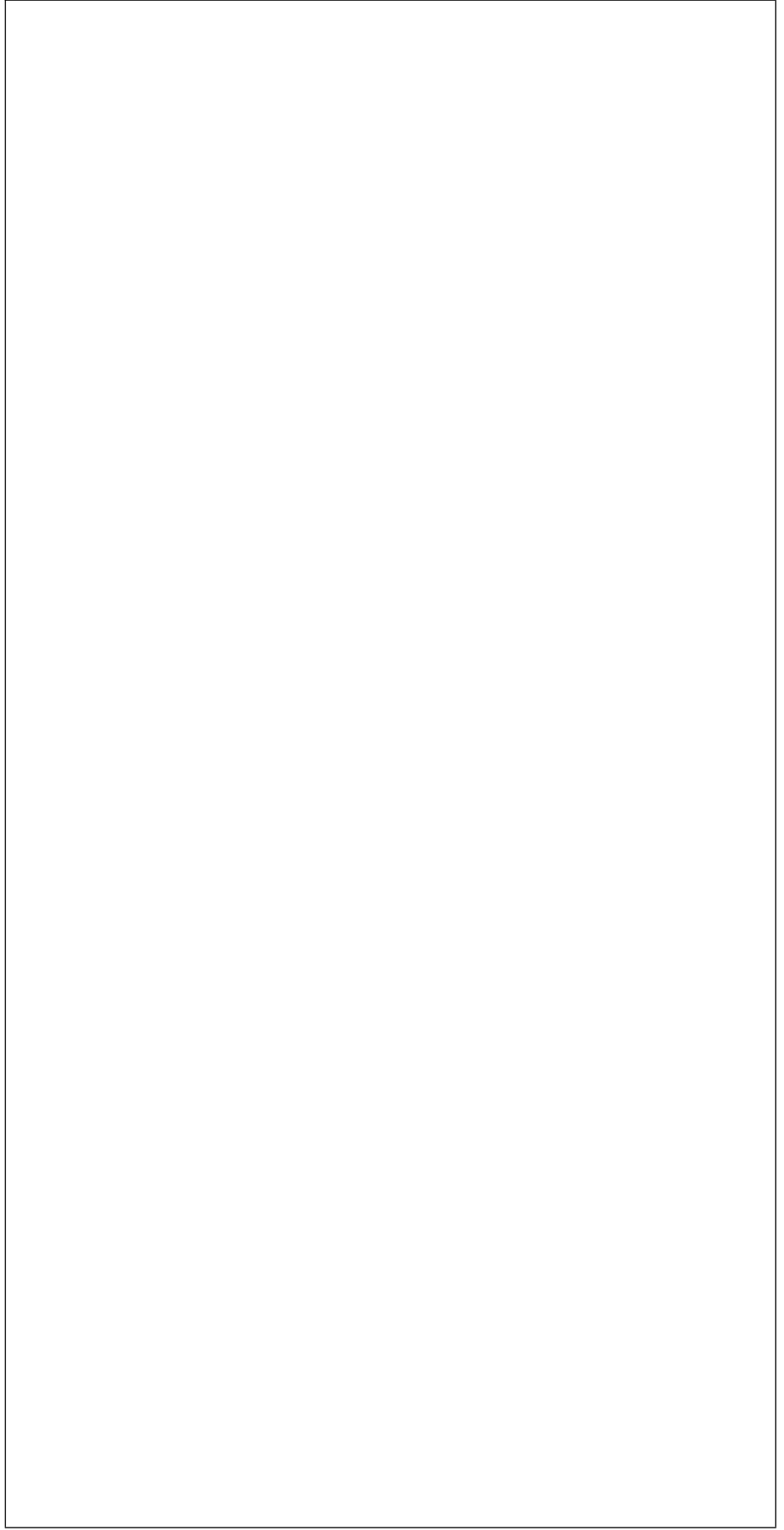
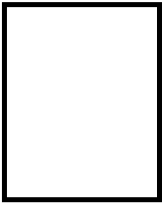
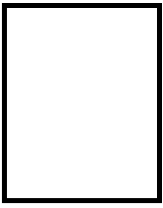
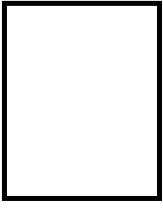
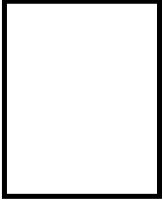
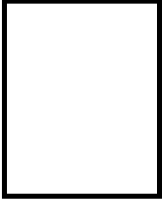
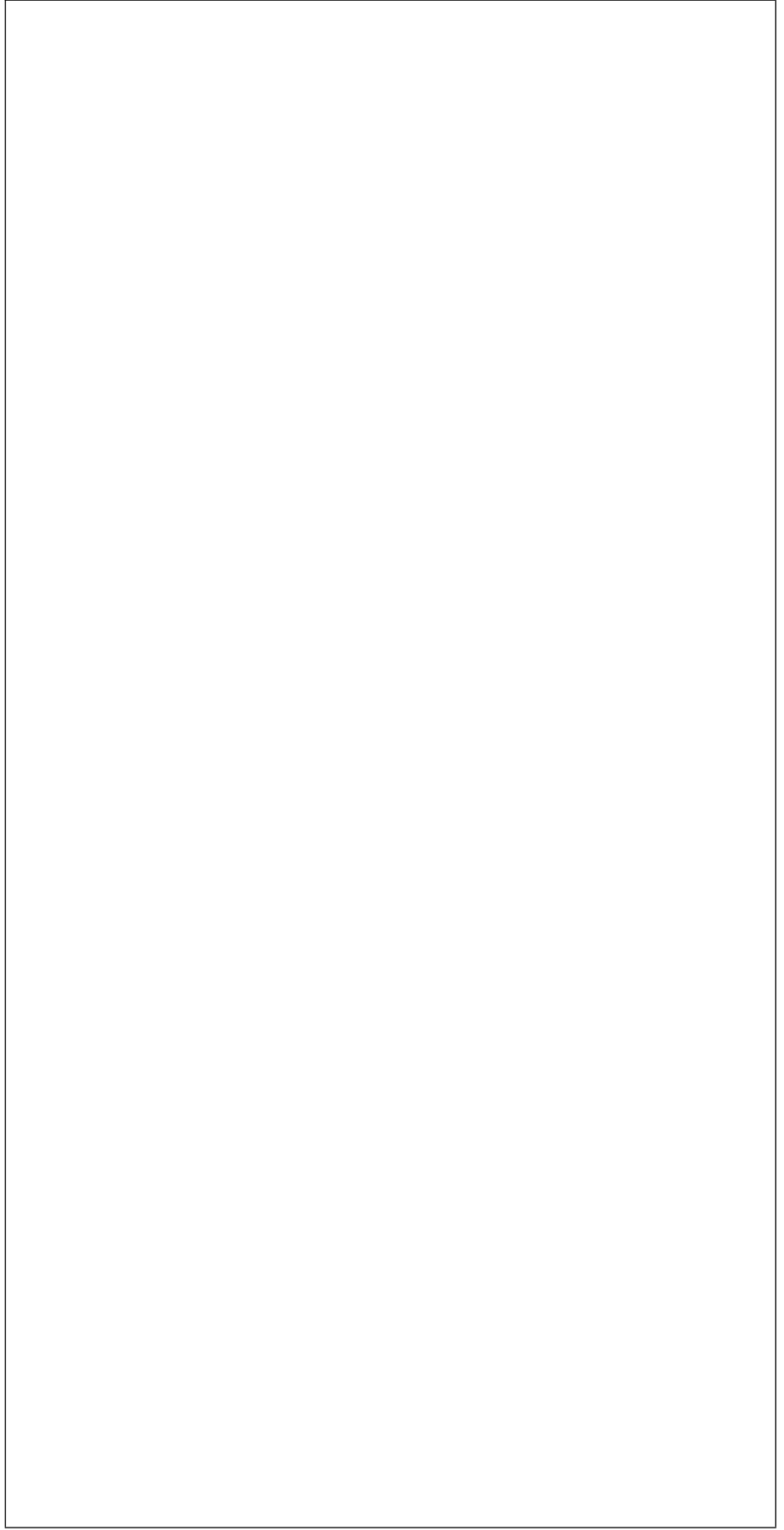
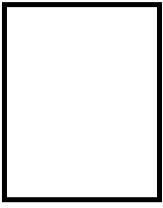
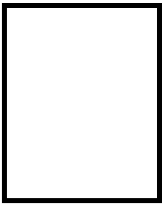
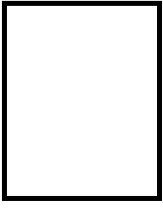
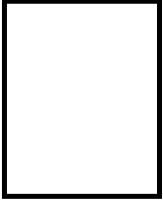
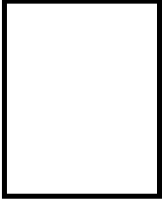
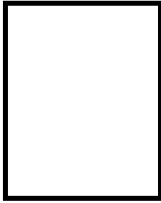
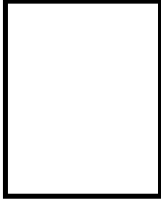


**REPORT OF:**      **The Monitoring Officer**  
**TO:**                **Standards Committee**  
**DATE:**            **25<sup>th</sup> October 2018**







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**SUBJECT:                   Complaints Update to the Standards Committee**

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**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 to note the update report.

**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 June 2018 the Monitoring Officer reported on cases up to 15<sup>th</sup> December 2017 all of which had been resolved but also a case where the investigation was not concluded prior to the elections in May 2018. Accordingly that complaint had been closed with no further action.

This report is up Friday 5<sup>th</sup> October 2018 and can now update on all complaints received since December 2017. The Committee will be updated at its next meeting of any complaints received and registered after this date.

In December 2017 the Monitoring officer received a complaint about two councillors relating to alleged misconduct in a licensing matter. These were found to be without foundation, resulting in no further action.

In December also, an anonymous complaint was received alleging corruption and fraud in respect of a councillor. The initial assessment of this complaint followed a preliminary investigation conducted by the Audit and Assurance Team of the Council who found *'no basis to the allegations outlined in the anonymous letter of complaint'*, resulting in no further action.

In March 2018, a complaint was received regarding the alleged failure to respond in reasonable time to an enquiry from a member of the public by a councillor. In the event the matter was resolved outside of the need for a formal complaint proceeding further.

In March also, a complaint was received about a councillor following a Planning Committee meeting with regards to allegations of *'interest'*. Following review of the circumstances the complaint was rejected *'as the complaint if it had been proven would not have been a breach of the Code of Conduct.'*

In late May 2018 a complaint was received regarding the alleged conduct of a councillor, linking back to the local elections. On review the complainant was advised that the member's complaints procedure could not be used for the handling of this complaint.

In June 2018, two complaints were received regarding the same councillor relating to a local planning/development matter. It was clear the complainants had counter opinions and views to the councillor however it was found during initial assessment this did not constitute a breach of the Code of Conduct.

In July 2018, a complaint was received alleging that a councillor had *'fly tipped'* some rubbish. In the event the complainant chose not to make a statement to support their allegation. The matter therefore did not progress to further investigation.

In July 2018 also, a complaint was received about a member relating to housing development policy. The complainant was asked to provide further information and complete the complaints form. No response was received so the matter was closed.

Further, in July 2018, a complaint was received involving the inappropriate use of social media. The Councillor accepted they were wrong, acknowledged the impact of their actions and apologised to the complainant. In the circumstances therefore although the initial investigation had disclosed a potential breach of the code of conduct, in all the circumstances of the case, the monitoring officer found to further investigate and determine matters would be a disproportionate use of public resources, given the steps already taken.

In September 2018, a complaint was received that a councillor had delayed clearing some rubbish from ongoing local works. On establishment of facts this related to local builders responsibilities, so no further action was necessary.

#### **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: 9th October 2018

Background Papers: The Localism Act 2011