

Report to the Ethical Standards and Member Development Committee

7 November 2023

Subject:	National Cases
Director:	Director Law and Governance and Monitoring Officer - Surjit Tour
Contact Officer:	Johane Gandiwa Johane Gandiwa@sandwell.gov.uk Committee and Constitutional Services Lead Officer

1 Recommendations

- 1.1 That the Ethical Standards and Member Development Committee considers the contents of the report and the cases in 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

Resources:	There are no resource implications arising from this report.
Legal and Governance:	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.
Risk:	Awareness of national cases will enhance the Ethical Standards and Member Development Committee's understanding of promoting high ethical standards within its duties.
Equality:	There are no direct equality implications arising from this report.
Health and Wellbeing:	There are no direct implications for health and wellbeing from this report.
Social Value	There are no social value implications arising from this report.
Climate Change:	There are no specific climate change implications arising from this report.
Corporate Parenting:	There are no specific corporate parenting implications arising from this report.

7. Appendices

Appendix 1 – Extract taken from <https://www.itv.com/news/tyne-tees/2023-10-09/councillor-breached-code-of-conduct-by-posting-racist-messages-online> Dated 09 October 2023.

8. Background Papers

No background papers.



Spennymoor councillor breached code of conduct by posting 'racist'

A county councillor breached his authority's code of conduct by posting "racist" comments online.

Spennymoor councillor Pete Molloy was referred to Durham County Council's standards committee after he bemoaned "non-indigenous" British people for voicing their opinions in the mainstream media following the King's coronation.

Opposition councillors called for his immediate resignation following the post in May but Cllr Molloy stood by his claims. He argued it was posted from his personal Facebook page and not in his capacity as a county or town councillor.

The comments were in response to a news story headlined: 'Bridgerton star Adjoa Andoh stuns ITV presenters by calling the Buckingham Palace balcony "terribly white" during live Coronation coverage'.

"I don't care if this post offends anyone, because enough is enough now and it's about time more and more people grew a pair and speak their minds and stopped being the silent majority and become the vocal majority," Cllr Molloy said.

"Another non-indigenous British person with not just a chip, but a whole sack of King Eddie potatoes on their shoulder."

The comments shocked members across the council chamber, with Labour leader Cllr Carl Marshall calling for Cllr Molloy's resignation.

"These comments are racist, misogynistic, divisive and not beholden to a member holding elected office at **Durham County Council**," he said.

Cllr Molloy, a member of the Spennymoor and Tudhoe Independent Group, said he had a right to freedom of expression and the complaint was politically motivated. He also refuted claims that the comments were racist.



However, a standards committee found he was acting in his capacity as a councillor when the comments were made and did not accept his freedom of expression defence.

It comes after another standards committee meeting in 2021 found Cllr Molloy posted Islamophobic and racist material on social media, brought his town council into disrepute and bullied and disrespected two of its officers.

The panel said Cllr Molloy would be aware of the guidance regarding social media following the earlier ruling.

Cllr Molloy was ordered to take training on member relations.

