

Standards Sub Committee
DECISION NOTICE



Code of Conduct Complaint
Reference: CES / 001624

FINDINGS / DETERMINATION

Date of Sub Committee Hearing	16 June 2021
Subject Member	Councillor Edward Skeates
Council or Parish Council	Slinfold Parish Council
Complainant	Councillor Tricia Youtan
Council or Parish Council (If a Councillor)	Horsham District Council
Membership of Standards Sub Committee	Cllr Brian Donnelly (Chair) Cllr Jim Sanson Cllr David Skipp
Monitoring Officer & Legal Advisor to Sub-Committee	Sharon Evans, Head of Legal & Democratic Services
Investigating Officer	Lauren Kelly Principal Property & Contracts Solicitor and Deputy Monitoring Officer.
Summary of complaint	<p>Allegations were made that Councillor Edward Skeates ('Subject Member') breached Slinfold Parish Council's Code of Conduct ("the Code") by being disrespectful and using behaviour which amounted to bullying in a Slinfold Parish Council virtual and unrecorded meeting which was convened to discuss the proposed development of Crosby Farm ("the Proposal").</p> <p>In particular, it is alleged that the Subject Member was rude to the Complainant and accused the Complainant of failing in her duty as elected representative to support Slinfold Parish Council in relation to the Proposal. It is further alleged that the Subject Member sought to establish whether the Complainant would support Slinfold Parish Council's position in relation to the Proposal at the Planning Committee to be held at District Level. The Complainant declined to disclose her position and the Subject Member persisted in his line of questioning.</p> <p>The relevant paragraphs of the Code state:</p> <p>Paragraph 1: He/she shall behave in such a way that a reasonable person would regard as respectful.</p> <p>Paragraph 2: He/she shall not act in a way which a reasonable person would regard as bullying or intimidatory.</p>

Standards Sub Committee decision on whether or not there has been a failure to comply with the Code of Conduct and reasons for their decision

The Standards Sub Committee found the following:

i) The Subject Member had failed to comply with Paragraph 1 of the Code:

*“He/she shall behave in such a way that a reasonable person would regard as **respectful**”.*

ii) The Subject Member had not failed to comply with Paragraph 2 of the Code:

*“He/she shall not act in a way which a reasonable person would regard as **bullying** or **intimidatory**”.*

The Standards Sub Committee considered the complaint lodged by the Complainant, the Subject Member’s response to the complaint, the written accounts provided by both Slinfold Parish Councillors and members of the public present at the subject meeting, the Independent Person’s Report, the Parish Representative’s Report, the Code and the Investigating Officer’s Report, including further comments from both the Subject Member and the Complainant.

The Investigating Officer presented the case and the Standards Sub Committee discussed the complaint and took advice from the Monitoring Officer throughout the discussion.

The Standards Sub Committee concluded the following:

- (i) The Subject Member had breached Paragraph 1 of the Code as his behaviour towards the Complainant at the subject meeting was disrespectful because (i) it was inappropriate for the Subject Member to seek to establish the Complainant’s position in relation to the Proposal as this could give rise to complications pertaining to pre-determination, and, (ii) it was inappropriate for the Subject Member to persist in his line of questioning in light of the Complainant’s reticence to disclose her position in relation to the Proposal. Further, it was thought that the Subject Member should have had regard to and respect for the Complainant’s position as a District Councillor.
- (ii) The Subject Member had not breached Paragraph 2 of the Code as his behaviour towards the Complainant at the subject meeting did not amount to bullying as it is believed that the Subject Member did not intend to cause the Complainant harm but that the Subject Member merely intended to seek to establish whether the Complainant would support the Proposal.

Any mitigating circumstances taken into account	None.
Sanctions	<p>The Standards Sub Committee found the following sanctions to be appropriate in relation to this complaint:</p> <p><u>Sanctions</u></p> <p>1) That the decision of the Standards Sub-Committee be published; and</p> <p>2) To RECOMMEND to Slinfold Parish Council:</p> <ul style="list-style-type: none"> i) That the Subject Member makes a written apology to the Complainant; ii) That the Clerk and the Chairman to Slinfold Parish Council monitor contentious dialogue more closely and intervene at an earlier stage in order to prevent such dialogue from (i) causing harm to personal and professional relationships within both the Parish Council and community, and, (ii) forming the basis of a formal complaint; and iii) That all Slinfold Parish Council meetings are recorded without fail.
Additional comments	<p>The Standards Sub Committee noted that there were earlier failed attempts to mediate and resolve this complaint by local resolution but the Subject Member felt unable to engage in that process.</p>

Signed: 

Sharon Evans
Monitoring Officer and
Head of Legal and Democratic Services

Date: 17 June 2021