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HERTSMERE BOROUGH COUNCIL STANDARDS COMMITTEE

STANDARDS ASSESSMENT PANEL - 14 May 2025

ASSESSMENT DECISION

Case No:	HBC/2025/001
Complainant:	Dr Dan Ozarow (A Resident)
Subject Member:	Councillor Nik Oakley of Hertsmere Borough Council
Date Complaint Received:	2 April 2025

Summary of Complaint

The complainant alleged that following the conclusion of an extraordinary meeting of the Council of Hertsmere Borough Council held on 26 March 2025, Councillor Nik Oakley failed to comply with the requirements of the Members Code of Conduct of Hertsmere Borough Council in that she approached the complainant who was holding open one of the exit doors to enable Councillor Oakley to leave the Council Chamber, stopped in front of him and pointing her fingers up at him in a menacing manner shouted, "*you are fucking disgrace*". The complainant further alleged that this action was in full view of the residents and members of the public who had remained in the public gallery.

Members of the Standards Assessment Panel

Councillor Linda Smith - Chair of the Standards Committee (Chair)

Geoff Corre - Independent Person

Patrick Hodson - Independent Person

Supported by - Harvey Patterson - Monitoring Officer, Hertsmere Borough Council

Summary of Representation Received from the Subject Member

The Panel received a written representation from Councillor Oakley in which she admitted to making the remark complained of and apologised for the use of an expletive. Councillor Oakley maintained that the conduct of the complainant over the last 12 months, including at the extraordinary Council meeting where he interrupted the meeting to disagree with a ruling of the Mayor, justified the depiction of his conduct as disgraceful taking into account that the complainant was a former Hertsmere Borough Councillor and the current Deputy Mayor of Elstree & Borehamwood Town Council.

Panel Decision

1. That Councillor Oakley apologises in writing to the complainant, a draft of such apology to be submitted to the Monitoring Officer for approval within 21 days of the date of this decision notice and thereafter communicated to the complainant.

2. That the Monitoring Officer brings the complaint back to the Panel for further consideration in the event that Councillor Oakley declines to apologise to the complainant.

Reasons for Decision

The Panel noted that Paragraph 1.1 of the Hertsmere Borough Council Members Code of Conduct required councillors to treat other with respect. The Code also offered the following advice to members on this obligation:-

“Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public’s expectations and confidence in councillors.”

The Panel considered that the remark complained of could not be interpreted otherwise than a personal attack on the complainant and as it occurred in the Council Chamber in the presence of other members of the public, it had the potential to lower the expectations and confidence of the public in councillors.

Accordingly, the Panel considered that Councillor Oakley had failed to treat the complainant with respect, this being an obligation that was not diminished by the perceived conduct of the complainant at the extraordinary Council meeting.

However, the Panel did not consider that this complaint warranted referral to the Monitoring Officer to expend public resources procuring an investigation of a complaint the essential facts of which were not in dispute. Instead, Councillor Oakley would be requested to apologise to the complainant in writing for failing to treat him with respect. A failure on her part to do so would be brought back the Panel for further consideration .

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 Complainant - Dr Dan Ozarow.
- The Subject Member - Councillor Nik Oakley of Hertsmere Borough Council.
- The Subject Members’ Group Leader - Councillor Jeremy Newmark

Signed

A large black rectangular redaction box covering the signature of the Monitoring Officer.

Date 22 May 2025

Monitoring Officer - for and on behalf of Chair of the Standards Assessment Panel