



REPORT OF:	The Monitoring Officer
TO:	Standards Committee
ON:	27 October 2021

SUBJECT: Complaints Update

1. PURPOSE OF THE REPORT

To update the Committee on complaints received regarding Members conduct under the adopted arrangements for dealing with Member complaints for alleged breach of the Code of Conduct.

2. RECOMMENDATIONS

The Committee is asked to note the update report on complaints received by the Monitoring Officer from June to 18th October.

3. BACKGROUND

The Committee has a role in promoting and maintaining high standards in the conduct of council and Parish/Town Councils business, and in the conduct of Members, and may make appropriate recommendations in this regard. The Committee also has a role in the provision of training, guidance and assistance for Members in relation to the Council’s Code of Conduct for Members.

Under the adopted Arrangements for dealing with complaints about the Code of Conduct for Members, the Monitoring Officer receives any submitted complaints and undertakes an Initial Assessment following consultation with the Independent Person.

Members of the Committee will be aware that not all complaints are continued for various reasons (unsubstantiated complaints, vexatious complaints etc.). However, it is important that the Committee is made aware of receipt of these and legitimate complaints that are being processed and progressed.

In view of the Committee’s over-arching role, it is to be informed of all complaints submitted and the progress at its meetings where appropriate, subject to confidentiality of certain detail and information. This would enable the Committee to consider any particular issues that are highlighted and make appropriate recommendations to the Council.

There have been three complaints submitted to the Monitoring Officer between June and 18 October 2021:

1. A complaint made by a Member against another Member following an altercation at a residents meeting. Although the member subsequently confirmed that he did not wish to pursue it further, there were issues that came

to light from enquires made. The Monitoring Officer arranged mediation meeting between the parties and resolved the matter informally.

2. A complaint by a member of the public in relation to messages/comments posted on social media by a Member. It is alleged that the messages/comments were sarcastic and unprofessional. Further information has been requested from complainant before the complaint can be progressed.
3. A complaint from a parish councillor in relation a message posted on social media by a Member, questioning the accuracy and truthfulness of the statements made. The Monitoring Officer is currently in the process of consulting with the Independent Person before an Initial Assessment can be made.

4. RATIONALE

The Committee has a role in promoting and maintaining high standards of conduct and make appropriate recommendations to Council in this regard. The Committee should therefore be informed and updated of the complaints received by the Monitoring Officer and update its progress.

5. LEGAL IMPLICATIONS

The Localism Act 2011 (“the Act”) places the Council under a duty to promote and maintain high standards of conduct for members (and co-opted members). This was delegated by the Council in August 2012 to the Standards Committee. Under the Constitution, the Standards Committee also has a role in assisting councillors (and co-opted members) to observe the Members Code of Conduct, and make appropriate recommendations to the Council with respect to:

- promoting and maintaining high standards of conduct and
- the provision of training, guidance and assistance for Members in relation to the Members’ Code of Conduct.

The Act also requires local authorities to adopt a Code of Conduct that is consistent with the ‘Nolan’ principles, and include provisions to regulate pecuniary and other interests. In addition, the local authorities are required to put in place arrangements for dealing with complaints both about Council Members and Parish/Town Council members. Under these arrangements, local authorities must appoint at least one ‘Independent Person’ who must be consulted before making a decision on a Member conduct complaint.

The Council has delegated authority to the Monitoring Officer to handle complaints and refer an investigation finding of breach to the Hearing Panel of the Standards Committee. The Monitoring Officer must handle the complaints in accordance with the Arrangements for dealing with complaints about the Code of Conduct for members

6. POLICY IMPLICATIONS

A good governance framework in local authorities is necessary to promote and maintain high ethical standards, and to ensure public confidence. In this regard, the Committee must have confidence that complaints made for alleged breaches of the Code are considered impartially and objectively, and in accordance with the arrangements adopted by the Council.

7. FINANCIAL IMPLICATIONS

None.

8. CONSULTATIONS

The Committee has a role in promoting and maintaining high standards of conduct. This report seeks to update the Committee of recent complaints received and progress, which would inform the Committee when considering any general recommendations to Council in relation to promoting and maintaining high standards of conduct.

Chief Officer/Member

Contact Officer: Asad Laher, Strategic Head of Service – Legal & Governance and Monitoring Officer.

Date: 18th October 2021

Background Papers: None