

:
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4th June 2018

COMPLAINT DECISION NOTICE

**COMPLAINT REFERENCE: COUNCILLOR MONICA DAVIES
DECISION: BREACH OF THE CODE OF CONDUCT**

Power to determine the Complaint

These Code of Conduct complaints against Cllr Davies have been determined under Part 7 of the Royal Borough of Windsor and Maidenhead's Members' Code of Conduct complaints process, Appendix 4.

I assessed the complaints under paragraph 3 of Appendix 4, and considered that the criteria stated in that paragraph was met with regard to accepting the complaints. Under paragraph 4 of Appendix 4, I consulted the views of Mr. Peter Hills, the Royal Borough's Independent Person.

The Complaints

The complaints alleged that Cllr Davies had breached Datchet Parish Council's Code of Conduct in two respects which were:

a) You must promote and support high standard of conduct when serving in your public post, in particular, as characterised by the above requirements, by leadership and example (paragraph (viii) of the Code).

b) You shall behave in such a way that a reasonable person would regard as respectful (paragraph (x) of the Code)

In my view, the complaints should apply to both these paragraphs, because of evidence provided to me in correspondence. It would therefore be unnecessarily precise to pick out phrases in that correspondence and allocate them to each of those paragraphs.

Analysis

A number of people made a complaint against Cllr. Davies based on the same evidence, which was Facebook messages sent to a colleague Councillor in which she made false accusations against him, and others. She also sent emails to the clerk, copying in another colleague Councillor which appeared to be an attempt of humour, but in fact were offensive and caused significant distress. This is not the first time that Cllr. Davies has sent emails which fell short of the high standards of conduct expected of Councillors, again making unfounded accusations against others. With regard to the use of Messaging to a

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fellow colleague, Cllr. Davies makes a valid point that this was only for the eyes of the recipient, and not to be shared by others. I have also taken into account Cllr. Davies' response to me that she feels bullied by other Councillors. She has also had health issues. However, the other emails, combined with the fact that Cllr. Davies was found in breach of the Code of conduct just six months ago, lead me to conclude that she has again breached the Code of conduct in this latest series of complaints against her. All Councillors must be aware of the consequences of making inappropriate and unsubstantiated accusations which are likely to cause harm or distress to others.

Decision: I consider that Cllr Monica Davies acted in breach of paragraphs (viii) and (x) of Datchet Parish Council's Code of Conduct.

Notification of Decision

My decision has been sent to Cllr Davies and will be published on Datchet Parish Council's webpage for a period of 24 months (or when Cllr Davies is no longer a Member of the Council, if earlier).

Under Part 7 Appendix 4 of RBWM's complaints procedure there is no further right of appeal.. Anyone dissatisfied with this decision may however write to the Local Government Ombudsman. Further details are on the Local Government Ombudsman's website.

Mary Severin
Monitoring Officer

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