

Extract from 'Our Findings'

Relevant body: Newport City Council

Report date: 15/10/2024

Subject: Promotion of equality and respect

Case ref number: 202305968

The Ombudsman received a complaint that a member ("the Member") of Newport City Council ("the Council") had breached the Code of Conduct ("the Code").

It was alleged that the Member made a complaint about the Complainant ("the Complainant") to his employer; that the Member used his "Councillor" status in submitting the complaint and, by doing so, the Complainant felt the Member abused his position.

The Ombudsman's investigation considered information obtained from the Council, the Complainant's employer ("the Employer"), the Complainant and the Member.

The Ombudsman found that whilst the Member had used his title of "Cllr" in submitting his complaint, the Member's status as a councillor would have been clear from him having to document why he was choosing to make the complaint. The Complainant made comments about the Member in a public arena which were provocative and personally offensive to the Member. The Complainant made serious allegations about the Member which were personal and had the potential to be damaging for him. It was understandable that the Member perceived them as an attempt by the Complainant to defame him. The Ombudsman considered that the Member had a right to challenge and try to defend himself against such comments.

The Employer said that no weight was given to the Member's role when it investigated his complaint. Given that the substance of his complaint focused on the Complainant's comments about him, in the context of his role as an elected member, it would have been evident that he was a councillor, even if the title had not been used. In these circumstances, the Ombudsman considered that it was not unreasonable for the Member to sign off his email with his "Cllr" title.

The Ombudsman found that there was no evidence of any failure to comply with the Code under Section 69(4)(a) of the Local Government Act 2000 in respect of the matters investigated.