



REPORT OF: The Monitoring Officer

TO: Standards Committee

DATE: 6th July 2017

SUBJECT: Complaints Update to the Standards Committee

1. PURPOSE OF THE REPORT

To update Members on complaints received regarding Members conduct under the Arrangements for dealing with complaints about the Code of Conduct for Members.

2. RECOMMENDATIONS

The Committee is asked:

- i) to note the update report.
- ii) to note that there is one complaint in progress at this time.

3. BACKGROUND

The Committee has a role in considering any complaints received relating to the conduct of Members of the Borough Council, co-opted Members and Parish Councils in its area. Members will be aware that not all complaints are proceeded with for various reasons (unsubstantiated complaints, vexatious complaints etc.) however it is important that members are aware of receipt of these and legitimate complaints that are being processed and progressed.

Members of the Committee are to be kept up to date on receipt of all complaints and progress at meetings of the Standards Committee where appropriate subject to any relevant provisions relating to confidentiality.

At the meeting in March 2017 the Monitoring Officer reported there were two matters ongoing subject to the Complaints process.

One of these cases is the subject of a Hearing on 6th July 2017.

One case was concluded when the Councillor apologised to the complainant who accepted the apology.

In April 2017 a further complaint was received regarding 3 alleged breaches of the code of conduct, i.e. inappropriate smearing campaign, incitement via social media comments and referring matters to an employer. Following initial assessment and consultation with the Independent Person, the complaint was rejected on the grounds that although two of the three main allegations disclosed a potential breach of the Code of Conduct, the complaint was not serious enough to merit any action and the resources needed to investigate further and determine the complaint would be wholly disproportionate and in all the circumstances there was no overriding

public benefit in carrying out a full investigation. The third allegation was proven but was not a breach of the Code of Conduct.

In June 2017 a complaint was received alleging misconduct of a councillor in a conversation with an employee. This complaint was subsequently withdrawn during the Initial Assessment stage.

The total numbers of complaints in due process at this time (26 June 2017) is therefore one.

4. RATIONALE

The Localism Act requires Councils to put in place mechanisms for reporting and investigation of complaints. This report provides information for the Standards Committee in a clear and transparent way to ensure that all members of the committee are aware of complaints received, progress and outcomes.

5. LEGAL IMPLICATIONS

The statutory provisions for the Standards Framework are set out in the Localism Act 2011.

6. POLICY IMPLICATIONS

A governance framework in local authorities is necessary to promote and maintain high ethical standards, and to ensure public confidence.

7. FINANCIAL IMPLICATIONS

None contained in this report.

8. CONSULTATIONS

The Council's arrangements for promoting and maintaining high standards of conduct have been discussed by the Standards Committee and the arrangements for dealing with complaints about the Code of Conduct for Members are the subject of this report, to ensure openness and transparency to Members of the Committee on complaints received and progress.

Chief Officer/Member

Contact Officer: David Fairclough

Date: 26th June 2017

Background Papers: The Localism Act 2011