

# Report to the Ethical Standards and Member Development Committee

1 November 2022

<b>Subject:</b>	National Cases
<b>Director:</b>	Director Law and Governance and Monitoring Officer - Surjit Tour
<b>Contact Officer:</b>	Trisha Newton <a href="mailto:Trisha_Newton@sandwell.gov.uk">Trisha_Newton@sandwell.gov.uk</a>

## 1 Recommendations







- 1.1 That the Ethical Standards and Member Development Committee considers the contents of the report and the case at Appendix 1 and consider any issues for the Council.

## 2 Reasons for Recommendations

- 2.1 Officers will inform the Ethical Standards and Member Development Committee about issues arising from local investigations and case law to add to learning at the local level and enhance understanding of ethical standards.



### 3 How does this deliver objectives of the Corporate Plan?

		High standards of conduct are an essential part of good corporate governance and this in turn has a direct relationship with the delivery of high quality services.
		
		

### 4 Context and Key Issues

4.1 Within its terms of reference, the Ethical Standards and Member Development Committee has a duty to promote high ethical standards amongst Members. As well as complying with legislation and guidance, the Committee will need to demonstrate learning from issues arising from local investigations and case law. Furthermore, it is advisable for the Committee to be kept informed of any particularly notable cases which are publicised as they may also add to learning at the local level.

### 5 Alternative Options

5.1 The purpose of the report is for the Ethical Standards and Member Development Committee to promote high ethical standards amongst Members through learning from local investigations and case law. As such, there are no alternative options.



## 6 Implications

<b>Resources:</b>	There are no resource implications arising from this report.
<b>Legal and Governance:</b>	By considering national cases of significance the Ethical Standards and Member Development Committee will be better informed and placed to discharge its duty to promote high ethical standards.
<b>Risk:</b>	Awareness of national cases will enhance the Ethical Standards and Member Development Committee's understanding of promoting high ethical standards within its duties.
<b>Equality:</b>	There are no direct equality implications arising from this report.
<b>Health and Wellbeing:</b>	There are no direct implications for health and wellbeing from this report.
<b>Social Value</b>	This report contains no social value implications.

## 7. Appendices

Appendix 1 – Extract taken from

<https://www.getsurrey.co.uk/news/surrey-news/guildford-councillors-breached-code-conduct-25136346> Dated 29 September 2022.

## 8. Background Papers

No background papers.



## **Guildford councillors breached code of conduct for calling journalist 'pea-brained' and 'grubby'**

Two Guildford councillors breached the authority's code of conduct in calling a journalist "pea-brained" and "grubby".

A hearings sub-committee of the borough council on Tuesday (September 27) concluded that one member should apologise for the remarks and another should face formal censure.

In a series of events described by the investigating officer as "unfortunate" and "regrettable" that it could not have been resolved earlier with an apology, the meeting heard about emails and WhatsApp messages sent by Councillors Paul Spooner and Graham Eyre.

The councillors, both Conservative representatives for Ash South and Tongham, were accused of sending emails and messages about the editor of local news website the Guildford Dragon. Its editor, Martin Giles, complained to the council about their comments and the committee heard from the investigating officer that the facts in the case were "straightforward and not particularly in dispute".

The committee found that the councillors had breached the council's code of conduct regarding treating others with respect and in terms of councillors conducting themselves in "a manner which could reasonably be regarded as bringing your office or the council into disrepute". Cllr Spooner said in the meeting he disputed the fact he was acting in his capacity as a councillor, saying these were conversations held in a private forum, and there was a grey area in this respect.

He added: "Mr Giles is a journalist writing about and commenting on political matters so must be expected to receive a certain amount of comment on his reporting by those he reports about. However, the comments made by Cllr Spooner which I have found to result in a failure to comply with the code are



merely personal and abusive (“So you can get stuffed” and “pea-brained editor”) and cannot be categorised as political expression.”

He said the same considerations applied in Cllr Eyre's case when he called Mr Giles a “grubby little boss” in an email to one of the site's reporters, David Reading.

The report stated: " Cllr Spooner had indicated that one of the reasons he was so angry about Mr Giles’s behaviour was because he had chosen to contact Cllr Billington despite knowing he was seriously ill. This may provide a degree of context and mitigation it does not justify Cllr Spooner’s response."

Cllr Spooner made clear in the meeting he would not apologise to Mr Giles or the Guildford Dragon, and on this basis the committee decided he should be subject to formal censure. He will also be sent a formal letter of advisement about his conduct. Cllr Eyre will be sent a formal letter of advisement about his conduct and asked to apologise to Mr Giles.

A borough council spokesperson said before the meeting: "Councillors are routinely reminded of their duties at committee meetings. They are reminded to disclose any interests they may have in respect of matters to be considered.

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