

## Case summary

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<b>SBE case number</b>	SBE01263 – 300BA
<b>member</b>	Councillor Peter McDonald
<b>authority</b>	Bromsgrove District Council
<b>allegation</b>	The member failed to treat others with respect and brought their office or authority into disrepute
<b>date received</b>	2 July 2008
<b>date completed</b>	25 March 2009
<b>SBE outcome</b>	The ethical standards officer found the member did not fail to comply with the Code of Conduct

### Summary

The complainant alleged that at a meeting attended by, among others, officials from central government and the Audit Commission, Councillor Peter McDonald responded to the council leaders repeated interruptions by saying, "Shut your mouth or we will have a big row".

The leader stated that he interrupted Councillor McDonald several times because Councillor McDonald persisted in asking questions which the leader felt were not appropriate for the meeting.

The complainant stated that there was a stunned silence after Councillor McDonald's outburst.

Councillor McDonald stated that, when the leader interrupted him for the third or fourth time to prevent him from criticising the council's administration, he told the leader, "If you want a row, we'll have one." He accepts that the meeting was not the place for a row, but that he was annoyed about the repeated interruptions from the leader when he was trying to speak. Councillor McDonald considered that a council leader should be able to cope

with the rough and tumble of politics and such comments, but believed with hindsight that he ought to have appealed to the chair of the meeting rather than saying what he did to the leader.

The ethical standards officer noted that, while it was not disputed that Councillor McDonald made a sharp personal comment to the leader, the exact words he used were disputed. However, the ethical standards officer considered that he did not need to resolve that dispute of fact in order to reach his finding.

The ethical standards officer viewed Councillor McDonald's statement to the leader as inappropriate and discourteous in such a forum, even if provoked. However, the ethical standards officer did not consider that the conduct amounted to a breach of the Code of Conduct. The ethical standards officer recognised that, during robust political debate, members will occasionally make strong and discourteous remarks. While not condoning discourtesy in meetings, the ethical standards officer accepted that councillors have more scope to be robust and direct with each other, without breaching the Code, than they do when addressing officers or the general public. The ethical standards officer also noted that the incident was quickly passed over and that the business of the meeting was not hampered.

The ethical standards officer found that the member did not fail to comply with the Code.

**relevant paragraphs of the Code of Conduct**

The allegations in this case relate to paragraphs 3(1) and 5 of the Code of Conduct.

**recommendations**

**Ends.**