

**Joint Standards Committee**

**10 September 2014**

**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 and reminds Members of some of the processes they have agreed for handling complaints.

**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 Public	4/6/2013	Referred for investigation	Ongoing
City	Councillor	12/8/2013	Investigated – no breach	16/10/2013
City	Member of Public	8/10/2013	No case to answer	17/10/2013
Parish	Members of public	28/9/2013	Investigated.  No breach in respect of 2 Councillors  Breach in respect of third – confirmed at hearing	5/2/14  20/3/2014

Parish	Member of Public	3/3/2013	No case to answer	19/3/2014
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3. Five complaints were received last year in comparison to seven the year before. The volume of complaints therefore remained low and very much in line with the levels experienced under the former standards regime. In contrast to the previous year, when all complaints related to City Councillors, this year Parish Councillors featured in three complaints. That is unexceptional but the fact that three cases – two Parish and one City - were investigated is a little unusual. In the previous year only one case had been referred and none the year before that (when the previous standards arrangements were in place). Investigations have been conducted by a lawyer working for the City Council, the deputy Monitoring Officer of a neighbouring Council (as part of an informal reciprocal arrangement) and by a volunteer (the former Chair of the Standards Committee).
4. In general cases have continued to be concluded sooner under the new arrangements than the old. Initial assessment of complaints is now a reasonable speedy process. In each case last year consultation between the independent persons and the Monitoring Officer was undertaken by e-mail and delegated powers were used for decision making. This has meant that initial decisions have been made at least two weeks sooner than they could have been under the old regime.
5. The picture has been a little more mixed with respect to investigations. Under the old arrangements a timescale of around six months was considered to be about the norm to conclude an investigation. Last year one of the investigations was concluded in around two months. In that case the investigator found no breach. In these circumstances the Council's procedures say:

*“The Monitoring Officer will review the Investigating Officer’s report and may ask for further investigations to take place if he feels that is needed. He will consult the Independent Persons on the draft report and, if he is satisfied that the report is sufficient and accepts the finding, the Monitoring Officer will send a copy of the Investigating Officer’s final report to [the complainant] and the Councillor concerned. If the case concerns a Parish councillor he*

*will also send a copy to the Parish Council concerned. That will be the end of the matter”*

6. In this case both the Monitoring Officer and Independent Person were satisfied that the investigation had been sufficient and the finding of no breach should be accepted. Under the previous arrangements it would still have been necessary to refer the case to a Sub Committee for consideration. That is no longer necessary and this case was concluded under delegated powers.
7. Of the other cases referred for investigation one, featuring three Councillors, was concluded in slightly less than six months after a hearing. Unfortunately the remaining case was not concluded during the year and no doubt some lessons may be learned from reviewing that case in due course.

### **Recommendations**

8. Members are recommended to:
  - 1) Note the report
  - 2) Ask the Monitoring Officer, once the outstanding case referred to in the report has been concluded, to review the reasons why the investigation was prolonged to see whether any lessons can be learnt for the future.

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** *05/06/14*

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

**All**

**For further information please contact the author of the report**

**Background Papers:** None