

REPORT OF: **The Monitoring Officer**

TO: **Standards Committee**

DATE: **21 July 2021**

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 up to 9th June 2021.

2. RECOMMENDATIONS

The Committee is asked to note the update report on complaints during October 2020 to 9th June 2021.

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.

From October 2020 through to June 2021 there have been 10 initial complaints received by the Monitoring Officer in respect of 8 different Councillors.

The first complainant when sent details of how to register formally their complaint against 2 Councillors to allow for investigation and consideration did not proceed with their complaints (ref 2160). The second complaint was handled by way of an informal resolution when the Monitoring Officer wrote with advice to the Member concerned following comments made at a public meeting (ref 2161). The third related to a question of a member participation in a meeting which was determined and clarified by the Monitoring Officer (ref 2162), The fourth was in respect of the conduct of a meeting by the chair for which there was no evidence of failure to follow due process (ref 2163). The fifth involved a complaint about comments made by a councillor, for which an apology was accepted (ref 2164). The sixth was in respect of the forwarding of a `WhatsApp` message which contained inappropriate comments, for which an apology was given (ref 2165). For the seventh (ref 2166), eighth (ref 2167), ninth (ref 2168) complainants, when the complainants were sent

details of how to register formally their complaint to allow for initial investigation and consideration they chose not to proceed with their complaints.

The tenth complaint was in respect of a social media message attributed to a councillor (ref 2169), on initial assessment no breach of the code was identified.

Up to 9th July 2021 there were no further complaints received under the Members Complaints Procedures.

The Monitoring Officer has prepared this report for consideration by the Standards Committee.

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 Council has adopted the Code of Conduct and the arrangements for dealing with member complaints in the Council's Constitution (set out in the Appendix attached), which it must follow when a formal complaint is received.

The Monitoring Officer must ensure the Council acts lawfully and the Monitoring Officer must act in accordance with the Arrangements for dealing with complaints about the Code of Conduct for members and act impartially and objectively in consultation with Independent Person in handling complaints.

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: 9th July 2021

Background Papers: The Localism Act 2011