

Borough Council of
**King's Lynn &
West Norfolk**



Borough Council of King's Lynn and West Norfolk

Standards Committee Hearing

Date: 28 November 2017

Complaint Reference Number: 008083

Borough Councillor Patrick Rochford

DECISION NOTICE

Standards Committee Members	Borough Councillor B Ayres (Chairman) Borough Councillor S Sandell Borough Councillor C Manning
Council Officers	Wendy Vincent, Democratic Services Officer Emma Duncan, Monitoring Officer
Independent Person	Carol Wilkinson
Local Investigator	Alexa Baker
Date of Investigator's Report	12 October 2017

Decision Notice

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1. Summary of the Complaint:

It is alleged that Borough Councillor Patrick Rochford, in summary, breached the Code in that he:

- Made false and vexatious allegations against the Complainant.
- Posted libellous and denigrating tweets about the Complainant.
- Has bullied the Complainant.

2. Relevant sections of the Code of Conduct

The Borough Council has adopted the Code.

The Code contains the following provisions that are relevant to this investigation:

"As a Member of the Borough Council of King's Lynn and west Norfolk my conduct will in particular address the statutory principles of the Code by:

Valuing my colleagues and staff and engaging with them in an appropriate manner and one that underpins the mutual respect between us that is essential to good local government.

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

3. Summary of evidence considered and representations made

The Investigator found that Borough Councillor Patrick Rochford did breach the Code of Conduct by failing to engage with the Complainant (as his colleague) in an appropriate manner and one that underpins the mutual respect that is essential to good government, and (as a separate behaviour) also failed to treat the Complainant with respect.

4. Facts and Reasons

The Panel carefully considered the report, considered the additional representations made by the complainant and Cllr Rochford's representatives and reached the following conclusions;

Tweets made by Cllr Rochford during May 2017

The Panel were satisfied that the tweets occurred in the course of Cllr Rochford acting as a councillor as they originated from a public Twitter account that identified him as the "Conservative Borough Councillor in King's Lynn and West Norfolk, representing the 'Gaywood Northbank' ward". The Panel noted that in some tweets the complainant was identified and made reference to the fact that she had been suspended. Cllr Rochford tagged in the complainant and also news agencies. All of these tweets were public and not protected.

The Panel felt that the tweets sought to undermine the position of the complainant publically and that Cllr Rochford had breached the Code of Conduct in that the complainant could be identified from the content of the tweets and referred to "allegations" made against her. The Panel found that by tweeting in the way that he did that Cllr Rochford did not treat the complainant in an appropriate manner or with respect and brought the Council into disrepute.

Tweet made on 31 August 2017 by Cllr Rochford

The Panel noted the tweet occurred during the course of a council meeting at which both the complainant and Cllr Rochford were present and was made through Cllr Rochford's publically accessible Twitter account which identified him as a Councillor, and therefore considered that the tweet was made in the course of his role as an elected member.

The Panel also noted that the complainant and other Members present at the meeting were aware of who the tweet was about. In the light of tweets made previously in May about the complainant, the Panel considered this to be another attempt to undermine her publically. The Panel were satisfied that the tweet constituted disrespectful conduct towards the complainant, and consequently was a breach of the Code.

Intimidating conduct on 31 August 2017 by Cllr Rochford

The Panel felt on balance that the evidence supported the complainant's version of events. They were mindful that the complainant's assertions were corroborated by two other members who had witnessed the alleged incident.

They were also mindful that Cllr Rochford had sent a tweet during the meeting commenting on the complainants manner of dress that did indicate a course of conduct that was consistent with the complainants account.

They considered that that this was a breach of the respect provisions of the Code.

Course of conduct consistent with targeting the complainant

The Panel found that there was a course of conduct over a period of time which demonstrated behaviour towards an individual that was targeted. The behaviour in the view of the Panel fell short of those standards expected of an elected member and that this was a breach of the respect provisions of the Code.

5. The Panel identified the actions identified above as being a breach of the Borough Council of King's Lynn and West Norfolk Code of Conduct.

6. Sanctions

The Standards Committee at the Borough Council of King's Lynn and West Norfolk exists to maintain high standards of conduct amongst elected members in line with the Code of Conduct and the expectations that the public have of elected members.

On this occasion they felt that Cllr Rochford's conduct fell short of the standards expected. Taking into account the circumstances of the case and its seriousness, in particular the repeated nature of the conduct and previous interventions to address Cllr Rochford's use of Twitter that had been made by the Monitoring Officer, the Panel recommended that;

- Cllr Rochford be reported to Full Council and censured.
- Cllr Rochford be removed from any committee membership and removed from appointment to any outside body.
- Cllr Rochford be required to return any Council issued technology, including iPads and telephones with immediate effect and that this should remain in place until the end of his current term of office.

Signed...  Date: *30 November 2017*

(Councillor B Ayres, Chairman of the Standards Committee Hearing)