

SUBJECT:	Complaints Monitoring Report 2013/14
REPORT OF:	Head of Legal and Democratic Services

1. Purpose of Report

This report advises the Committee of formal complaints received by the monitoring officer in 2013/14 that members have breached the code of conduct.

2. Links to Council Policy Objectives

Whilst there are no direct links to the Council's main policy objectives, the effective monitoring of complaints is matter of good governance and is important in preserving the confidence of local communities.

3. Background

3.1 The Committee agreed at their meeting in March 2013 that due to historically low numbers of complaints made against members of Council and town/parish councillors in the district, it was sufficient to receive complaints monitoring reports on an annual basis unless there was a sudden increase in the number of complaints.

3.2 As the Committee will be aware on 1 July 2012 the framework contained in the Local Government Act 2000 and associated regulations for assessing, investigating and hearing complaints about member conduct and imposing sanctions, was repealed and replaced with a requirement for local authorities to adopt local arrangements. Under the Localism Act 2011 SBDC no longer has responsibility for ensuring high standards of conduct amongst town and parish councillors in the district. However, any complaints that town or parish councillors may have breached their council's code of conduct are dealt with under SBDC's complaints procedure.

3.3 Continuing the trend in past year for a very low number of formal complaints about councillors in South Bucks District, the monitoring officer has received no formal complaints about members of SBDC and only 1 complaint about a member of a parish council which did not proceed following initial contact with the complainant. The figures for financial year 2013/14 are set out in the following table, together with figures for 2012/13 for comparison.

Authority	2013/14	2012/13
SBDC	0	0
Town/Parishes	1	1
Total	1	1

The complaint received in 2012/13 and which related to Councillor Naylor of Burnham Parish, proceeded to Stage 3 and the outcome of the investigation was reported to this Committee on 5 December 2013. The initial complaint was received in February 2013 and following receipt of further information, the decision that the complaint fell within the scope of the Council's complaints procedure (as opposed to being a matter for investigation by Thames Valley Police) was taken in April 2013. The Stage 1 procedure therefore commenced on 22 April 2013, the decision to investigate at Stage 2 was taken on 8 July, the external investigator was appointed on 15 July and the final report of the investigation was received on 25 November. The monitoring officer considers that the overall time take to deal with this complaint was too long. In particular the investigation became protracted due to the number and availability of witnesses to be interviewed and the volume of paper work to be considered. The cost of the investigation was £ . As this was the first complaint to proceed through all stages of the procedure, standard letters of

notification, decision notices and appointments had to be prepared which also added to the timescale in this case but will now be available as precedents for any future complaints. The monitoring officer suggests that a an overall target of 6 months is set for cases which proceed through all 3 stages of the complaints procedure.

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

Nature of Allegation	Number of Allegations 2013/14	
	Towns/parishes	SBDC
a)Failure to treat others with respect	1	0
b)Bringing the council into disrepute		0
c)Using position for personal advantage	0	0
d)Failure to register a pecuniary interest	0	0
e)Failure to disclose a pecuniary interest/withdraw from meeting	0	0
f)Failure to register a non-pecuniary interest	0	0
g) Failure to disclose a non-pecuniary interest/withdraw from meeting	0	0
g)Other	0	0

4. Proposal/Discussion

- 4.1 The Committee will note that no formal complaints have been recorded against district councillors during this monitoring period and only one complaint about a parish councillor. In view of changes both to the code of conduct and requirements to register and disclose interests introduced by the Localism Act in 2012, the low number of complaints is to be welcomed.
- 4.2 Members are however asked to consider whether it is appropriate to set a target time for dealing with complaints which proceed through all 3 stages of the procedure and what that target should be.

5. Resources, Risk and Other Implications

Financial - None
 Legal - As set out in the report
 Risks issues - None
 Equalities - None

6. Recommendation

The Committee is invited to note the complaints information for 2013/14 and consider any necessary actions arising.

Portfolio Holder	N/A
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Background Papers:	None except those referred to in the report