



Classification	Item No.
Open / Closed	

<b>Meeting:</b>	Standards Committee
<b>Meeting date:</b>	1 <sup>st</sup> March 2022
<b>Title of report:</b>	Report of Monitoring Officer – Member Complaints
<b>Report by:</b>	Monitoring Officer
<b>Decision Type:</b>	Non Key
<b>Ward(s) to which report relates</b>	<b>Not applicable</b>

### **Executive Summary:**

This report sets out the details of member complaints received by the Monitoring officer for the period April 2021 – February 2022 and reports formally to Members on the outcome to a standards hearing which took place on 11 & 18<sup>th</sup> February 2021.

This report proposes that this committee receives an annual report on the matters within the remit of the Standards Committee. The annual report to set out work undertaken in the last year by the Committee to promote and maintain the high standard of conduct by Councillors.

### **Recommendation(s)**

#### **That:**

1. Members note the contents of the report
2. That Members direct the Monitoring Officer submit an annual report to the standards committee, the report will cover all aspects of governance arrangements.

3. Members note the revised Monitoring officer protocol sets out that complaints will be reported to the standards committee on an annual basis with the annual report.

## **Member's complaints**

The number of complaints received by the Monitoring Officer in this period has been low. Member are asked to note that three complaints have been received within the last few weeks. Two of these matters are currently subject to Monitoring Officer review. One complainant has asked to meet with the Monitoring Officer and clarification has been sought from another complainant. One matter has been subject to a delay, the Monitoring Officer apologises for this oversight, this matter is now being with urgently.

The Monitoring Officer has not been able to recognise any emerging themes from the number of complaints received however would like Members to note that higher numbers of complaints are received in relation to social media posts. On the standards agenda there is a revised social media policy for members to consider. Members are reminded to be clear when they are acting in their role as a Councillor and when they are commenting on a matter in their personal capacity, in that regard Members are requested to ensure that all personal social media platforms are not open to access by members of the public.

03/22	Failure to act with integrity	Complaint asked to discuss matter prior to proceeding
02/22	Failure to act with integrity – full details unclear	Complaint to meet with Monitoring officer
01/22	Failure to act with civility	Joint review with independent person
8/21	Failure to act with civility	Joint review with Independent person
7/21	Using language to cause alarm distress & harassment	Resolved informally
6/21	Using language to cause alarm distress & harassment	Resolved informally
5/21	Unable to contact member	Resolved informally
4/21	Unhappy with response from Member	Resolved informally
3/21	Conduct matter	Matter rejected

2/21	Failure to act with civility	Members are asked to note that there has been a delay in responding to this matter, this has been addressed with the complainant and the matter is now proceeding
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### **Standards hearing outcome update**

Standards Committee requested an update on the outcome of the standards sub committee hearings which took place in 11/18<sup>th</sup> February and 18<sup>th</sup> March 2021. Two separate hearings took place, the sub-committee found breaches of the Code of Conduct for Councillors and Other Voting Representatives (the Code). In determining which sanction to impose, Members of the sub-committee considered that the action must be proportionate to the breach. On both occasions the Committee determined that apologies and training were appropriate.

The Monitoring Officer can report that the directed actions from these committees have been discharged by the sanctioned Member. The Monitoring Officer received written confirmation of this in July 2021 and supporting evidence of the course undertaken.

It should be noted that there were concerns raised in relation to the timeliness of this completion of the apologies and training. There is currently no sanction for non-compliance with a sub committee determination other than the ability to publicise the matter. It is proposed that in future the subcommittee in reaching their determination give consideration to making any outcomes time bound. This will enable a review to take place and an updating report to be made by the Monitoring Officer to the sub-committee.

### **Annual report to standards committee**

The role and function of the Standards Committee includes; 'Promoting and maintaining high standards of conduct by Councillors, co-opted members and church and parent governor representatives' and 'Monitoring the operation of the Members' Code of Conduct and Council's arrangements.' The Committee also has delegated authority to ensure compliance throughout the Council with all appropriate Codes of Conduct and procedures from time to time determined by this Committee.

It is recommended the committee receive an annual report setting out work carried out within that year to oversee the following

- operations of codes and guidance detailing constitutional updates and revisions to protocols and guidance,
- reporting of member complaints
- review of register of interest, gifts and hospitality,

- dispensations,
- councillors training programme, Member induction programme.

The standards committee will have met three times during this municipal year.  
Activity undertaken this year includes –

September -

- Code of conduct update.
- Establishment of an Independent remuneration committee (September)

November meeting -

- Code of conduct report
- Received review report of all Members allowances
- Review of council constitution. Review included a reduction in articles, amendment to council and procedure rules, Amendments to cabinet portfolios, committee membership and schedule for review of the constitution

March meeting -

- Revised Monitoring officer protocol review
- Revised Members safety policy
- Revised social media policy
- Update on member complaints/annual report
- Update on Members training

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## **Community impact/links with Community Strategy**

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### **Equality Impact and considerations:**

*Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:*

*A public authority must, in the exercise of its functions, have due regard to the need to -*

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

*The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.*

<b>Equality Analysis</b>	<i>Please provide a written explanation of the outcome(s) of either conducting an initial or full EA.</i>

*\*Please note: Approval of a cabinet report is paused when the 'Equality/Diversity implications' section is left blank and approval will only be considered when this section is completed.*

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**Assessment of Risk:**

The following risks apply to the decision:

<b>Risk / opportunity</b>	<b>Mitigation</b>
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**Consultation:**

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**Legal Implications:**

Legal implications are set out in the body of the report

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**Financial Implications:**

There are no financial implications

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**Report Author and Contact Details:**

Jacqui Dennis – Monitoring Officer