

# **DECISION NOTICE**

## **FINDINGS;**

### **BREACH OF THE MEMBERS CODE**

### **OF CONDUCT**

#### **Complaint**

On 3<sup>rd</sup> December 2019 the Audit and Standards Sub Committee Hearing Panel of this Council considered the report of the Investigating Officer in relation to a complaint into the alleged conduct of Councillor Sue Graham, a Member of Burnley Borough Council. We have set out a general summary of the complaint below:

It was alleged that Councillor Sue Graham had breached the Code of Conduct regarding respect and disrepute by referring to UKIP members as racists in the context of forming an administration, and therefore had failed to treat others with respect and had brought the Council and herself into disrepute.

The cross-party Hearing Panel was chaired by Councillor Tony Martin.

Councillor Sue Graham attended the Hearing with Peter Thorne.

The Hearing Panel carefully considered the evidence set out in the Investigating Officer's report and the representations made by the Investigating Officer, further evidence from Cllr Sue Graham, and the local resolution correspondence in this case.

Before reaching its decision the Hearing Panel took into account and had regard to the views of the Independent Person and concluded that:

#### **Decision**

The Hearing Panel takes all complaints about Councillors very seriously and carefully considers all matters in accordance with its published criteria.

The Hearing Panel found that Councillor Sue Graham had breached the Council's Code of Conduct for Members in relation to respect (section 3.1) by failing to treat others with respect, but had not breached the Code in relation to disrepute (section 5).

## **Reasons for decision**

The action by Councillor Sue Graham in referring to UKIP members as racists did refer to the 3 Councillors who at the time of the post were in UKIP (Councillors Tom Commis, Peter Gill, and Alan Hosker) , and the action was in the context of arrangements under discussion at the time to form a Council administration

## **Sanctions**

Before considering the action to be taken, the Hearing Panel took into account and had regard to the views of the Independent Person.

The Hearing Panel resolved the following;

- (1) The Panel will publish its findings in respect of Councillor Sue Graham's conduct;
- (2) The Panel will report its findings to the Council for information; and
- (3) That Councillor Graham be recommended to provide an apology at the next Ordinary Full Council to the 3 Councillors (Councillors Tom Commis, Peter Gill, and Alan Hosker) who were in UKIP at the time of the post regarding the breach of respect and the failure to treat them with respect.

The Hearings Panel noted that Councillor Sue Graham was not available for the Full Council Meeting of 18th December 2019 and requested that Councillor Sue Graham provided an apology to the 3 Councillors as soon as practicable. Councillor Sue Graham agreed to liaise with the Monitoring Officer and provide the apology in writing to the 3 Councillors.