

CODE OF CONDUCT COMPLAINT

COMPLAINT REJECTED

Reference Number: CCN081/26/27

Subject Member: Cllr J Fuller

Person making the decision: Simon Mansell – Head of Governance, Elections and Democratic Services

Date of Consideration: 29 July 2026

Decision

Cornwall Council's procedures for the assessment and determination of breaches of the Code of Conduct provide for when a complaint will be rejected or processed.

For the reasons set out below, this complaint is rejected under paragraph 3.5(i) as it appears that the complaint relates to a member acting only in their private capacity.

The Complaint

In the complaint it is said that the Subject Member is believed to be the administrator of the Facebook group 'the St Ives moaning forum'.

Because of this, when members of the public choose to post something on that group, the Subject Member has to approve each post personally.

The complaint then expresses concern about one of the posts which has been approved. The post, which has been provided, targeted a young troubled local girl. The post is nothing short of venomous, nasty and disrespectful.

In closing, it is in the complaint that approving nasty posts falls below the standard expected in the Council's Code of Conduct, specifically paragraphs 2.1 to 2.5. and the Subject Member should be taken off the Council with immediate effect.

The post, which was made by an anonymous participant, refers to two buskers as being alcoholics and sounding like strangled cats.

Consideration of the Facts

As with all complaints, this is considered on the balance of probabilities which is, would a reasonable person in possession of the facts objectively consider that the actions of the Subject Member are more likely than not to be a breach of the Code.

Posting anonymously, under a pseudonym or acting in the background as the moderator of an online form does not automatically mean that these actions are exempt from being considered under the Code of Conduct and an interest can be created by being the moderator of online pages/forums.

Scotland against Spin Councillor suspended

However, if a breach of the Code is to be found it has to be shown that the member, even though they may have been acting under a different name or anonymously, was using their official capacity in some form in the posts, or as in the case of the Scottish councillor, when making decisions on matters when they should have declared an interest in being involved with an online page.

In reviewing the complaint as made, and the screenshots of the posts which have been provided, there is nothing in this to indicate (and this is assuming that the moderator of the 'moaning forum' is the Subject Member) that the Subject Member was acting in her official capacity in allowing the posts onto the forum.

I accept that that the posts may not be considered suitable for a Councillor to make, and if they were made in a member's official capacity these may have the potential to breach the Code, but with regards to the posts provided, these cannot be further considered under this regime.

As a result of the above the finding is at the complaint is rejected under 3.5(i) of the Code of Conduct as it appears the complaint relates to a member acting only in their private capacity.

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.