

EAST HERTS COUNCIL

STANDARDS SUB-COMMITTEE – 28 JANUARY 2016

REPORT BY MONITORING OFFICER

COMPLAINT IN RESPECT OF DISTRICT COUNCILLOR
J CARTWRIGHT

WARD(S) AFFECTED: PUCKERIDGE

Purpose/Summary of Report

- To consider a code of conduct complaint in respect of District Councillor J Cartwright.
- 1.0 Background
 - 1.1 The Monitoring Officer received a complaint alleging that District Councillor J Cartwright breached the Council's Code of Conduct.
- 2.0 Report
 - 2.1 Council has agreed a procedure for considering complaints.
 - 2.2 In accordance with that procedure, the Sub-Committee, at its meeting held on 24 November 2015, considered the complaint and determined to refer it for investigation.
 - 2.3 The Monitoring Officer appointed an Investigating Officer.
 - 2.4 The Investigating Officer's report can be found at **Essential Reference Paper 'C'**. A copy of this report has been sent to both the subject member and the complainant.
- 3.0 Investigating Officer's Report
 - 3.1 The Investigating Officer has concluded that, in all the circumstances of this case, there has been a failure to comply with the Members' Code of Conduct.
 - 3.2 The Investigating Officer highlights that the facts of the case were not disputed. They centred on twitter comments by Councillor Cartwright directed at two individuals.

3.3 The Investigating Officer took account of Councillor Cartwright's mitigating comments – as detailed in paragraph 5.3 of his report.

3.4 The allegation falls within the Code of Conduct, the relevant terms of which are noted at paragraph 3 as follows:

Always treating people with respect, including the organisations and public I engage with and those I work alongside.

3.5 The Investigation officer concludes that Cllr Cartwright's conduct failed to comply with the Members' Code of Conduct in that the comment he made on twitter on 29 October 2015 failed to treat those involved in the twitter exchange with respect.

4.0 Recommended action

4.1 In relation to the finding of a breach the Sub-committee must hold a hearing (see **Essential Reference Paper 'B'** in preceding agenda item for hearing procedure). The Investigating Officer will be in attendance at this meeting to present his report and the subject member will have the opportunity to present his case.

4.1 In so far the report makes a finding of breach, if, after a hearing, that finding is upheld by the Standards Sub-Committee, it will consider the following actions:

- A formal letter to the Councillor found to have breached the code;
- Formal censure by motion;
- Removal by the authority of the Member from Committee(s) subject to statutory and constitutional requirements;
- Press release or other appropriate publicity;
- Request an apology by the Member

5.0 Implications/Consultations

5.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

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