

## The Standards and Governance Committee

- **Councillor Nick Brown**
- **Councillor Sam Cross**
- **Councillor Melanie Davis**
- **Councillor David Ireton**
- **Councillor Nigel Knapton**
- **Councillor Clive Pearson**
- **Councillor Heather Phillips**
- **Councillor Monika Slater**
- **Councillor Andy Solloway**
- **Councillor Peter Wilkinson**

## Independent Persons for Standards

- Ms Gill Baker
- Mrs Louise Holroyd
- Mr James Nelson
- Ms Richinda Taylor

## Officers

### **Barry Khan**

Assistant Chief Executive Legal & Democratic Services  
and Monitoring Officer

Tel: 01609 532173

[barry.khan@northyorks.gov.uk](mailto:barry.khan@northyorks.gov.uk)

### **Jennifer Norton**

Assistant Director Legal  
and Deputy Monitoring Officer

Tel: 01423 556036

[jennifer.norton@northyorks.gov.uk](mailto:jennifer.norton@northyorks.gov.uk)

### **Christine Phillipson**

Principal Democratic Services Officer

Tel: 01609 533887

[christine.phillipson@northyorks.gov.uk](mailto:christine.phillipson@northyorks.gov.uk)

### **Moira Beighton**

Senior Lawyer (Governance)

Tel: 01609 532458

[moira.beighton@northyorks.gov.uk](mailto:moira.beighton@northyorks.gov.uk)

### **[Vacancy]**

Governance Officer

Tel: 01609 536508

[MonitoringOfficer@northyorks.gov.uk](mailto:MonitoringOfficer@northyorks.gov.uk)

## Introduction

This edition of the Standards Bulletin for North Yorkshire Council sets out the latest developments in the national standards regime, particularly in relation to the work by the Ethics and Integrity Commission and the Local Government Association.

Members will continue be kept informed of all ethical framework developments.

Should you wish to discuss any standards matter, please do not hesitate to contact the Monitoring Officer or any of his Team.

### **Councillor Clive Pearson**

Chair of the Standards and Governance Committee

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# STANDING GUIDANCE FOR MEMBERS

## Members' Expenses

Members are reminded to include sufficient details in their expense claims and to submit them in a timely manner to avoid submitting multiple claims at the same time where possible.

Members should have regard to the current **Scheme of Approved Duties** and the **Protocol on Members' Attendance at Conferences** published in Part 6 of the Constitution, published on the Council website at [Constitution | North Yorkshire Council](#)

## Interests' Regime

Under the Council's Code of Conduct for Members ([Councillors' code of conduct | North Yorkshire Council](#)), the following interests' regime applies.

### Registration of Interests

Members must register the following interests **within 28 days** of election/appointment:

- **Disclosable pecuniary interests** (DPIs) of the Member and their spouse/partner who they live with and
- **Other registrable interests** (ORIs) of the Member

and keep their interests under review, registering any changes within **28 days**.

A pecuniary interest is a **DPI** if it is of a description specified in regulations ie

- **Employment, office, trade, profession or vocation (for profit or gain)**
- **Sponsorship**
- **Contracts**
- **Land**
- **Licenses**
- **Corporate tenancies**
- **Securities**

(please see the Code for the detailed descriptions)

**And either:**

- (a) it is the Member's interest or
- (b) an interest of the Member's spouse or civil partner or a person with whom the Member is living with as such

**and** the Member is aware of the interest.

**Members may request to have, for example, their home address treated as sensitive and not disclosed in the published Register of Interests or in their contact details on the Council website, if they feel this is necessary for their personal safety or that of someone connected to them.** Please see the later section in the Bulletin on Sensitive Interests and contact the Monitoring Officer to discuss any concerns in this regard.

**Should Members have any immediate concerns around Member safety, please contact the Head of Democratic Services and Scrutiny to discuss.**

Other Registrable interests (ORIs) are:

- 1. Unpaid directorships**
- 2. Any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority**
- 3. Any body:**
  - i. exercising functions of a public nature**
  - ii. directed to charitable purposes or one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union/professional association)**
  - iii. of which you are a member or in a position of general control or management.**

The Register of Members' Interests is maintained by the Monitoring Officer and is generally available for public inspection during office hours at County Hall, Northallerton. It is

published on the Council's website (as required by the Localism Act 2011) - [Your Councillors | North Yorkshire Council](#)

**Members must, within 28 days of becoming aware of a new interest or a change to an existing interest, register the necessary details electronically via the ModGov committee software system.**

### **Participation re Interests**

#### **Disclosable Pecuniary Interests (DPIs)**

A Member may not participate in the discussion of, or vote on, Council business *directly relating* to a DPI and must declare the existence and nature of the interest and withdraw from the meeting room at the start of the item (unless a dispensation is granted).

#### **Other Registrable Interests (ORIs)**

Where a matter arises at a meeting which *directly relates* to the financial interest or wellbeing of one of the Member's ORIs, then the Member must declare the existence and nature of the interest, can speak on the matter if the public can and then must withdraw from the meeting room (unless a dispensation is granted).

#### **Non-Registrable Interests (NRIs)**

These are interests which are not required to be registered in the Register of Members' Interests (ie interests other than DPIs and ORIs):-

- (i) which *directly relate* to the Member's financial interest or well-being, or that of a relative or close associate (of which the Member could reasonably be expected to be aware); or
- (ii) which *affect* the Member's financial interest or well-being or that of a relative or close associate or of a body included under Other Registrable Interests (of which the Member could reasonably be expected to be aware).

For NRIs falling under category (i) above, the Member must declare the existence and nature of the interest, can speak on the matter if the public can and then must withdraw from the

meeting room (unless a dispensation is granted).

For NRIs falling under category (ii) above, the Member must declare the existence and nature of the interest, and then consider the 'prejudicial interest' test to determine if and how they may participate:

- Where the matter affects the financial interest or wellbeing more than it affects that of the majority of inhabitants of the ward affected and a reasonable member of the public knowing all the facts would believe that it would affect the Member's view of the wider public interest, then the Member can speak if the public can, but must not take part in any discussion/vote and must leave room (unless a dispensation is granted);
- Where the matter does not so affect the financial interest or wellbeing, then the Member may speak and vote in usual way.

If a **dispensation** is granted to a Member, the Member must still **declare** the existence and nature of the interest and the fact they are relying on a dispensation to the meeting.

#### **What is the difference between 'relates to' and 'affects'?**

Something 'relates to' a Member's interest if it is directly about it, eg the matter being discussed is an application about a particular property in which the Member or somebody associated with them or an outside body they have registered has a financial interest.

'Affects' means the matter is not directly about that interest but nevertheless the matter has clear implications for the interest – for example, it is a planning application for a neighbouring property which will result in it overshadowing the Member's property. An interest can of course affect you, your family or close personal associates positively and negatively. So, if you or they have the potential to gain or lose from a matter under consideration, an interest would need to be declared in both situations.

### Please note:

A Member commits a **criminal offence** if, without reasonable excuse, they —

- fail to:
  - ❖ register disclosable pecuniary interests
  - ❖ disclose an interest to a meeting where required
  - ❖ notify the Monitoring Officer of an interest disclosed to a meeting
- participate in any discussion or vote where prohibited
- an individual Member decision taker takes any steps in relation to a matter where prohibited

A Member also commits a **criminal offence** if, in relation to the registration/disclosure of disclosable pecuniary interests, they provide information that is false or misleading and —

- know that the information is false or misleading, or
- are reckless as to whether the information is true and not misleading.

A court may also disqualify the person, for a period not exceeding five years, for being or becoming (by election or otherwise) a member or co-opted member of the relevant authority in question or any other relevant authority.

**Please therefore keep your interests form under review** to ensure it is up to date.

**Interests' issues are ultimately Members' responsibility.**

**NB: Even if something is not a Code issue, always bear in mind the rules relating to bias, predetermination and predisposition.**

If you are in any doubt as to your position, please contact the Monitoring Officer or any of his team.

## Sensitive Interests

You do not need to register or declare the details of an interest which you and the Monitoring Officer have agreed is sensitive.

A “sensitive interest” is any interest (whether or not a disclosable pecuniary interest) where **disclosure of the details could lead to you, or a person connected with you, being subject to violence or intimidation.**

The existence of an interest must still be registered/declared but not any detail in relation to it.

**Should you feel that any of your interests are sensitive given any prevailing circumstances, please contact the Monitoring Officer immediately to discuss.**

## Bias, Predetermination, Predisposition

Members involved in making a decision on particular business must always bear in mind the rules relating to **bias and predetermination** and must not participate in, or seek to influence, Council business where their interests may prejudice, or appear to prejudice, their views.

**Predetermination** occurs *where a fair minded and well informed observer, looking objectively at all the circumstances, considers there is a real risk that a decision maker has refused to consider a relevant argument or would refuse.*

Possible examples of bias or predetermination are:

- connection with someone affected by a decision;
- improper involvement of someone with an interest in the outcome;
- prior involvement in a matter;
- commenting before a decision is made.

However, the Localism Act 2011 makes it clear that a Member is not to be taken to have had, or to have appeared to have had, a closed mind when making a decision just because they had previously done anything that directly or indirectly indicated what view they took, or would or might take, in relation to a matter; this would amount to **predisposition** to a view and is acceptable. This ensures that Members can freely discuss issues, including expressing a view and/or campaigning on an issue, and then later speak or vote on those issues.

**Unless there is positive evidence of a closed mind, prior observations or apparent favouring of a particular decision is unlikely to suffice as predetermination.**

**Members are entitled to have and express their own views, as long as they are prepared to reconsider their position in the light of all the evidence and arguments. They must not give the impression that their mind is closed.**

## **Members' Gifts and Hospitality**

Members' gifts and hospitality are recorded with their Register of Interests, electronically via the ModGov committee software system.

Under the Council's Code of Conduct, you should not accept gifts/hospitality, of any value, which could create an impression of obligation upon you or the Council or substantive personal gain or propensity to show favour. You should inform the Monitoring Officer of any such offers.

Otherwise, you should register any gifts/hospitality received or offered worth **£25 or more**.

Should you have any queries in relation to the registration of any gifts or hospitality received/offered, then please feel free to contact the Monitoring Officer or any of his team.

Parish and town councillors should have regard to their own authority's Code of Conduct in terms of how any offers of gifts and hospitality should be dealt with.

## **Social media and the Members' Code of Conduct**

Social media is an important means of communication and engagement, however the use of social media frequently features in many of the standards complaints received by the Monitoring Officer.

Aspects of the Members' Code of Conduct will apply to your online activity, as in other communications, if you are, or appear to be, acting in your capacity as a councillor, rather than a private individual. The same standards of

conduct apply online as would be expected offline.

The key issue is whether you are acting in your official capacity as a councillor when using your social media platforms. Be clear as to the capacity in which you are posting, official or private.

Use of the title "Councillor" may give rise to an inference that you are acting in your official capacity, when the Code can be engaged.

If you publish information you can only access as a Member, you are likely to be viewed as acting in your official capacity.

"...These are ordinary descriptive English words. Their application is inevitably fact sensitive and so whether or not a person is so acting inevitably calls for informed judgment by reference to the facts of a given case. This also means that there is the potential for two decision makers, both taking the correct approach, to reach different decisions..."

You may wish to set up different social media accounts for your private life and councillor role to maintain professional boundaries.

You are personally responsible for the content you publish on social media, in the same way that you are responsible for letters or emails you send. It is less formal but is still a form of communication and posts can be capable of being misunderstood - the immediacy of social media can magnify this problem.

Being misunderstood is likely to lead to rapid and wide broadcasting (particularly with something perceived as being more controversial than was intended) almost instantly.

Be approachable, polite and respectful in your language and tone. Irony and sarcasm are very difficult to convey in writing and therefore should be avoided, as should profanity.

North Yorkshire Council has a Social Media Policy available on the Council's Intranet, which Members may find helpful.

Members should ensure that they are familiar with the provisions and that they do not put the Council's systems and information at risk, or be

damaging to the reputation of the Council or the office of Member.

## LATEST NEWS

### Update on Government consultation on strengthening the standards regime

Members have previously been briefed regarding the Government consultation on strengthening the standards regime ([Strengthening the standards and conduct framework for local authorities in England - GOV.UK](#)) (and the associated LGA Questionnaire regarding the consultation), which closed on 26 February 2025

On 11 November 2025, the Government published its response to the consultation - [Strengthening the standards and conduct framework for local authorities in England – consultation results and government response - GOV.UK](#). which was considered by the Standards and Governance Committee on 11 February 2026.

The Government has stated that it intends to "legislate for a **whole system reform of the current regime** as set out in Localism Act 2011", to include:

- a mandatory code of conduct for councillors, across all types and tiers of local authorities
- requirement for principal authorities to have formal Standards Committees
- new powers to suspend elected members for a maximum of 6 months for serious code of conduct breaches, with the option to withhold allowances during suspension for the most serious breaches and introduce premises and facilities bans either in addition or as standalone sanctions
- in response to the most serious allegations involving police investigation, or where sentencing is pending, the introduction of powers to suspend elected members on an interim basis for an initial period of 3 months which, if extended, will require regular review

- a new disqualification criterion for any elected member subject to the maximum period of suspension more than once within 5 years
- requirement that all principal authorities offer individual support during any investigation into code of conduct allegations to both the complainant and the councillor subject to the allegation
- introduction at the authority level of a 'right for review' for both complainant and the subject elected member to have the case reassessed on grounds that will be set out in legislation
- creation of a new national appeals function for suspended councillors and for complainants if they consider their complaint was mishandled (after internal review process exhausted).

The necessary legislative changes will be brought forward "when parliamentary time allows".

A copy of the report to the Standards and Governance Committee, setting out full details of the proposed reforms is published on the Council's website - [Agenda](#)

Members will be kept informed of developments.

### The Ethics and Integrity Commission

Members have previously been briefed regarding the intended establishment of a new Ethics and Integrity Commission, to oversee the ethical standards of ministers and public officials and "drive up standards in public life", change the ministerial severance arrangements and the business appointment rules.

The Commission was officially launched in October last year and the Committee on Standards in Public Life is now subsumed into the Commission.

The Commission will also have a role regarding the proposed public body professional duty of candour for staff which is anticipated will be set out in a code of ethics based on the general principles of public life.

A letter from the Prime Minister to the Chair of the Commission regarding the Commission's work is published online - [Letter from the Prime Minister | Ethics and Integrity Commission](#).

The Chair of the Commission's comments on the Government response to the 'Strengthening the standards and conduct framework for local authorities in England' consultation are published online - [here](#)

The Commission has stated that it will review the public sector ombudsman system, with further information about the review to be published this month. The Chair of the Commission has written to the Prime Minister to set out the early work intended to be undertaken by the Commission - [EIC progress – Letter to Prime Minister | Ethics and Integrity Commission](#).

Further information about the work of the Commission is published on its website [-here](#).

## Civility in Public Life

In October 2025, the UK's local government associations agreed a joint statement in support of the Civility in Public Life Programme. Information about the Civility in Public Life programme has previously been presented to the Committee and is published online - [Civility in public life | Local Government Association](#).

The joint statement is published online - [UK local government associations: Joint statement on Civility in Public Life | Local Government Association](#) – with the organisations stating that they are "increasingly troubled by threats and violence against councillors and officers".

## Better mental health for councillors: looking after your wellbeing

The LGA has published presentations regarding the 'Better mental health for councillors: Looking after your wellbeing' event held on 24 September 2025. The presentations can be found online - [Better mental health for councillors](#).

## Intimidation in public life

The Local Government Association has published presentations regarding:

- "Handling online abuse and intimidation for councillors" from its event on 11 December 2025. The slides are published here - [slides](#).
- "Personal safety for councillors" from its event on 12 February 2026. The slides are published here - [slides](#).

## NYC Member Liaison Group on Councillor Safety

North Yorkshire Council takes Member safety seriously. The Council's cross party Member Liaison Group on Councillor Safety was established in May 2024 and has met 8 times to date, next due to meet on 5 March 2026. It is supported by the Assistant Chief Executive Legal and Democratic Services & Monitoring Officer and the Head of Democratic Services and Scrutiny and is also attended by the Head of Health and Safety and two North Yorkshire Police Officers.

The Group has undertaken a number of practical steps to promote Member safety, including:

- Consideration of the Local Government Association's 'Debate Not Hate' campaign and supporting toolkit action points and work undertaken by other authorities to promote councillor safety, to provide a framework against which progress locally can be assessed; and an audit of the Council's approach to supporting councillors has been undertaken, based upon key aspects of the toolkit.
- An all-councillor survey on member safety completed and the results analysed and responded to in November/December 2024. This is to be repeated on an annual basis.
- A system for the reporting, collation and analysis of incidences where councillors have felt or been threatened or intimidated during the course of their duties has been in place since March 2025;

- The roll out of the PeopleSafe App to all councillors as of 31 March 2025. This is currently used by frontline council staff and enables access to a range of support (check-ins, alarms, times alerts) when visiting somewhere for the first time or where there are concerns;
- The roll out of councillor access to the Staff Warning Register, via Democratic Services, which enables addresses to be checked for any flagged concerns;
- Developing strong relationships with the Police to enhance coordination and foster mutual understanding of abuse affecting councillors and the role of the Police in addressing it, including the establishment of a named Police officer contact as Elected Officials Advisor, who is available to speak with and support councillors who have concerns regarding their safety;
- Cross council planning for the management of committee meetings where contentious issues are being considered and there are large numbers of people attending, planned protest and a risk of possible disruption;
- A standard, documented process for all committee chairs to adopt should there be any public disorder in a meeting;
- Councillors concerned about their physical safety can apply for funding for practical measures to increase security at their homes;
- Councillor addresses and phone numbers can be removed from the Council website where there are concerns around safety;
- Councillor access to wellbeing services can be enabled upon request;
- Training and awareness raising on a range of issues is periodically undertaken through the Member seminars and briefings. A member working group on training and development has been established that is leading on the induction package and first 12 months of development and support for newly elected councils post May 2027. Part of this will focus upon member safety.

The Group has identified further areas for consideration, including:

- An annual all-councillor survey;

- Training and/or briefings for councillors on the following: personal safety and risk assessment; social media training and digital citizenship; safer canvassing during the election period (March to May 2027) and conflict de-escalation;
- Provision of mentor support for councillors, made available following an incident, and how this would be done through the political groups;
- A review of the current level of support that is available to councillors through the employee wellbeing services

## LGA guide to disinformation

The LGA has published a Guide to disinformation for local councillors - [A guide to disinformation for local councillors | Local Government Association](#) - developed in response to interest from councillors seeking support in approaching and countering disinformation. The Guide sets out the key definitions and tangible actions councillors can take to respond effectively.

There is a separate guide for officers – [A guide to disinformation affecting local authorities and their communities | Local Government Association](#)

There are other LGA resources to support councillors and candidates in their online communications which can also be used to try to curb and limit the spread of disinformation (false information shared with the intent to deceive) - [Digital citizenship: support and resources for councillors | Local Government Association](#).

## Updating of LGA guidance on model code of conduct

It appears that LGA Guidance on Local Government Association Model Councillor Code of Conduct ([Guidance](#)), now includes more hyperlinks to other guides and resources such as:

[Full word english version guide for councillors on handling intimidation FINAL.pdf](#)

[Social media guidance for councillors | Local Government Association](#)

[Civility in public life | Local Government Association](#)

Which Members may find helpful.

## **NYC STANDARDS COMPLAINT STATISTICS**

The Standards and Governance Committee monitors complaints raised with the Monitoring Officer under the standards regime.

As well as considering complaints that a member of North Yorkshire Council may have breached the Members' Code of Conduct, North Yorkshire Council is the principal authority for parish and town councils in North Yorkshire for the purposes of the standards provisions in the Localism Act 2011.

It is therefore also responsible for receiving and handling complaints that a parish/town councillor may have breached that authority's code of conduct for Members.

That is the extent of North Yorkshire Council's jurisdiction in respect of parish/town council governance; parish/town councils are separate legal entities and North Yorkshire Council has no jurisdiction to consider other complaints for example about the way in which the parish council has or has not done something, or about particular parish council decisions.

### **Context for complaints**

There are currently:

- 729 Individual Parishes
- 412 Parish and Town Councils, including Harrogate and Scarborough
- 160 Parish Meetings; and
- 90 NYC councillors.

In terms of the national context:

- NYC has the largest number of parish and town councils of any local authority in the country;

- The next nearest council has 272
- 51% have less than 30
- 97.5% of councils have less than 200
- There are only 6 councils with over 200 parish councils
- Only 2 councils have over 300 parish councils

### **Complaints received**

During the period 1 April 2023 to 31 March 2024, the Council received 174 complaints that members may have breached the relevant authority's code of conduct for Members.

During the period 1 April 2024 to 31 March 2025, 133 complaints were received.

A full breakdown of the complaint statistics for each municipal period is published on the Council's website at the bottom of the Councillors' Code of Conduct webpage - [Councillors' code of conduct | North Yorkshire Council](#)

For the period 1 April 2025 to 27 February 2026, **164** complaints have been received.

### **Pre-assessments and Assessments in current year**

Of the 164 complaints received in this current year:

- a) 70 complaints have been disposed of by the Monitoring Officer/Deputy Monitoring Officer at pre-assessment stage.
- b) 87 complaints have progressed to assessment by the Monitoring Officer/Deputy Monitoring Officer in consultation with the Independent Persons for Standards. Of those assessed complaints:
  - i. 83 complaints did not merit referral for formal investigation;
  - ii. 1 complaint was recommended for informal resolution;
  - iii. 3 complaints were referred for investigation.

The remaining complaints are in preparatory stages or awaiting pre-assessment or assessment.

## Investigation outcomes

Since the last Standards Bulletin, 2 complaint investigations, each regarding a separate NYC Councillor, have been concluded:

- **Investigation 11** - The Investigating Officer concluded there was evidence of a breach of the Code of Conduct. The complaint was referred to the Hearings Panel which determined there had been a **breach of the Code**. A copy of the Decision Notice is published on the Council's website - [SGC2025039 Decision Notice by Hearings Panel.pdf](#)
- **Investigation 12** - The Investigating Officer concluded there was evidence of a minor technical, but not inconsequential, **breach of the Code of Conduct**. In accordance with section 9 of the North Yorkshire Council standards complaints procedure, the Deputy Monitoring Officer consulted the Independent Person for Standards and the parties and was satisfied the matter could reasonably be resolved informally without the need for a Hearing.

One investigation remains live.

A detailed Complaints Update report is taken to each ordinary meeting of the Standards and Governance Committee, giving an update on complaints received and their progress. The Committee's agenda and papers are published here - [Browse meetings - Standards and Governance Committee | North Yorkshire Council](#)

Members will be kept informed of statistical information in relation to standards complaints received.

## **NATIONAL CASES**

The following cases have recently been reported nationally:

- A councillor was found not to have breached the authority's code of conduct following an external investigation into allegations of him bullying an officer;

The council leader subsequently

refused a request to publish the confidential investigation report.

- A councillor was removed from committee positions after setting up a company with a similar name to a new council-owned business;
- A borough council meeting was disrupted by protesters wearing balaclavas, causing damage to the council offices and heckling and attacking councillors from the public gallery by throwing eggs and objects at them. The police are investigating.
- A former councillor who sent approximately 100 anonymous 'poison pen' letters over a two year period to a fellow councillor was charged with harassment without violence and received a restraining order and community order. He also received a £300 fine, was ordered to pay a victim surcharge and prosecution costs.
- A principal authority has asked a parish council responsible for an "unprecedented volume" of standards complaints to contribute to the costs of standards investigations, which had resulted in a disproportionate pull on the principal authority's resources. The parish council was responsible for 64% of all parish council complaints during that financial year. It also recommended that the parish council promote "preventative and holistic measures such as mediation, training, and governance reviews as opposed to relying only on the complaints process".
- A councillor who expressed strong objections to a planning application in a consultation response before participating and voting on the application, despite being provided with advice, was found to have breached the authority's code of conduct. The councillor was to undergo training on the declaration of interests.
- Six councillors were found, after an independent investigation, to have breached the code's respect and disrepute provisions regarding their involvement in a controversial

WhatsApp group chat containing offensive messages, which could be considered discriminatory, which also led to a local MP being suspended from their party.

The investigator concluded that the councillors were acting in their official capacity whilst sending messages in the group as some of the correspondence related to council business and occurred during council meetings.

One councillor was also found to have breached the Code's by misusing council resources as they had participated in the group chat, including messages on council business and for political purposes, by using a council owned mobile phone.

One councillor was also found to have breached the code by failing to co-operate with the standards investigation.

A range of sanctions were imposed including censure, the publication of decision notices, removal from committees and training.

- Following a standards complaint investigation, where the investigator found evidence of potential disrepute and misuse of position through use of social media, a council has encouraged parish and town councils to ensure parish/town councillors are using social media responsibly, in accordance with guidance.

The case recognises that use of social media by public office holders can raise complex issues in terms of balancing the right of freedom of expression with the maintenance of high standards of conduct and public confidence.

#### **Resources**

Localism Act 2011 and subordinate legislation.

[Ethics and Integrity Commission](#)

Information published on [www.gov.uk](http://www.gov.uk) and

[www.london.gov.uk](http://www.london.gov.uk)

Local Government Lawyer website

BBC news website