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Councillor Paul Sexton

19 October 2023

Dear Councillor Sexton

Re - COM 418
Councillor P Sexton Letter of Censure

I write further to the Standards Committee Hearing Panel on 10 October 2023 which considered the complaint against you.

The Monitoring Officer received complaint COM 418 submitted by a member of the public alleging you had bullied, intimidated and threatened his daughter.

A Decision Notice dated 26 July 2023 was issued for COM 418, determining the matter be referred to the Standards Committee for a hearing.

The Hearing Panel was convened on 10 October 2023 to consider the Decision Notice and supporting documentation and representations made during the hearing.

The Panel reached its findings in respect of the complaints, considering the papers before it and the representations made in reaching its conclusions.

COM 418

The Panel were satisfied that you were acting in your capacity as a Councillor when the events subject to the complaint were made. Further, the Panel were satisfied that on both occasions evidenced during the videos played you identified yourself as a Councillor. The Panel noted your explanation that by identifying yourself as a Councillor you had hoped it would carry some weight. The Panel were therefore satisfied that you were acting in your capacity as both a Durham County Councillor and a Waldrige Parish Councillor during the separate interactions between the complainant's daughter and the complainant's son-in-law.

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The panel were satisfied that the comments made breached both the Durham County Council and Waldrige Parish Council Code of Conduct for members. In respect of the first incident that took place on the Millennium Green between yourself and the complainant's son-in-law, the Panel were satisfied that you had breached the Code of Conduct in that you were disrespectful towards the complainant's son-in-law and that you did not treat him fairly or appropriately.

The Panel considered whether during that interaction if you had gone beyond your remit of Councillor in challenging the complainant's son-in-law on the behaviour of his dog in the way that you did. The panel further considered the inference that you could use your position as Councillor to call the wardens to the complainant's son-in-law's door and to ban him from using the Millennium Green breached the Waldrige Parish Council Code of Conduct in that you improperly sought to confer a disadvantage to the complainant's son-in-law. Further, the Panel were satisfied that such conduct was sufficient so as amount to bullying and harassment of the complainant's son-in-law. The Panel were satisfied that in relation to the first incident with the complainant's son-in-law you had breached paragraphs 4.3 b, j and m of the Durham County Council Code of Conduct and paragraphs 1,2 and 4 of the Waldrige Parish Council Code of Conduct.

In relation to the second incident the Panel concluded that there was insufficient evidence for them to reach a conclusion on what had occurred between yourself and the complainant's son-in-law on the 22 April 2023 as there was no video footage and there were conflicting accounts. However, the Panel were satisfied that a telephone call subsequently took place between you and the complainant's daughter as a result of the incident the same day with the complainant's son-in-law. The Panel concluded that it was inappropriate for you to have contacted the complainant's daughter by telephone to discuss the problem you had with her husband who was the complainant's son-in-law. The Panel were satisfied that during the course of the telephone call you sought to improperly confer a disadvantage upon the complainant's daughter namely to refuse to allow her charity dog show to take place on the Millennium Green due to the issues that you had with the her husband. The Panel found that the behaviour demonstrated towards the complainant's daughter during the telephone call was disrespectful, inappropriate and amounted to bullying. The Panel were satisfied that in relation to the second incident with the complainant's daughter you breached paragraphs 4.3 b, j and m of the Durham County Council Code of Conduct and paragraphs 1,2 and 4 of the Waldrige Parish Council Code of Conduct.

The Panel were satisfied that the behaviour displayed by yourself during both incidents referred to was likely to bring the Council into disrepute and therefore concluded that paragraph 4.3 n of the Durham County Council code of conduct and paragraph 3 of the Waldrige Parish Council Code of Conduct had been breached.

In accordance with the Council's Local Determination Procedure, the Standards Committee Panel invited representations from you, the Investigating Officer and the Independent Person as to whether action should be taken and if so, what form the action should take. The Panel recommended the following sanctions:

- Censure; and

- Written apology to Daniel and Lauren Stephenson, such apology to be provided to the complainant in the first instance; and
- Code of Conduct training and training into the role and remit of a Parish and County Councillor.

The Panel was disappointed that was given cause to be so critical of your behaviour.

Please note that this formal censure will be published on the Durham County Council website.

Yours sincerely

Councillor Kathryn Rooney

Councillor Kathryn Rooney
Vice Chair of the Standards Committee Hearing