



DECISION NOTICE: NO FURTHER ACTION

1 **Reference - LA/SASC/402/Mathieson/East Riding of Yorkshire**

2 **Complaint**

2.1 On 3 October 2022, the Standards Committee Assessment Sub-Committee of this Authority considered a complaint from Nigel Ward concerning the alleged conduct of Councillor Geraldine Mathieson, a Member of East Riding of Yorkshire Council.

3 **Summary of Complaint**

3.1 The complainant referred to the following comments made by Councillor Mathieson at the meeting of East Riding of Yorkshire Council on 22 June 2022, which they considered to be disrespectful to electors:

“I see our role as Councillors as being somewhat like being a parent.

And, as a good parent, you don’t - you have to act in the best interests of your children.

It does not always involve asking children what they want - or what they think - at every opportunity.

Sometimes, it actually involves NOT telling them things that might confuse or frighten them unnecessarily.”

3.2 The complainant provided a link to the recording of the meeting and subsequently provided for Members of the Assessment Sub-Committee a copy of their published article ‘Suffer the Little Children’, which included a transcript of Councillor Mathieson’s comments.

3.3 Within the published article the complainant referred to having received comments from “interested observers”, whom the complainant stated had been “shocked” by the form of words used by Councillor Mathieson. Reference was also made within the article to Councillor Mathieson’s comments being “predeterminedly [sic] condescending” - having been read from a prepared speech, and included a definition of the word condescending.

3.4 The complainant wished all Members of the Sub-Committee to be aware that he had attempted to offer Councillor Mathieson an opportunity to publicly apologise or provide “justification” for her conduct via the former Monitoring Officer.

- 3.5 The complainant believed that the content of his complaint had been leaked to Councillor Mathieson and that she did not offer an apology or provide a “justification” of her conduct, which the complainant believed compounded the breach he considered to have taken place.

4 **Opinion of the Reserve Independent Person**

- 4.1 In accordance with the Standards Committee’s adopted procedures, upon receipt the Reserve Independent Person was provided with a copy of the complaint.
- 4.2 The Reserve Independent Person commented as follows:-

“I support the recommendation of the Deputy Monitoring Officer [to the Assessment Sub-Committee] that no further be taken regarding this complaint. Councillor Mathieson made the comments about children in a prepared speech during a debate to highlight her views on a particular motion. Linking her points to communicating with children was inappropriate when safeguarding and the well-being of children is a priority for the East Riding of Yorkshire Council. The speech could have been better prepared but could not be reasonably considered as bringing her office or the local authority into disrepute. General advice may be appropriate.”

5 **Decision**

- 5.1 In accordance with arrangements made under Section 28(6) of the Localism Act 2011 by East Riding of Yorkshire Council on 4 April 2012 and the process/procedures adopted by the Standards Committee on 24 July 2012, as reviewed and updated on 26 July 2022, the Assessment Sub-Committee of the Standards Committee decided that no action should be taken in respect of the complaint.

6 **Reasons for decision**

- 6.1 The Assessment Sub-Committee resolved to take no further action on the complaint for the following reasons:
- (a) It is considered that Councillor Mathieson could have chosen her words better, but that the comments could be regarded as condescending rather than being offensive and are not considered sufficient to merit action being taken on the complaint.
 - (b) Councillor Mathieson was expressing a viewpoint – that sometimes it is possible to cause anxiety by putting information out into the public domain prematurely. The complainant may not, and is entitled not to, agree with this viewpoint, but the fact that they do not agree with it does not mean that Councillor Mathieson has breached the Code of Conduct.
 - (c) It is not considered that failing to respond to the complainant – if Councillor Mathieson was even aware of their correspondence and request – constitutes a failure to comply with the Code of Conduct.

- 6.2 This decision notice is sent to the person making the allegation and the Member against whom the allegation was made.

7 **Terms of reference**

- 7.1 In accordance with the requirements of Section 28 of the Localism Act 2011, at its meeting on 4 April 2012, East Riding of Yorkshire Council delegated to the Standards Committee the function of making arrangements under which allegations can be investigated and arrangements under which decisions on allegations can be made.

- 7.2 At its meeting on 24 July 2012, as reviewed and updated on 26 July 2022, the Standards Committee agreed the process/procedures to be followed when complaints about Members' conduct are received and the assessment criteria the Assessment Sub-Committee will use when considering such complaints.

8 **Additional Help**

- 8.1 East Riding of Yorkshire Council will, on request, provide this document in Braille, audio or large print format.
- 8.2 If English is not your first language and you would like a translation of this document, please telephone (01482) 393939.

10 October 2022