

Joint Standards Committee

26th November 2015

Report of the Monitoring Officer

Review of Complaints for the last Municipal Year

Summary

1. This report provides an overview of the standards complaints received during the previous municipal year.

Complaints received

2. The table below describes the complaints handled during the last municipal year.

City or Parish Councillor	Complainant	Date Received	Outcome	Date Concluded
Parish	Parish Councillor	23/5/2014	Referred for investigation. The investigation identified a probable breach of the Code but no further action was required.	27/7/2015
City	Staff Member	23/5/2014	Withdrawn	16/7/2014
City	Councillor	24/6/2014	After an unsuccessful attempt by the Monitoring Officer to secure an informal resolution via Group Whips the	12/9/2014

			assessment sub committee requested Monitoring Officer to seek an apology	
City	Councillor	8/9/2014	No breach	19/9/2014
City	Councillors	13/10/2014	Assessment sub committee asked Group Whip to speak to the Member concerned	21/11/2014
City	Councillor	6/11/2014	No breach	21/11/2014
City	Councillor	13/11/2014	Referred for investigation. Investigator found no breach	18/6/2015
City	Councillor	30/11/2014	Referred for investigation after attempts to resolve informally including by an Assessment Sub Committee Investigator found no breach	19/5/2015
City	Councillor	16/12/2014	Referred to Assessment sub No breach demonstrated but informal advice given	13/2/2015
City	Councillor	06/01/15	No breach	20/01/15

			demonstrated	
Parish	Members of the public	30/04/15	Outside of jurisdiction. Complaint related to behaviour as an election candidate	18/05/15

3. Eleven complaints were received last year in comparison to five and seven in the preceding two years. This is the highest number of complaints received in recent years. Two complaints related to Parish Councillors and the rest concerned City Councillors. Given the numbers of City Councillors in comparison to Parish Councillors the latter are significantly underrepresented in the numbers of complaints received. Three Members were the subject of more than one complaint.
4. By far the most common reason for a complaint was that a Member had allegedly failed to treat someone with respect or had brought the Council into disrepute. One case, however, related to an alleged failure to register an interest.
5. The higher number of complaints did not lead to a higher number of cases being referred for investigation. Three investigations were conducted as in the previous year. There has been only one investigation in the year before that. One of the investigations concluded that there had been a breach of the code and, in that case, the Monitoring Officer and both Independent Persons agreed that the circumstances were such that no further action was required. The other two identified no breach. The investigations were conducted by a member of the in house legal team, an external lawyer and the former Chair of the Standards Committee.
6. No cases resulted in hearings and the Committee has therefore only had to deal with one hearing since the current standards regime came into effect in 2012.
7. Cases where no obvious breach of the code has been identified have continued to be processed promptly. On average these cases take a fortnight from a complaint being submitted to it being finalised. The use of delegated powers to determine these cases

following consultation with the independent persons facilitates this. Inevitably cases take a little longer when they are referred to a Sub Committee. In some cases where attempts to secure an informal resolution have failed, that has caused delays. The three cases referred for investigation took between six and fourteen months to resolve.

Recommendations

8. Members are recommended to:

1) Note the report

Reason: To ensure that the Committee continues to make an effective contribution to ethical standards within the City Council.

Contact Details

Author:

Andrew Docherty
Monitoring Officer
Customer and Business
Support Services
Tel No. 01904 551004

**Report
Approved**

Date 13/11/15

Wards Affected: *List wards or tick box to indicate all*

All

For further information please contact the author of the report

Background Papers:

None