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HERTSMERE BOROUGH COUNCIL STANDARDS COMMITTEE

STANDARDS ASSESSMENT PANEL - 21 August 2020

ASSESSMENT DECISION

Case No:	HBC/2020/005
Complainant:	Dr Dan Ozarow
Subject Member:	Councillor Glenn Briski of Hertsmere Borough Council
Date Complaint Received:	10 May 2020

Summary of Complaint:

The complainant alleged that beginning on 11 February 2020 Councillor Glenn Briski of Hertsmere Borough Council made a number of posts on social media about the complainant that were defamatory, intended to incite racial hatred and designed to harm the complainants prospects in the (then) forthcoming by-election for a vacancy in the Borehamwood Kenilworth ward in respect of which the complainant was a candidate.

Potentially Relevant provisions of the Members Code of Hertsmere Borough Council

Paragraph 2.1

You must comply with this Code whenever you: (a) conduct the business of your authority, or (b) act, claim to act or give the impression you are acting as a representative of your authority

Paragraph 2.2

This Code has effect in relation to your conduct in an official capacity

Paragraph 3.1

You must treat others with respect

Paragraph 3.2

You must uphold the law

Paragraph 3.3 (a)

You must not do anything which may cause your authority to breach any of the equality enactments

Paragraph 3.3 (b)

You must not bully any person

Paragraph 5.1(a)

You must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage;

Members of the Standards Assessment Panel

Councillor Alan Plancey - Chairman of Standards Committee (Chairman)

Mr. Geoff Corre - Independent Person

Harvey Patterson - Monitoring Officer, Hertsmere Borough Council

Panel Decision

That no further action be taken in relation to the complaint.

Reasons for Decision

The Members Code of Conduct for Hertsmere Borough Council only applies to members when they act in an official capacity which will include when they conduct the business of the Council or act, claim to act, or give the impression that they are acting as a representative of the Council.

The Panel was satisfied that Councillor Briski was not acting in an official capacity when he posted the remarks complained of. The subject matter of his posts did not relate to any of the Council's functions - the conduct elections is the function of the Returning Officer - nor did Councillor Briski identify himself as a member of the Council when he made them.

Accordingly, no further action would be taken in relation to the complaint.

Finality of Decision

There is no right to appeal the decisions of the Standards Assessment Panel

Distribution

In accordance with the Council adopted arrangements, copies of this decision will be provided to:-

- The Subject Member: Councillor Glenn Briski of Hertsmere Borough Council

- The Complainant: Dr. Dan Ozarow.
- The Subject Members' Group Leader: Councillor Morris Bright MBE.

A handwritten signature in black ink, appearing to read 'Amy Rotherham', written in a cursive style.

Signed

Date 8th September 2020

Monitoring Officer

For and on behalf of the Chairman of the Standards Assessment Panel

