



# Report to Standards and General Purposes Committee

**Date:** 17 November 2022

**Title:** Member Code of Conduct Complaints – Quarterly Review

**Relevant councillor(s):**

**Author and/or contact officer:** Nick Graham, Service Director, Legal and Democratic. Contact officer Glenn Watson, Principal Governance Officer.

**Ward(s) affected:**

**Recommendations:**

**(1) to note and comment upon the Quarter 2 report into Member Code of Conduct Complaints that were opened and then closed in that period, as at Annexes 1-2;**

**(2) to note and comment upon the Member Code of Conduct complaints currently open, as at Annex 3;**

**Reason for decision:**

The Committee is responsible for Member Code of Conduct complaints both for this Council and for parish and town councils. As such, the Committee is being kept informed of recent and current complaints activity; and of the effectiveness of the Council's *Arrangements for dealing with complaints against councillors* (the 'Arrangements').

## 1. Executive summary

- 1.1 This report provides the Committee with a review of the Member Code of Conduct complaints that were opened and then closed during Quarter 2. This would normally be for the period July to September. As the Committee did not meet in October, the report brings the information up to date for November 2022. Similarly, the report updates the Committee on currently open complaints.
- 1.2 In both cases, the updates include an indication of the source of the complaint (e.g. public, fellow councillors) and further details of the alleged behaviour. As requested by the Committee, the report (annexes) includes information on the number of

parish councils involved; and the number of individuals who are the subject of open complaints.

## 2. Update on complaints closed and currently open (July to October 2022)

2.1 Annexes 1 and 2 set out the Member Code of Conduct Complaints that were opened and then closed over the period of Quarter 2 (July to September, plus October).

a) Annex 1 relates to Parish and Town Council Complaints

b) Annex 2 relates to Buckinghamshire Council Complaints

### Parish/Town Councils

2.2 **Eight** complaints were received, reviewed and closed between July and October 2022. These related to councillors at four parish councils. Three complaints were made by members of the public; two were made from a person who resigned as a fellow councillor after making the complaints; and three were made by fellow councillors.

2.3 As in the previous Quarter (and last year as a whole), the most common cause of complaint was perceived disrespect by the subject councillor. No breach was found in any of these Quarter 2 cases. All but two were closed at the preliminary Initial Assessment stage of the process. Of those that proceeded to Stage 1 (Informal Resolution), an apology was given in each case and the Deputy Monitoring Officer concluded that there was no public benefit in proceeding to any further stage.

### Buckinghamshire Council

2.4 No complaints were received about Buckinghamshire Councillors during July to September. However, **two** were received in October and both were closed within the same month at the Initial Assessment stage. The Code was not deemed to have been engaged in either case.

### Current complaints

2.5 Annex 3 sets out the complaints which are currently open, for either tier of local government. This shows **nine** complaints are currently open. Five of these relate to the same individual/circumstance and these are being reviewed at Stage 1 (Informal Resolution). Three parish council complaints also relate to a single individual and are currently at Stage 3 with a hearing to be arranged to review them. The sole remaining complaint comes from a parish councillor about the behaviour of a Buckinghamshire Councillor.

2.6 In each of these open complaints, the theme of disrespect is prominent. In complaints 1-3 and 9 on Annex 3, there is also an element of concern from the complainant that a councillor's behaviour has impacted negatively on an employee.

It is important to note, however, that in none of these complaints has any finding been made.

#### Performance in applying the Council's complaints arrangements

- 2.7 At the last meeting of the Committee, members asked that the Council's Initial Assessments be concluded within a target date of 15 working days where possible. This followed a review of comparative best practice. This target has been implemented. The target has been met in 15 out of 16 instances. The target was exceeded in one case (Annex 1, Complaint 2). This was because further information was needed in order to understand the context and finalise the Initial Assessment.
- 2.8 All other stages have kept within the Council's published timelines.

### **3. Training for parish and town councils**

- 3.1 On the 3 October, the Deputy Monitoring Officer and the Principal Governance Officer delivered an overview training event on the Member Code of Conduct to Buckingham Town Council. This was at the request of the Town Council. A further session is being arranged for Hughenden Parish Council, also at the Council's instigation.
- 3.2 These requests are considered favourably where possible. The Deputy Monitoring Officer had also previously delivered an online session, on 4 July, to parish and town councils affiliated to the Buckinghamshire and Milton Keynes Association of Parish Councils.

### **4. Corporate implications**

- 4.1 This report is consistent with the Council's commitment to good governance. The conduct of elected members is pivotal to public trust and to sound decision making and this Committee has a key role in reviewing member ethical standards.

### **5. Next steps and review**

- 5.1 A further update on member code of conduct complaints will be presented to the Committee at each meeting, to give a quarterly picture of complaints opened, closed, and currently in hand.

### **6. Background papers**

- 6.1 None.

## 7. Your questions

If you have any questions about the matters contained in this report please get in touch with the author of this report. This can be done by telephone 01296 387380.

Nick Graham, Service Director of Legal and Democratic Services and Deputy Monitoring Officer

Contact officer: Glenn Watson, Principal Governance Officer