

Joint Standards Committee

5th July 2017

Report of the Monitoring Officer

Review of Complaints for the last Municipal Year

Summary

1. This annual 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	Member of the public	14/1/2016 (ongoing at previous year end)	Referred for investigation and subsequently hearing. Breach of code found. Members censured.	11/10/2016
City	Member of public	11/4/2016 (ongoing at previous year end)	Referred for investigation and subsequently hearing. Breach of code found. Group leader to be advised. Training to be offered if required.	19/12/2016
Parish	Member of public	26/5/2016	Referred to Sub Committee for assessment No Further Action	12/7/2016

Parish	Another Parish Council	11/7/2016	MO decision. No breach. Not acting as a councillor.	18/7/2016
Parish	Member of public	22/7/2016	MO decision. Outside of code except possible failure to register membership of outside body where advice given	29/7/16
Parish	Member of the public	19/9/2016	MO decision. No breach of any substance	5/10/2016
Parish	Clerk and the Council	12/10/2016	Placed on hold as complaint linked to other processes. This complaint has not been resurrected	21/11/2016
City	Councillor	8/3/2017	Referred to Sub Committee. No further action required. Any breach was adequately dealt with by the immediate apology made.	31/3/2017
City	Councillor	31/3/2017	Withdrawn as immediate apology given	11/4/2017
City	Members of the public	11/4/2017	MO decision. Not covered by the code	5/5/2017
Parish	Member of the public	18/4/2017	Ongoing	

3. The volume of complaints is in line with previous years as shown below:

Year	Number of Complaints Received
2016/17	9
2015/16	9
2014/15	11
2013/14	5
2012/13	7

4. Six complaints related to Parish Councillors and the rest concerned City Councillors. Parish Councillors were highly represented compared to earlier years but remain under represented in relation to the overall numbers of Parish Councillors. For comparison previous years' figures are shown in the following table. For these purposes the table shows the number of complaints made. Some complaints relate to more than one Councillor but are recorded only once. Similarly, multiple complaints relating to the same matter are recorded only once.

Year	City Councillor complaints	Parish Councillor complaints
2016/17	3	6
2015/16	7	2
2014/15	9	2
2013/14	2	3
2012/13	7	0

5. Two Parish complaints related to the same Councillor. Neither of these resulted in any action. The Councillor had though been one of the subjects of a complaint during the previous Municipal year which was the subject of a hearing in 2016/17. Two other Parish complaints related to different Councillors from one Council. One City Councillor was the subject of two complaints of which one led to a hearing. There is some evidence of a recurring pattern of individuals being the subject of more than one complaint. However, a Councillor who was the subject of two complaints last year and one the year before avoided being the subject of any complaints during 2016/17.
6. As in previous years the most common reason for a complaint was that a Member had allegedly failed to treat someone with respect or, in the case of City Councillors, had brought the Council into disrepute. Two complaints though included an allegation that an interest had not been declared and one that an interest had not been registered. None of the complaints in relation to interests resulted in formal action.
7. Two of the three complaints against City councillors were submitted by fellow Councillors. Two of the six Parish complaints came from people directly associated with a Council. The Joint Standards Committee has stated on a number of occasions that it believes that the Standards system should not generally be the means for resolving issues between Councillors. At the Committee's request the Monitoring Officer is writing to Group Leaders to remind them of this and will also draw their attention to this annual review.
8. No new investigations were initiated during 2016/17. In each of the last two years there have been three. Two hearings were held during the year into complaints made during 2015/16. Prior to this only one hearing had taken place since the current standards regime came into effect in 2012. These hearings were both conducted under new procedures which the Committee adopted in 2014. The hearings resulted, in one case, in Members being censured and, in the other, a report being made to the Member's Group Leader and an offer of training.
9. On average cases which are dealt with under delegated powers and where no breach of the code was identified were resolved in two weeks. This process involves clarifying the complaint if necessary, consultation with the independent persons and consideration and response by the Monitoring Officer. In

comparison the two cases assessed by a Sub Committee took a little over 3 and 6 weeks respectively. The latter case was though rather complex. The two cases which involved hearings took between 8 and 9 months to be resolved. While a speedier resolution would have been preferable it is not obvious that this is likely to be achievable in future cases.

Recommendations

10. Members are recommended to:

- 1) Note the report
- 2) To consider whether there are any issues raised by this review which require farther consideration as part of the Committee's work plan.

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

Contact Details

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Report
Approved

Date 20/06/17

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

All

For further information please contact the author of the report

Background Papers:

None