

Case Summary - Hyndburn Borough Council

Case no. SBE-09394-F2O3M
Member(s): (Former) Councillor Graham Jones
Date received: 03 Apr 2010
Date completed: 08 Jul 2010

Allegation:

That Councillor Jones failed to treat others with respect and brought his council into disrepute

Standards Board outcome:

The ethical standards officer found that Councillor Jones failed to comply with the Code of Conduct in that he failed to treat others with respect, but in the circumstances of the case, no further action needed to be taken. She found that he did not bring his office or authority into disrepute.

Case Summary

The complainant alleged that Councillor Jones brought the council into disrepute by posting items on his blog relating to the council's investigations of a complaint made by a member of the public. Specifically, Councillor Jones was alleged to have falsely claimed that the council had committed fraud and had subsequently tried to cover this up. The complainant also alleged that Councillor Jones misrepresented the contents of a letter written by the council's managing director by posting extracts of it on his blog.

Between 2007 and 2008 the council undertook three investigations into a complaint by a member of the public about repairs to a council owned building. The member of the public was not satisfied with the outcome of the investigations and in 2009 approached Councillor Jones for help in taking his concerns forward. The council's managing director then undertook an investigation, wrote to the member of the public with his provisional findings and agreed that the matter should be referred to the police. During this time Councillor Jones published posts on his blog saying that the council had admitted defrauding their insurers. He also criticised the way that senior officers had dealt with the member of the public's complaint.

The ethical standards officer considered that Councillor Jones failed to treat the officers with respect by posting statements on his blog that were critical of officer performance and alleged possible officer fraud and corruption while there was an ongoing police investigation. The ethical standards officer did not consider that Councillor Jones brought his office as a councillor or his council into disrepute, although the content of Councillor Jones's blogs might cause a reasonable member of the public to think less of Councillor Jones as an individual. The ethical standards officer considered that Councillor Jones' criticisms of council officers were motivated by a desire to provide assistance to a local resident, not for any personal gain. They were a temporary lapse in the otherwise good judgment he had demonstrated in his dealings with this matter. The ethical standards officer considered any possible misrepresentation of the managing director's letter was inadvertent, short lived and not intentional. The ethical standards officer took into account that Councillor Jones acted swiftly to remove the posts from his blog site, retracted his statements and apologised to the officers concerned and considered no further action was necessary.

Relevant paragraphs of the Code of Conduct

Paragraph 3 – respect

Paragraph 5 - disrepute