

<b>SUBJECT:</b>	Complaints Monitoring Report 2017/18
<b>REPORT OF:</b>	Monitoring Officer
<b>RESPONSIBLE OFFICER</b>	Joanna Swift
<b>REPORT AUTHOR</b>	Joanna Swift
<b>WARD/S AFFECTED</b>	None

### 1. Purpose of Report

This report informs the Committee about complaints received by the monitoring officer in 2017/18 that members have breached the code of conduct.

### RECOMMENDATION

**That the complaints information for 2017/18 is noted.**

### 2. Reasons for Recommendations

It is good practise for the Council to review the complaints received about members on a regular basis and consider any action required to address issues raised.

### 3. Content of Report

- 3.1 The Committee monitors complaints on an annual basis due to the historically low number of complaints made against elected and co-opted members of local authorities in Chiltern District.
- 3.2 As the Committee is aware from 1 July 2012 the responsibility for assessing, investigating and hearing complaints about member conduct was passed to principal councils under the Localism Act 2011, together with the discretion to adopt local arrangements. The Committee reviewed these arrangements in January of this year and a copy of the current Complaints Procedure is attached at Appendix 1 for information. Although the Localism Act removed the responsibility for Chiltern District Council to ensure high standards of conduct amongst town and parish councils in the district, any complaints that town or parish councillors may have breached their council's code of conduct are also dealt with under this complaints procedure.
- 3.3 There are a total of 219 elected and co-opted members of the district/town parish councils in Chiltern and historically the number of formal complaints about councillors has been very low. This trend has continued in the last financial year with only 1 formal complaint about a district councillor and no complaints about town/parish councillors. An informal complaint was received about the conduct of councillors at meeting of the Planning Committee but this did not proceed to Stage 1. The formal complaint concerned the alleged failure to disclose a personal and prejudicial interest. This proceeded to Stage 2 but the monitoring officer found no evidence that a breach of the code had occurred and therefore no further action was taken.

- 3.4 The number of complaints received in financial year 2017/18 are set out in the following table, together with the figures for 2016/17 by way of comparison.

Authority	2017/18	2016/17
CDC	1	3
Town/Parish Councils	0	1
Total	1	4

- 3.5 In addition to the number of complaints received, it is useful to consider the type/nature of the allegations being made and this is shown in the table below. Members should note that complaints can fall into more than one category.

Nature of Allegation	Number of Allegations	
	Towns/parish Councils	CDC
a) Failure to treat others with respect/bullying		0
b) Bringing the Council into disrepute		0
c) Using position for personal advantage		0
d) Failure to register a pecuniary interest		0
e) Failure to disclose a pecuniary interest/withdraw from meeting		0
f) Failure to register a personal or prejudicial interest/withdraw from a meeting		1
g) Other		0

- 3.6 It is notable that complaints have decreased at both District and Town/Parish Council levels in 2017/18 and it has not proved necessary to proceed further than Stage 2 of the Complaints Procedure. Members will recall that following a review of allegations received in 2016/17 relating to the declaration of personal interests, the Committee proposed a revision to the Code of Conduct to make clear that members who declare a personal interest are still entitled to speak and vote on the item of business in question. This proposal was agreed by Full Council and the Code has been amended accordingly.

#### 4. Consultation

Not applicable.

## **5. Options**

The Committee has the option of requesting more frequent reports or the provision of different statistical information in order to assist with their monitoring role.

## **6. Corporate Implications**

Financial - None

Legal – As set out in the report

Risks issues – None

Equalities - None

## **7. Links to Council Policy Objectives**

Whilst there is no direct link to the Council's main objectives the monitoring of complaints contributes to ensuring good governance.

<b>Background Papers:</b>	None except those referred to in the report
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