

THANET DISTRICT COUNCIL STANDARDS COMMITTEE
STANDARDS HEARING SUB-COMMITTEE – 07/09/2016
DECISION NOTICE



Case No: TDCSC144/16
Complainants: Confidential
Subject Member: Councillor Sarah Larkins
Thanet District Council

Summary of Complaint:

A number of members of the public complained that Councillor Larkins made a discriminatory comment regarding the election for the Mayor of London on a social media website.

Relevant Sections of the Code of Conduct

Paragraph 2.2: The Code applies to you as a Member or Co-opted Member of Thanet District Council when acting, claiming to act or giving the impression that you are acting in that capacity.

Paragraph 3.2(f): You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or the authority into disrepute.

Assessment of the Complaint

The complaint was received on 29 March 2016. The Standards Assessment Sub-committee assessed the complaint on 13 April 2016. Their decision was to refer the complaint to the Monitoring Officer with a recommendation for investigation.

Independent Investigation

The Monitoring Officer appointed an independent investigator to conduct an investigation at the conclusion of which the investigator reported that she was of the opinion that Councillor Larkins had failed to comply with the requirements of Paragraph 2.2 and Paragraph 3(2)(f) of the Code of Conduct.

Consultation with Independent Person

The Council's adopted procedures require the Monitoring Officer to consult the Independent Person following receipt of an investigation report. Consultation with the Independent Person took place on the 1 September 2016 as a result of which the complaint was referred for a Hearing by the Standards Hearing Sub-Committee.

Members of the Standards Hearings Sub-Committee

Dr Sexton, Independent Chairman of the Standards Committee

Councillor J. Fairbrass, Thanet District Council

Councillor Tomlinson, Thanet District Council

Hearing

On 7 September 2016, the Standards Hearings Sub-committee considered the complaint against Councillor Larkins. In the absence of Councillor Larkins to express a view on whether the hearing should be conducted in public or private, the Sub-committee resolved to hear the case in private.

The Standards Hearings Sub-committee considered the investigator's report.

Case to Answer

The Standards Hearings Sub-committee accepted the investigator's conclusions and agreed that there was a case to answer.

View of Independent Person

Thanet, like the most of the UK, is a culturally and racially diverse district.

For such a person appointed by the people, to represent the people and their views to express such discriminatory attitudes on a social media network or in any public arena is unacceptable.

The Standards Committee and the Council must accept the seriousness of this complaint and deal with it in the strongest way possible.

Behaviour of this nature cannot be tolerated.

Recommendations on Findings

The Sub Committee considered that Councillor Larkins had failed to comply with the requirements of Paragraph 2.2 and 3(2)(f) of the Code of Conduct of Thanet District Council.

Reasons

1. The preamble to the Members Code of Conduct at Paragraph 1.2 made it clear that the Code also applied to councillors when acting, claiming to act or giving the impression that they were acting in that capacity.

Recommendations on Sanctions

The Sub Committee recommended that the following sanctions should be imposed:

1. That Thanet District Council and Ramsgate Town Council issue a formal censure by motion to Councillor Larkins for bringing her role as Councillor into disrepute.
2. Given the role of the Deputy Mayor in representing both the Ramsgate Town Council and the town in all sections of the community that Councillor Larkins resigns from the office of Deputy Mayor immediately.
3. That Councillor Larkins prepares an unequivocal public apology for her conduct. The apology should be published and read out at a council meeting at both Ramsgate Town Council and Thanet District Council.
4. That Councillor Larkins for a period of six months, be removed from all committees, sub-committees and outside appointments to which she has been appointed or nominated by either Council.
5. That Thanet District Council issues a press release of the decision in respect of the complaints against Councillor Larkins and the recommended sanctions.

Formal Decision

1. That Councillor Larkins failed to comply with the requirements of Paragraph 2.2 and 3(2)(f) of the Code of Conduct for elected and co-opted members of Thanet District Council for the reasons given by the Standards Hearings Sub Committee and the Monitoring officer be informed accordingly.
2. That the Monitoring Officer be recommended to impose the sanctions set out above.

Right of Appeal

There is no right of appeal.

Distribution

In accordance with the Council's adopted arrangements copies of this Decision Notice will be provided to:-

- The Subject Member: Councillor Larkins
- The Clerk of Ramsgate Town Council

- The Subject Member's Group Leader: Councillor Wells
- The Complainants: Confidential

Publicity

This Decision Notice will be published on the Thanet District Council website for a period of 56 days. A Press Release will be issued on behalf of Thanet District Council.

As the Council's Monitoring Officer, I accept the recommendations of the Standards Hearing Sub-Committee.



Signed

Date

Timothy Howes

21/09/2016

**Monitoring Officer
Thanet District Council**