

SUBJECT	Code of Conduct Complaints Monitoring Report 2018/19
RELEVANT MEMBER	Councillor John Gladwin, Chairman of Audit and Standards Committee
RESPONSIBLE OFFICER	Joanna Swift, Monitoring Officer
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WARD/S AFFECTED	None

1. Purpose of Report

This report informs the Committee about complaints received by the monitoring officer in 2018/19 that members have breached the code of conduct.

RECOMMENDATION

That the complaints information for 2018/19 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 low number of complaints made against elected and co-opted members of local authorities in Chiltern District.
- 3.2 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 reviews these arrangements regularly 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. In 2018/19 there was an increase in formal complaints about district councillors from 1 to 3 complaints and 1 complaint about a town/parish councillor. Two of the complaints related to the handling of the same planning application at a Planning Committee meeting and the third related to a dispute at a community association. These proceeded to Stage 2 but the monitoring officer found no evidence of a breach of the code that warranted referral for investigation and therefore no further action was taken. In one case the councillor gave a written apology. The complaint about the parish councillor did not proceed past Stage 1.

- 3.4 The number of complaints received in financial year 2018/19 are shown in the following table, together with the figures for 2017/18 by way of comparison.

Authority	2018/19	2017/18
CDC	3	1
Town/Parish Councils	1	0
Total	4	1

- 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 and complainants tend to allege multiple breaches of the code obligations.

Nature of Allegation	Number of Allegations	
	Towns/parish Councils	CDC
a) Failure to treat others with respect/bullying	1	4
b) Bringing the Council into disrepute	1	3
c) Using position for personal advantage		1
d) Failure to register a pecuniary interest		
e) Failure to disclose a pecuniary interest/withdraw from meeting		
f) Failure to register a personal or prejudicial interest/withdraw from a meeting		
g) Other	4*	6*

*Details of the other allegations are as follows:

- Failure to respect the confidentiality of information
- Failure to act in accordance with council rules on the use of the resources of the council for private or political purposes
- Failure to exercise independent judgement, taking decisions for good and substantial reasons
- Failed to show leadership to the council and local communities
- Failure to account for actions
- Failure to ensure the Council acted within the law

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.

Background Papers:	None except those referred to in the report
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