

Monitoring Report in respect of Complaints Received

Summary

1. This report is to update the Committee on the position regarding ongoing complaints.

Background

2. The Joint Standards Committee is responsible for promoting a culture of openness, accountability, probity and the maintenance of high standards of conduct by members. In order to do this, it reviews all code of conduct complaints. This enables, amongst other things:
 - Monitoring overall numbers of complaints allowing comparison with similar authorities
 - Monitoring trends of increasing/decreasing levels of complaints and identifying links to key events or triggers
 - Identifying common types of complaints which may illustrate a need for enhanced training and information
 - Assessing the efficacy of sanctions imposed by linking an increase/decrease in complaints regarding a particular member or from a particular locus to intervention or sanctions previously imposed.
 - Assessing the efficacy of the complaints procedure and identifying possible improvements.

Commentary on Case Logs

Open cases

3. Case reference 2023/07 is under investigation by a CYC lawyer. Witness Interviews have been completed and the investigator

expects to complete a draft report by the end of September 2023.

4. Case reference 2023/13 has been assessed by the Monitoring Officer in consultation with the Independent Person and it has been determined that the complaints should progress to investigation.

Cases closed since last JSC

5. Case reference 2022/18 has been closed by the Monitoring Officer. Following an investigation, informal resolution was proposed but rejected by the subject Councillor. In consultation with the Chair of the Standards Committee and the Independent Person, the decision was made to close the case due to the fact that expectations of conduct have been effectively outlined to the subject member in the report and the sanctions which could be imposed by a hearing panel are minimal.
6. Case reference 2023/04 was assessed and informal resolution was proposed. A letter of advice was sent to the subject Councillor and the informal resolution was accepted.
7. Case reference 2023/06 was assessed by the Monitoring Officer in consultation with the Independent Person and will be closed with no further action due to the matters complained of not constituting a breach of the code.
8. Case reference 2023/08 was deliberated by a JSC sub committee in accordance with paragraph 5 of the complaints handling process. Informal resolution was proposed and accepted.
9. Case reference 2023/10 was assessed by the Monitoring Officer in consultation with the Independent Person and will be closed with no further action due to passage of time and the tit for tat nature of the allegations.
10. Case reference 2023/11 was deliberated by a JSC sub committee in accordance with paragraph 5 of the complaints handling process. The sub committee determined the Code of Conduct had

not been breached as the Councillor was acting in a personal capacity.

11. Case reference 2023/12 was filtered by the JSC sub committee in accordance with paragraph 4 of Appendix 29. The complaint failed to demonstrate conduct capable of constituting a breach of the Code of Conduct and has been ruled out of scope. This complaint has been recorded but no further action will be taken.

Implications

Financial

Not applicable to this report.

Human Resources (HR)

Not applicable to this report.

Equalities

Maintaining standards across the City through the Code of Conduct ensures that an ethical framework can be adhered to, including ensuring that equality issues form an integral part of that framework.

Legal

As detailed within the report.

Crime and Disorder, Information Technology and Property

Not applicable to this report.

Recommendations

- i. That the Joint Standards Committee notes the report

Reason: In order to ensure that the Committee is aware of the current levels of activity and is able to provide oversight of the complaints procedure.

**Author & Officer Responsible
for the report:**

Frances Harrison

Deputy Monitoring Officer

**Report
Approved**

Date

19 September
2023

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

- Annex A – Table showing open complaints received.
- Annex B – Table showing received complaints closed since last JSC.