



REPORT OF:	The Monitoring Officer
TO:	Standards Committee
DATE:	23rd October 2019

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 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.

In the report in June it was noted a letter of complaint was received in respect of a councillor and further details were requested by the Monitoring Officer alongside the completion of the complaints form (a requirement of the Procedure). No completed form was subsequently received, so this complaint was closed.

Similarly, in June an e-mail complaint was received in respect of a councillor and further details were requested by the Monitoring Officer alongside the completion of the complaints form. No completed form has been subsequently received, so this complaint was also closed.

In June also the Monitoring officer received a complaint about a Parish Councillor. The Monitoring Officer and the Independent Person suggested mediation of the matter given the issues, however unfortunately this proposal could not be progressed as the complainant did not agree to this proposal. In the absence of which the Monitoring Officer further considered in consultation with the Independent Person, if the complaint merited formal investigation and if this would be both reasonable and proportionate. In this context under paragraph 3.2 of the Arrangements for dealing with complaints about the Code of Conduct, where the Authority makes a reasonable offer of local resolution, but it is rejected by the

complainant, the Monitoring Officer can take account of this in deciding whether the complaint merits formal investigation. The Monitoring Officer also sought the views of the Clerk of the Parish Council before making his decision. The Monitoring Officers conclusion in this case, was that given there was an opportunity to resolve the complaint via local resolution and in the alternative the resources needed to investigate further would not be proportionate to the allegations, he had to conclude there was no overriding public benefit in carrying out a full investigation.

The Committee are advised that up to 30th September 2019 there have been no further complaints received under the Members Complaints Procedures.

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 and the arrangements for dealing with member complaints which it must follow when a formal complaint is received.

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: 4th October 2019

Background Papers: The Localism Act 2011