

<b>Report To:</b>	<b>STANDARDS AND PERSONNEL APPEALS COMMITTEE</b>	<b>Date:</b>	<b>28 MARCH 2018</b>
<b>Heading:</b>	<b>QUARTERLY COMPLAINTS MONITORING REPORT</b>		
<b>Portfolio Holder:</b>	<b>NOT APPLICABLE</b>		
<b>Ward/s:</b>	<b>NOT APPLICABLE</b>		
<b>Key Decision:</b>	<b>NO</b>		
<b>Subject to Call-In:</b>	<b>NO</b>		

### **Purpose of Report**

This report provides an update in respect of Members' Code of Conduct complaints.

### **Recommendation(s)**

**The Committee is requested to note the updated position in respect of Members' Code of Conduct complaints as set out in the Appendix for the period commencing on 1 December 2017 to 20 March 2018.**

### **Reasons for Recommendation(s)**

To reflect good practice. To enable Members to monitor the volume and progress of complaints.

### **Alternative Options Considered**

No alternative options are considered appropriate.

### **Detailed Information**

This report outlines in the Appendix the number of complaints of alleged Member misconduct which have been received since the last update and a summary of those which are outstanding.

Two new complaints have been received regarding District Councillors since the last report was presented to Members in December 2017.

Members will see that a significant number of new complaints (11 in total) have been received in respect of Selston Parish Council Members and the way that Parish Council meetings have been run since the last report was presented to Members.

Various complaints have also been raised with the police which I understand are related to a number of the Member complaints received. I have had an initial meeting with the police to confirm their position. I am informed that the police are looking into the issues raised with them and that this is ongoing. As such, I am unable to look into some complaints until the police have concluded their investigation in order that I do not prejudice these investigations. The police have agreed to keep me informed.

However, as general governance issues have also been raised in relation to the Parish meeting I have spoken to the Parish Clerk and the Chairman of the Parish Council and recommended that an ethical governance review is undertaken by an independent person. They were in agreement with this and I will be liaising with the Parish Clerk in order to establish the scope of the review and identify potential independent people or organisations to carry out the review.

## **Implications**

### **Corporate Plan:**

The Council will strive to ensure effective community leadership, through good governance, transparency, accountability and appropriate behaviours.

### **Legal:**

There are no legal issues identified as a result of this monitoring report.

### **Finance:**

<b>Budget Area</b>	<b>Implication</b>
General Fund – Revenue Budget	The Authority incurs costs in investigating complaints of alleged Member misconduct, and these charges are borne by the General Fund. The Council investigates complaints in house as far as possible to reduce costs; where complaints need to be investigated externally these costs are expected to be contained within existing budgets.
General Fund – Capital Programme	N/A
Housing Revenue Account – Revenue Budget	N/A
Housing Revenue Account – Capital Programme	N/A

### **Risk:**

<b>Risk</b>	<b>Mitigation</b>
<p>The Council has recognised the following Corporate Risk:  <i>Members' Ethical Framework – Failure to demonstrate high standards of behaviour (CR003)</i></p> <ul style="list-style-type: none"> <li>• Significant resource to deal with implications of Code of Conduct Complaints.</li> </ul>	<p>Standards and Personnel Appeals Committee approves an annual work programme which includes an annual review.</p> <ul style="list-style-type: none"> <li>• A review of the Members' Code of Conduct Complaints Process will be carried out during 2017/2018 in accordance with the recommendations of the LGA Peer Challenge 2017.</li> <li>• Present Quarterly Complaint Monitoring reports to Standards and Personnel (Appeals) Committee. (This report)</li> </ul>

<ul style="list-style-type: none"> <li>• Potential for negative perception of the Council which impacts upon the Council's reputation</li> <li>• Potentially adverse impact upon the workings of the Council</li> <li>• New legislation does not provide "strong" sanctions for breaches to the Code which may make regulation of poor ethical behaviour difficult and leave complainants dissatisfied with outcomes.</li> </ul>	<ul style="list-style-type: none"> <li>• The Standards and Personnel Appeals Committee has agreed in its 17/18 work plan to review the Complaints Process, the Code and guidance relating to social media use. The Committee has established a working group of members from the Committee to work with the Monitoring Officer to review best practice and make recommendations to the Committee.</li> </ul>
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**Human Resources:**

There are no HR implications associated with this monitoring report.

**Equalities:**

There are no Equality and Diversity implications associated with this monitoring report.

**Other Implications:**

None.

**Background Papers**

None.

**Report Author and Contact Officer**

**Ruth Dennis**

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**MONITORING OFFICER**

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