

**ROYAL BOROUGH OF WINDSOR AND MAIDENHEAD**

**MONITORING OFFICER INITIAL ASSESSMENT  
(Part 7A, Appendix 5, para 3 of the Constitution)**

**DECISION NOTICE**

<b>SUBJECT MEMBER;</b> Cllr. D. Loveridge, Datchet Parish Council	<b>COMPLAINANT;</b> Mr. Harry Clasper
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<b>PRELIMINARY</b>	
<b>ALLEGATIONS</b>	The complaint is that at a Datchet Parish Council (DCP) virtual Zoom meeting held on 19 <sup>th</sup> October 2020 the complainant asked a question of the Council. At the time Cllr. Loveridge lost connection through no fault of his own and did not hear the question. The response to his question was that another Councillor was going to follow it up. Cllr. Loveridge then came back on line and asked the complainant to repeat the question because he had not heard it. The complainant refused to repeat the question saying that ‘you should not have been off line’. Cllr. Loveridge repeated this statement and added ‘you idiot’. The complainant complained that Cllr. Loveridge had breached paragraphs viii. ix. and x. of the Parish Council’s Code of Conduct. As an alternative he sought a public apology from Cllr. Loveridge.
<b>RELEVANT PARTS OF THE CODE OF CONDUCT</b>	Datchet Parish Council has adopted a Code of Conduct for Members which contains the following relevant paragraphs:  VIII. You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example.  IX. You must not act in a way which a reasonable person would regard as bullying, or in any way which is intimidating to others.  X. You shall behave in such a way that a reasonable person would regard as respectful.
<b>SUBJECT MEMBER RESPONSE</b>	Cllr. Loveridge responded by saying that his comment was provoked by Mr. Clasper’s reaction to a polite request on his part to repeat a question that he did not hear after losing connection through no fault of his own. He felt he could have given an answer to Mr. Clasper which would have cleared up any misunderstandings but to do so, needed to hear the question. He did not wish to apologise in the circumstances. There was an indication of a poor relationship between the Subject Member and the complainant from the time when the complainant was himself a Datchet Parish Councillor.
<b>INDEPENDENT PERSON ASSESSMENT</b>	Yes
<b>MONITORING OFFICER ASSESSMENT</b>	Is the complaint about an elected member? Yes Is the relevant Member in office at the time of the alleged conduct? Yes If proved, would the Member, acting in his or her capacity as a Councillor, have failed to behave consistently within or more of the 7 principles set out in the Code? Unlikely in the circumstances Is the matter serious enough to warrant the time and expense of further investigation? No Does the complaint appear to be politically motivated? No Does the complaint appear to be malicious or vexatious? No, however it is not clear why the complainant refused to repeat his question when the Subject Member politely asked him to

	<p>do so.</p> <p>Is it about something that happened so long ago that there would be little benefit in taking action now? No</p> <p>Is the outcome including the availability of any likely sanction sought by the complainant one that the Authority is empowered to deliver? Yes</p> <p>If proven, would a finding of breach of the Code assist the Authority in its duty to promote and maintain high standards of conduct? No</p> <p>Had the Member acted on the advice of an officer or the Independent Person in relation to the conduct complained of? No</p> <p>Did the conduct arise from lack of experience or training? No</p> <p>Had the Member apologised for the conduct or was he or she willing to apologise? No</p> <p>Is the subject matter of the complaint being dealt with through any other process? No</p>
<b>DECISION</b>	No further action

Emma Duncan  
MONITORING OFFICER  
Date: 18<sup>th</sup> March 2021

**PLEASE NOTE THAT THERE IS NO PROVISION FOR APPEAL AGAINST THIS DECISION**