

information. It was therefore assumed that the complainant did not wish to continue with the complaint. The other complaint was from a parish councillor in relation a message posted on social media by a Member questioning the accuracy and truthfulness of the statements made. After consulting the Independent Person it was decided that the matter would not be taken any further as there was no apparent breach of the Code and it was clear that the nature of the matter and the issues that arose were politically motivated on both sides. However, the Monitoring officer provided advice and guidance to the Member.

Since October 2021 the Monitoring Officer has received further complaints:

1. Two complaints from members of the public were received against a Parish councillor in relation to the content of a public statement made before a parish council meeting. After considering an explanation provided by parish councillor and consulting the Independent Person, it was determined that as the public statement was general in nature rather to targeted individuals or groups of persons there was no breach of the code as suggested by the complainants. It was therefore advised that the parish councillor should provide an explanation to the statement at the next parish council meeting. No further action was taken.
2. Complaints were received against a Member over the use of social media. The concerns raised related to using social media for allegedly self-promoting for activities undertaken by others. Although this was not substantiated it was evident that the member concerned had forwarded social media messages with altered photo images and other edited material posted by the complainants (one councillor and a member of the public) in order to mock them, and thereby causing offence to them. This was identified as a breach of the Code and after meetings with Monitoring Officer, the Member has offered to apologise to the two complainants. The Monitoring Officer has also made a number of other recommendations including face-to-face training on the Code of Conduct and the use of social media, removal of the altered images from social media and actions by the group leader. There were other allegations against the Member, including harassment and shouting abuse. There was no sufficient evidence to substantiate these.

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

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Date: 21st March 2022

Background Papers: None