a Parish Councillor and Borough Councillor. This report relates to his conduct a Parish Councillor.

12. **Risks and Mitigation**

12.1. None

13. Accountable Officers

Bal Nahal, Head of Legal Services

Approvals obtained on behalf of Statutory Officers:-

	Named Officer	**Date**
Chief Executive	Sharon Kemp	N/A
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	N/A
Head of Legal Services	Bal Nahal	23/02/21

(Monitoring Officer)		

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