

SUBJECT:	Complaints Monitoring Report 2015/16
REPORT OF:	Monitoring Officer
RESPONSIBLE OFFICER	Joanna Swift
REPORT AUTHOR	Joanna Swift
WARD/S AFFECTED	None

1. Purpose of Report

This report informs the Committee about complaints received by the monitoring officer in 2015/16 that members have breached the code of conduct.

RECOMMENDATION

That the complaints information for 2015/16 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 South Bucks 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 Council adopted a light touch Complaints Procedure which is attached at Appendix 1 for information. Although the Localism Act removed the responsibility for South Bucks 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 As already mentioned the number of formal complaints about councillors in South Bucks District has been very low and this trend has continued in 2015/16 with no formal complaints received about members of SBDC and only 1 against a member of a town council. One informal complaint was received about a district councillor but this concerned conduct which is not covered by the Council's Complaints Procedure

and another concerned the conduct of a parish councillor but the complainant decided not to pursue it further.

- 3.4 The formal complaint about the town councillor related to concerns about the councillor's involvement in the complainant's planning application as well as the practices and procedures adopted at the town council for commenting on planning applications. The Monitoring Officer decided that the complaint should not be referred for investigation under Stage 2 of the Complaints Procedure after consultation with the Independent Person and Chairman of the Committee but made some informal recommendations on procedural matters to the town council. The decision was published on the Council's website and is currently the subject of a corporate complaint which is being investigated by the Director of Resources.
- 3.5 The number of complaints received in financial year 2015/16 are set out in tabular format below, together with the comparison for 2014/15.

Authority	2015/16	2014/15
SBDC	0	0
Town/Parishes	1	1
Total	1	1

- 3.6 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 following table. Members should note that complaints can fall into more than one category.

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

- 3.6 The continuing low number of complaints is to be welcomed. However, dealing with the formal complaint received in 2015/16 has proved to be very time-consuming and the monitoring officer did not meet the target times set out in the Complaints Procedure for making a determination at Stage 1. This is being considered by the Director of Resources as part of the investigation referred to above.
- 3.7 An interactive workshop was held for members in November 2015 covering declarations of interest and the rules on pre-determination and bias. It is notable that there were no complaints in 2015/16 about the failure of district councillors to declare pecuniary or non-pecuniary interests. The monitoring officer will look at arranging a further workshop for members later in the municipal year covering standards of behaviour and the principles of conduct in public life.

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.

8. Next Steps

Suitable dates for a joint member's workshop with CDC covering standards of behaviour under the code of conduct will be canvassed for later in the municipal year.

Background	None except those referred to in the report
Papers:	