

INITIAL ASSESSMENT OF COMPLAINT

DECISION NOTICE

Subject Member: Cllr Samantha Hoy – Cambridgeshire County Council

Background

1. On 10 May 2017 the Monitoring Officer received a complaint via Fenland District Council from Ms S Horne, (“the Complainant”) alleging that a facebook post which was an alleged hate crime had been liked by Cllr Samantha Hoy (“the Subject Member”) and this was a breach of the Members Code of Conduct as it was disrespectful and brought her office or the Authority into disrepute.

Evidence Considered

3. The following documents and information were considered for the purposes of this complaint:-
 - a) Complaint dated 8 May 2017;
 - b) Screenshot of facebook post; and
 - c) Comments of Subject Member in response.

Jurisdiction

4. For a complaint to be considered in connection with the Member’s Code of Conduct, the following test must be satisfied:
 - a) the complaint was made against a person who, at the time the alleged action took place, was a member of the Council; and
 - b) the Subject Member had signed up to the Members’ Code of Conduct in force at the time the alleged action took place; and
 - c) the Subject Member was conducting the business of their authority or acting, claiming to act or giving the impression of acting as a representative of the authority.
5. The Independent Person has concluded that the first two parts of this test are satisfied however the Independent Person’s view is that the Subject Member cannot be said to be ‘representing’ the Authority on this occasion and so the Code of Conduct it is not engaged.

Initial Assessment Decision

6. As the Code of Conduct is not engaged no further action is to be taken.

Approved by: Gill Holmes (Independent Person)
Quentin Baker (Monitoring Officer)

Dated: 8 June 2017