

**Joint Standards Committee**

**19 January 2023**

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.
3. The Monitoring Officer provides a regular report to facilitate such review. At the November meeting of the JSC, members asked for revision to the presentation of the regular MO report. In particular members did not want to see details of closed cases which had previously been reported. Members also asked for the open complaints log to be simplified.

4. A case which has been closed since the last meeting of the Joint Standards Committee should still be reported. All closed case data is retained by the MO and presented in an annual report.
5. The recently used open complaints log has 9 columns. Three of these could potentially be removed:
  - a. MO consulted with Chair & Vice Chair (assessment stage) and “If progressing to hearing, date consulted Chair & Vice Chair and comments”. These columns seem helpful only for internal processing and not for extracting data which would further the purposes of monitoring.
  - b. Update and Status are likely to involve duplication

Case Ref	Name Subject	Name Complainant	Date Rec'd	Nature of Complaint	MO/Chair consult date	Status	Update	MO/Chair consult date if hearing
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6. The table attached at Annex A provides information about ongoing complaints in the suggested new format.
7. The table attached at Annex B provides information about complaints closed since last JSC in the suggested new format.
8. There will still be a need to reproduce both tables in anonymised form for the public version of the committee papers.
9. Members must be satisfied that any amendments to the case logs will allow essential data to be extracted for the annual report. It is logical therefore to identify what constitutes essential performance data. Suggestions are as follows:
  - a. Number of complaints overall by specified time period
  - b. Number of complaints by authority, group, member
  - c. Proportion of complaints passing filter, progressing to investigation, progressing to hearing
  - d. Proportion of cases investigated resulting in a finding of breach/no breach
  - e. Sanctions applied (by type available under paragraph 35 of Case Handling Procedure)
  - f. Time taken from complaint received to resolution

## **Commentary on Case Logs**

### **Open cases**

10. Case reference 2022/16 and 2022/17 (same facts and subject, different complainants) are currently under investigation by a CYC lawyer. This investigation has been delayed by staff sickness absence. Due to difficulty identifying mutually convenient dates for interviews, witness evidence is now being collated via written questions.
11. Case reference 2022/18 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 January 2023.
12. Case references 2022/13 and 2022/14 have been investigated together as the facts are the same, by a CYC lawyer. A draft report has been prepared and circulated to parties for comment. Comments received in response are now being analysed and a final report is expected to be completed by the end of January 2023.

### **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.

## Recommendation

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.

## Author & Officer Responsible for the report:

Frances Harrison

Deputy Monitoring Officer

Report  
Approved

Date 6 January  
2023

Wards Affected:

All

For further information please contact the author of the report

## Annexes:

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