

Decision notice in relation to standards complaints 12 & 14/21 against Cllr Wendy Daden

This decision notice relates to item 5 of the Governance Committee agenda for the meeting on 2nd February 2022 and the hearing which took place during this meeting. This decision notice should be read in conjunction with the detailed report to the committee and the minutes of the meeting. The committee notified the parties after their deliberations briefly as to the outcome. This is the written decision notice relating to the outcome which sets out the reasons for the decisions reached.

There were three alleged breaches of the code of conduct for members to formally determine and these are referred to as allegations 1 – 3 below. These allegations are also referred to in paragraph 1.2 of the investigation report as items c) – e). These three allegations were formally determined by the Committee as set out in the minutes and below. In relation to item b in para 1.2 of the report, the Monitoring Officer has determined administratively that no further action should be taken in relation to this allegation as a result of the conclusion reached by the investigator. Item a in para 1.2 of the report linked with allegations b and c and as an internal policy of the Parish Council was noted but there was no further need for members to reach any formal determination.

Allegation 1 - (item c)

By a majority vote, the committee decided that the Jackie Weaver comments and the bribery comments (as set out in the report) were not sufficient to amount to disrepute. However, all members of the committee agreed that the comments made by Cllr Daden were ill-advised and inappropriate. Further, that Councillor Daden should take greater care in future in relation to social media posts, including careful consideration of privacy and confidentiality in advance of any publication of material.

The parish council's social media policy states "parish councillors cannot speak for the Council unless explicitly authorised through a resolution made in Council. Councillors may speak as individuals, but care must be taken to ensure that a reasonable person could not assume that they are speaking on behalf of the Council and that their personal social media publications are clearly different from any similar official Council social media". Members felt it was important that Cllr Daden adhere to this through liaising with the parish clerk in advance whenever proposing to make a social media post in relation to parish council matters. The committee also recommended that the parish council provides social media training. The committee felt these recommendations were the most appropriate way to help facilitate an agreed and coordinated way forward within the parish council in relation to social media activity by Cllr Daden (and was applicable to all parish councillors) in future.

Allegation 2 - (item d)

The Committee found that Councillor Daden had failed to register their interest in Broomfield Community Association (also referred to as Broomfield Bridges) in breach of

the code of conduct at the time the complaint was submitted. This was rectified during the investigation process in that Cllr Daden updated the Parish Council register of interest. Cllr Daden had also failed to declare their interest in this organisation at the meeting on 3rd February. The interest was known to the parish council and the committee did not believe Cllr Daden derived any advantage through failure to declare this interest, accepting this was a genuine oversight. Accordingly, the committee felt that the only action necessary was to remind Cllr Daden of the need to keep the register of interests up to date and to declare any interests in future. Cllr Daden may also wish to consider a dispensation.

It was also noted that the Monitoring Officer had facilitated Cllr Daden in similarly updating their City Council register of interest.

Allegation 3

All members concluded that Councillor Daden has misled the planning committee through the question that was put to the meeting and had breached the code of conduct in so doing. Cllr Daden contended that they were “muddled” in relation to which organisation had been met with. The committee concluded that Cllr Daden was accountable for the information put into the public domain in any event and should take greater care in relation to the accuracy of such information, including where necessary verifying information prior to releasing the information.

Cllr Daden did call into question the motives of the complainants during the hearing. As was noted in the investigation report within the agenda this was not relevant to the determination as to whether Cllr Daden had breached the code of conduct and as such the parish council were not given an opportunity to comment upon Cllr Daden’s contentions. No findings were made in this regard.

The committee did briefly consider the posting of information by Cllr Daden on their website relating to the hearing by Cllr Daden as set out in the report. No finding was made in this regard but the information helped inform the recommendations above.

Finally, members did consider when they retired whether to reconvene and invite the parties for further comment in relation to the above recommendations but took the view that Cllr Daden had already commented on this in summing up and the committee had sufficient relevant information from the hearing to enable them to reach appropriate decisions in this regard.

Lorraine Browne

Monitoring Officer

4th February 2022