

BABERGH DISTRICT COUNCIL and MID SUFFOLK DISTRICT COUNCIL

From: Monitoring Officer	Report Number: JAC/17/22
To: Joint Audit and Standards Committee	Date of meeting: 12 March 2018

CODE OF CONDUCT COMPLAINTS MONITORING REPORT

1. Purpose of Report

- 1.1 To report on Code of Conduct complaints received or determined since the last time that such complaints were reported to the Committee.

2. Recommendation

- 2.1 That the content of this report be noted.

3. Financial Implications

- 3.1 In the main the complaints are dealt with within existing service budgets. During this reporting period, in accordance with the complaints procedure, one complaint against a district councillor was referred to an independent investigator. The final invoice for this work is yet to be submitted but the estimated cost of undertaking the investigation was £600 - £1,000.

4. Risk Management

- 4.1 This report is most closely linked with the Councils' Significant Business Risk No. 5c – Failure to develop clear governance arrangements that enable the right decisions to be taken that are appropriate for the environment that we are operating in.

Key Risks are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
Complaints are not handled promptly	2 - Unlikely	1 - Minimal	Monitoring of complaints
Decisions are not sound	2 - Unlikely	3 - Bad	Apply adopted procedures

5. Consultations

- 5.1 An 'independent person' appointed under the Localism Act 2011 has or will be consulted on each complaint.

6. Equality Analysis

- 6.1 An equality impact assessment is not required for this report. All complainants are invited to complete an optional equalities monitoring form when submitting their complaint.

7. Shared Service / Partnership Implications

- 7.1 The same processes are applied across both Councils.

8. Key Information

- 8.1 This report covers complaints received in the 6 months from 1 September 2017 to 28 February 2018. The complaints are listed in the table below:

Table 1: Summary of complaints

	BDC	MSDC	TOTAL
Number of complaints received since last meeting	20	3	23
Number of complaints against District Councillors	6	2	8
Number of complaints against Parish Councillors	14	1	15
Number of complaints upheld & action taken	1	0	1
Number of findings of no breach of the Code & no action taken	8	3	11
Number of complaints under consideration/ pending decision	11	0	11

- 8.2 There has been a slight increase in the total number of complaints received compared to the previous six months (19). However, there have been three parishes where multiple, and sometimes reciprocal, complaints have been received around the same issue. The eleven outstanding complaints all relate to a single council where the Monitoring Officer is providing support more widely.
- 8.3 The number of complaints against District Councillors has increased compared to the previous report (5). The majority of these complaints, however, relate to a more wider complaint such as disgruntlement at the outcome of a planning application and only one has been upheld as a breach of the code.
- 8.4 One complaint about a District Councillor went to full investigation and it was found that the code of conduct had been breached. Local resolution has been recommended in respect of this breach and the Councillor is required to apologise and attend training with the Monitoring Officer.
- 8.5 Due to the volume of complaints and other workloads there has been some slippage in terms of responding to complaints within the desired timeframe (these are locally set timescales rather than any statutory deadlines). However the Monitoring Officer has recently appointed the Corporate Manager for Democratic Services as an additional Deputy Monitoring Officer in order to manage the volume and provide increased resilience.

9. Background Papers

None.

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