

CODE OF CONDUCT COMPLAINT

COMPLAINT REJECTED

Reference Number	CCN082/25/26
Subject Members:	Councillor J Fuller – St Ives Town Council
Complainant:	Mrs J Pitts
Person making the decision:	Simon Mansell Group Manager (Assurance)
Date of Consideration:	22 August 2025

Decision

Part 3 of Cornwall Council's procedures for the assessment and determination of breaches of the Code of Conduct provide for the application of a Public Interest Test against which complaints will be filtered, to determine whether the allegation should be rejected or proceed to formal assessment. The Public Interest Test criteria have been approved by the Standards Committee.

The complaint is rejected under paragraph 3.4 of these procedures which sets out;

'When there is insufficient information to make a determination as to whether the conduct complained of may demonstrate a potential breach of the Code of Conduct, the Monitoring Officer may offer the Complainant a further 14 days to provide further information to support the complaint. If further information is not provided within 14 days of being requested, the complaint will be rejected'.

The Complaint

I recently became aware that Councillor Fuller wrote a letter to my letting agent regarding a matter that is entirely unrelated to council business. The matter relates to CCTV cameras that I have installed in a domestic setting at my home address.

As soon as I received a letter through my door about this issue, I dealt with it the very same day and made it clear that I would be contacting the appropriate authorities. The matter is now being handled by Mr Terry Webb of Devon and Cornwall Police, and we have already had a meeting with him to discuss it.

Despite this, and even after her own meeting with Mr Terry Webb, Councillor Fuller has continued to involve herself in the matter, which I find highly inappropriate. She wrote to my letting agent signing off as “Councillor Fuller” and appeared to use her position to threaten them by referring to laws in a way that I feel was intimidating and misleading. Furthermore, she has continued going around to our neighbours — some of whom we have already spoken to and who are satisfied with the explanations we have given — and showing them information about our CCTV cameras, including a map and diagram of their visual and audio range.

This behaviour, particularly after her meeting with Mr Webb, is deeply concerning and, in my view, now amounts to harassment. Her ongoing conduct is causing me significant distress and is undermining the fact that the matter is already in the hands of the police.

While she is of course entitled to her own personal concerns, I do not believe it is acceptable for her to invoke her role as a councillor or imply the authority of the council in what is clearly a private matter that is already being dealt with by the appropriate authorities. In my view, this is an abuse of her position and creates an impression of undue influence over others.

Consideration of the Facts

As with all complaints relating to ethical standards this is considered on the balance of probabilities and this is, would a reasonable person in possession of all the facts be of the opinion that the actions of the Subject Members are more likely than not a breach of the Code of Conduct.

The procedures which relate to the consideration of ethical standards complaints set out at paragraph 1.1(ii) that complaints will be assessed as made, and officers will not seek to make a complaint and that complaints are to be as complete as possible when they are submitted.

In reviewing the above complaint, it is not possible to tell if the actions are in the Subject Members private or official capacity, though it does appear to be mostly actions

undertaken in the Subject Member private capacity, However, there is the matter of the letter which it is alleged was sent to the letting agent in the official capacity of the Subject Member. This was not included in the complaint and the Complainant was then asked to provide this.

Unfortunately, the Complainant has been unable to provide this letter which would support her allegations.

A reasonable amount of time has now expired since the request for the letter was made and therefore this complaint is rejected under paragraph 3.4 of the procedures adopted for dealing with ethical standards complaints as there is insufficient information to make a determination as to whether the conduct complained of may demonstrate a potential breach of the Code of Conduct.

How to challenge this decision

As this is a rejection of a complaint, there is no right of review.

If you do not agree with the rejection of the complaint or the reasons for rejecting it, you should address these concerns to the Local Government and Social Care Ombudsman who can be contacted by way of the details below.

The Local Government and Social Care Ombudsman
PO Box 4771
Coventry
CV4 0EH

The LGSCO can also be contacted online – <https://www.lgo.org.uk/>

Additional help

If you need additional support in relation to this or future contact with us, please let us know as soon as possible. If you have difficulty reading this notice we can make reasonable adjustments to assist you, in line with the requirements of the Disability Discrimination Act 2000.

We can also help if English is not your first language.

Note: This rejected complaint will be included in the ethical standards complaints report that is made to the Standards Committee and as such the outcome will be placed into the public domain.