

Joint Standards Committee

23 July 2024

Report of the Deputy Monitoring Officer

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 2023/21 falls under paragraph 5 of the complaints handling process and was considered by a JSC Assessment Sub Committee on 30th January 2024. The Committee decided to refer

the matter for investigation which it indicated should be external. The cost of an external investigation was explored and found to be disproportionate. The investigation is being undertaken by two senior CYC lawyers who expect to complete their report in August in readiness for a hearing committee in September 2024.

4. Case reference 2024/01 falls under paragraph 5 of the complaints handling process. It was referred to a JSC Sub Committee for assessment which determined the complaint was not in scope. Following receipt of external legal advice on the Equality Act and implications for accessibility of the complaints handling procedure, the Monitoring Officer has agreed to a re-hearing as a reasonable adjustment. The matter will be presented to the JSC Sub Committee sitting on today's date.
5. Case references 2024/06 and 2024/09 are interrelated and have been assessed by the Deputy Monitoring Officer as in scope and requiring investigation. The views of the IP have been sought. The investigation will be carried out by CYC Legal Services.
6. Case reference 2024/08 falls under paragraph 5 of the complaints handling process. The matter will be presented to the JSC Sub Committee sitting on today's date.

Cases closed since last JSC

7. Case reference 2024/07 was assessed by the Deputy Monitoring Officer as being out of scope. This is because the subject member was not acting in their capacity as a councillor when the alleged breach occurred.

Implications

8. **Financial** Not applicable to this report.
9. **Human Resources (HR)** Not applicable to this report.
10. **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.
11. **Legal** As detailed within the report.
12. **Crime and Disorder, Information Technology and Property** Not applicable to this report.

Recommendations

13. That the Joint Standards Committee notes the report, 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.

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Report
Approved

Date 1 July 2024

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

- Annex A (i) – Table showing open complaints received.
- Annex A (ii) - Table showing open complaints received (confidential)
- Annex B (i)– Table showing recently closed complaints.
- Annex B (ii)- Table showing recent complaints (confidential)