

Notice of Standards Committee



Date: Tuesday, 13 July 2021 at 6.00 pm

Venue: Committee Suite, Civic Centre, Poole BH15 2RU

Membership:

Chairman:

Cllr S Baron (to preside over election of Chairman)

Vice Chairman:

Cllr N Brooks

Cllr M Andrews
Cllr D Borthwick

Cllr D Butt
Cllr A Jones

Cllr V Ricketts
Cllr A M Stribley

Independent persons:

Mr P Cashmore

Mr I Sibley

Mr J Storey

All Members of the Standards Committee are summoned to attend this meeting to consider the items of business set out on the agenda below.

The press and public are welcome to view the live stream of this meeting at the following link:

<https://democracy.bcpCouncil.gov.uk/ieListDocuments.aspx?MIId=4852>

If you would like any further information on the items to be considered at the meeting please contact: Louise Smith by email at louise.smith@bcpcouncil.gov.uk

Press enquiries should be directed to the Press Office by email at press.office@bcpcouncil.gov.uk

This notice and all the papers mentioned within it are available at democracy.bcpCouncil.gov.uk

GRAHAM FARRANT
CHIEF EXECUTIVE

5 July 2021

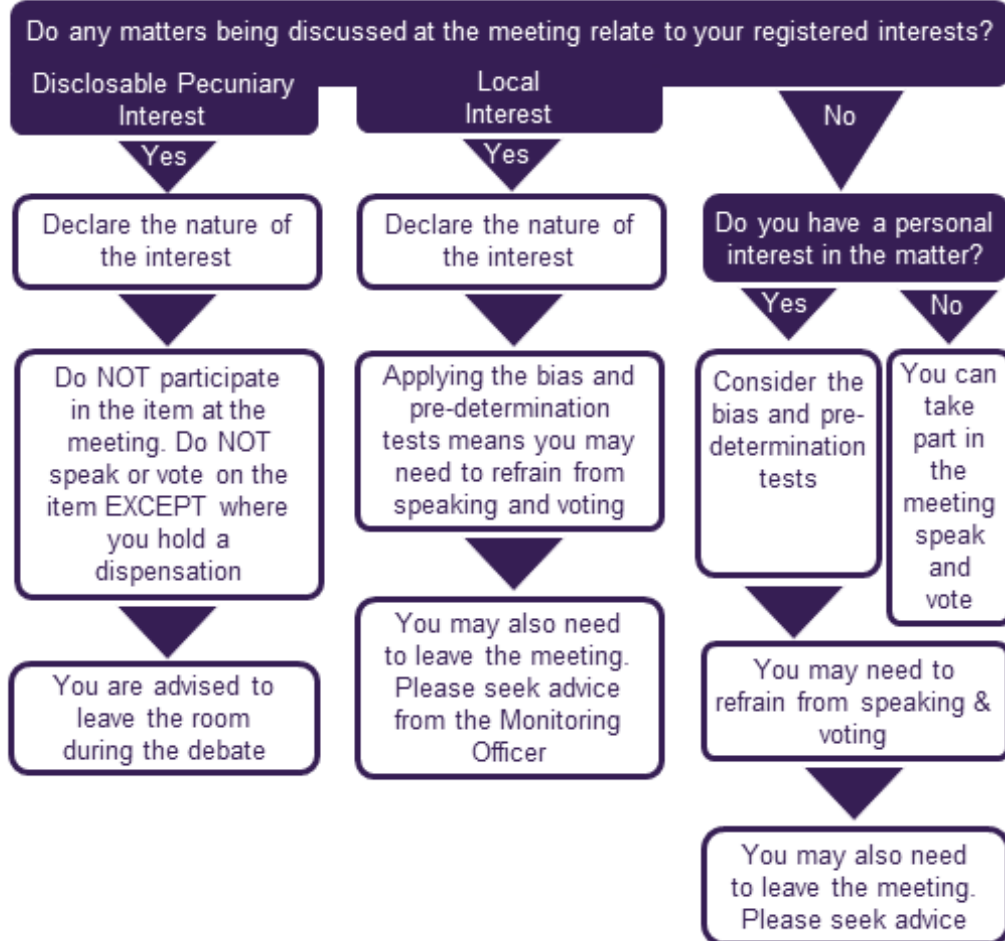


Maintaining and promoting high standards of conduct

Declaring interests at meetings

Familiarise yourself with the Councillor Code of Conduct which can be found in Part 6 of the Council's Constitution.

Before the meeting, read the agenda and reports to see if the matters to be discussed at the meeting concern your interests



What are the principles of bias and pre-determination and how do they affect my participation in the meeting?

Bias and predetermination are common law concepts. If they affect you, your participation in the meeting may call into question the decision arrived at on the item.

Bias Test

In all the circumstances, would it lead a fair minded and informed observer to conclude that there was a real possibility or a real danger that the decision maker was biased?

Predetermination Test

At the time of making the decision, did the decision maker have a closed mind?

If a councillor appears to be biased or to have predetermined their decision, they must NOT participate in the meeting.

For more information or advice please contact the Monitoring Officer
(susan.zeiss@bcpcouncil.gov.uk)

Selflessness

Councillors should act solely in terms of the public interest

Integrity

Councillors must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships

Objectivity

Councillors must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias

Accountability

Councillors are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this

Openness

Councillors should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing

Honesty & Integrity

Councillors should act with honesty and integrity and should not place themselves in situations where their honesty and integrity may be questioned

Leadership

Councillors should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs

AGENDA

Items to be considered while the meeting is open to the public

1. Apologies

To receive any apologies for absence from Members.

2. Substitute Members

To receive information on any changes in the membership of the Committee.

Note – When a member of a Committee is unable to attend a meeting of a Committee or Sub-Committee, the relevant Political Group Leader (or their nominated representative) may, by notice to the Monitoring Officer (or their nominated representative) prior to the meeting, appoint a substitute member from within the same Political Group. The contact details on the front of this agenda should be used for notifications.

3. Election of Chairman

To elect a Chairman for the 2021/22 Municipal year.

4. Election of Vice Chairman

To elect a Vice Chairman for the 2021/22 Municipal year.

5. Declarations of Interests

Councillors are requested to declare any interests on items included in this agenda. Please refer to the workflow on the preceding page for guidance.

Declarations received will be reported at the meeting.

6. Confirmation of Minutes

To confirm and sign as a correct record the minutes of the Meeting held on 20 April 2021.

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7. Public Issues

To receive any public questions, statements or petitions submitted in accordance with the Constitution, which is available to view at the following link:-

<https://democracy.bpcouncil.gov.uk/ieListMeetings.aspx?CommitteeID=151&Info=1&bcr=1>

The deadline for the submission of public questions is 4 clear working days before the meeting.

The deadline for the submission of a public statement is midday the working day before the meeting.

The deadline for the submission of a petition is 10 working days before the meeting.

8. Code of Conduct Complaints - Review	7 - 14
<p>This report provides Members with an update on complaints regarding alleged breaches of the Code of Conduct against councillors received or concluded since the last meeting in April 2021.</p> <p>The Committee is responsible for maintaining high standards of conduct by Members of BCP Council and the Town and Parish Councils, monitoring the operation of the Code of Conduct, and considering the outcome of commissioned independent investigations.</p>	
9. Annual Report on Code of Conduct Complaints	15 - 20
<p>This report provides a summary of the complaints received and determined which were made against councillors for alleged breaches of the Code of Conduct.</p> <p>The Standards Committee has a duty to consider an annual report and to promote and maintain high standards of conduct.</p>	

No other items of business can be considered unless the Chairman decides the matter is urgent for reasons that must be specified and recorded in the Minutes.

BOURNEMOUTH, CHRISTCHURCH AND POOLE COUNCIL
STANDARDS COMMITTEE

Minutes of the Meeting held on 20 April 2021 at 6.00 pm

Present:-

Cllr N Brooks – Vice-Chairman in the role of Chairman for the Meeting.

Present: Cllr M Andrews, Cllr D Borthwick, Cllr A Jones, Cllr A M Stribley,
Mr P Cashmore, Mr I Sibley, Mr J Storey and Cllr S Bull

36. Apologies

Apologies for absence were received from Councillors Baron and Rigby.

37. Substitute Members

Councillor Bull substituted for Councillor Rigby.

38. Declarations of Interests

None received.

39. Confirmation of Minutes

The Minutes of the Meeting held on 12 January 2021 were confirmed as a true and correct record.

Voting: For - Unanimous

40. Public Issues

None received.

41. Local Government Association - Model Code of Conduct for Councillors

The Monitoring Officer presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'A' to these Minutes in the Minute Book.

The Local Government Association had produced a New Model Code of Conduct for Councillors which was appended to the report at Appendix 1. The Standards Committee was responsible for monitoring the Code of Conduct and for making recommendations to Full Council on any changes to the Code.

The Committee received details of the Model Code at the last meeting but delayed recommending the adoption pending viewing other interested parties and to await the outcome of the Government's consideration of the Committee for Standards in Public Life recommendations.

The Committee discussed the report and Appendix and an amendment to the Local Government Association Model Councillor Code of Conduct was Proposed by Councillor Andrews, Seconded by Councillor Bull and unanimously voted in favour of to insert 'known' in Paragraph 8b as detailed below:

8. Where a matter arises at a meeting which affects –
 - a. your own financial interest or well-being;
 - b. a '**known**' financial interest or well-being of a friend, relative, close associate; or
 - c. a body included in those you need to disclose under Disclosable Pecuniary Interests as set out in Table 1.

RECOMMENDED that the Local Government Association Model Councillor Code of Conduct, as set out in Appendix 1 to the report, be adopted by Full Council with the proposed amendment.

Voting: For - Unanimous

42. Code of Conduct Complaints - Review

The Head of Democratic Services presented a report, a copy of which had been circulated to each Member and a copy of which appears as Appendix 'B' to these Minutes in the Minute Book.

The report provided Members with an update on complaints regarding alleged breaches of the Code of Conduct against councillors received or concluded since the last meeting in January 2021.

The Committee was responsible for maintaining high standards of conduct by Members of BCP Council and the Town and Parish Councils, monitoring the operation of the Code of Conduct, and considering the outcome of commissioned independent investigations.

RESOLVED that the outcome of concluded complaints and the progress of those still outstanding be noted.

Voting: For – Unanimous

The meeting ended at 6.37 pm

CHAIRMAN

STANDARDS COMMITTEE



Report subject	Code of Conduct Complaints - Review
Meeting date	13 July 2021
Status	Public Report
Executive summary	<p>This report provides Members with an update on complaints regarding alleged breaches of the Code of Conduct against councillors received or concluded since the last meeting in April 2021.</p> <p>The Committee is responsible for maintaining high standards of conduct by Members of BCP Council and the Town and Parish Councils, monitoring the operation of the Code of Conduct, and considering the outcome of commissioned independent investigations.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <p>the outcome of concluded complaints and the progress of those still outstanding be noted.</p>
Reason for recommendations	<p>This is an opportunity for Members of the Committee to be appraised of details of completed complaints and any outstanding complaints of alleged breaches against the Code of Conduct. This is in accordance with the functions of the Committee and its duty to discharge functions in relation to the promotion and maintenance of high standards of conduct within the Council and amongst Town and Parish Councils within the area.</p>
Portfolio Holder(s):	Not applicable
Corporate Director	Graham Farrant (Chief Executive)
Report Authors	<p>Richard Jones (Head of Democratic Services)</p> <p>Susan Zeiss (Service Director for Law and Governance and Monitoring Officer)</p>
Wards	Not applicable
Classification	For Decision

Background

1. The purpose of this report is to provide a summary and update of completed and ongoing complaints received regarding alleged breaches of the Code of Conduct under the Localism Act 2011 against Councillors for the Bournemouth, Christchurch and Poole area, including parish and town councils.
2. A similar report was presented to the previous meeting of the committee and will form a regular item at future meetings.

Analysis

3. Details of allegations/complaints in relation to the Code of Conduct are outlined in the table set out in paragraph 6 to this report. Cases which were shown as closed in the previous report have been removed from this report.
4. The adopted arrangements for dealing with allegations of breach of the code of conduct for councillors now provides for an initial filtering process for the Monitoring Officer to mediate in appropriate cases between the parties concerned in an attempt to identify a mutually agreeable remedy. Where this is not possible, complaints then proceed to the Chairman of the Standards Committee in consultation with councillors of the Standards Committee and Monitoring Officer (or their Deputy) to decide whether:-
 - (a) There is no breach of the Code and no further action should be taken; or
 - (b) There is a potential breach of the Code and informal resolution is appropriate, to include for example mediation, training, apology, advice; or
 - (c) There is a potential breach of the Code and the Monitoring Officer should undertake or commission an investigation into the complaint with a view to a report then being considered by the Standards Committee.
5. The analysis provides details of the nature of the complaint, the initial filtering decision of the Chairman (following consultation), any informal resolutions agreed (where applicable), and the status of the complaint.
6. Certain specific detailed information regarding pending complaints has not been provided as this may be prejudicial to the conduct of the ongoing complaints process. Personal details have also not been included to protect both the identity of councillors and the complainant, unless specific direction to the contrary has been expressed.

Reference	Nature of allegation	Outcome / Decision	Status
BCP-021	<ul style="list-style-type: none">• Failing to treat others with respect• Bullying any person• Intimidating or attempting to intimidate• Bringing the office of Councillor or the Council into disrepute while acting in an official capacity	<p>The complaint is continuing to be considered. Mediation was sought between the parties concerned but was not agreed.</p> <p>Complaint to be referred for independent investigation.</p>	Pending

Reference	Nature of allegation	Outcome / Decision	Status
BCP-022	<ul style="list-style-type: none"> • Failing to treat others with respect • Bullying any person • Intimidating or attempting to intimidate • Bringing the office of Councillor or the Council into disrepute while acting in an official capacity 	<p>The complaint is continuing to be considered. Mediation was sought between the parties concerned but was not agreed.</p> <p>Complaint to be referred for independent investigation.</p>	Pending
BCP-039	<ul style="list-style-type: none"> • Failing to treat others with respect • Bullying any person • Intimidating or attempting to intimidate • Unlawfully disclosing confidential information or information believed to be of a confidential nature • Bringing the office of Councillor or the Council into disrepute while acting in an official capacity 	<p>Initial assessment completed.</p> <p>Apology requested from subject councillor but not currently complied with.</p> <p>Complaint to be referred for independent investigation.</p>	Pending
BCP-040	<ul style="list-style-type: none"> • Failing to treat others with respect • Bullying any person • Intimidating or attempting to intimidate • Bringing the office of Councillor or the Council into disrepute while acting in an official capacity 	<p>Initial assessment completed.</p> <p>Apology requested from subject councillor but not currently complied with.</p> <p>Complaint to be referred for independent investigation.</p>	Pending
BCP-045	<ul style="list-style-type: none"> • Bringing the office of Councillor or the Council into disrepute while acting in an official capacity • Failing to declare the existence and nature of a personal interest 	<p>Complaint reviewed and dismissed by Monitoring Officer.</p> <p>Insufficient evidence provided to demonstrate breach of the Code or that councillors position was conflicted.</p>	Closed

Reference	Nature of allegation	Outcome / Decision	Status
BCP-046	<ul style="list-style-type: none"> • Failing to treat others with respect • Bringing the office of Councillor or the Council into disrepute while acting in an official capacity 	<p>Complaint reviewed and dismissed.</p> <p>The complaint was essentially against the collective decision reached by council.</p>	Closed
BCP-047	<ul style="list-style-type: none"> • Failing to treat others with respect • Compromising or attempting to compromise the impartiality of those who work for or on behalf of the Council • Bringing the office of Councillor or the Council into disrepute while acting in an official capacity • Failing to have regard to the Councils Code of Publicity 	<p>Complaint reviewed and informal resolution agreed by the Monitoring Officer.</p> <p>Statement of clarification and apology posted on social media channel.</p>	Closed
BCP-048	<ul style="list-style-type: none"> • Failing to treat others with respect • Bringing the office of Councillor or the Council into disrepute while acting in an official capacity 	<p>Complaint reviewed and informal resolution agreed by the Monitoring Officer.</p> <p>Statement of clarification and apology posted on social media channel.</p>	Closed
BCP-049	<ul style="list-style-type: none"> • Failing to treat others with respect • Bullying any person • Intimidating or attempting to intimidate • Compromising or attempting to compromise the impartiality of those who work for or on behalf of the Council 	<p>Complaint reviewed and informal resolution agreed by the Monitoring Officer.</p> <p>Statement of clarification and apology posted on social media channel.</p>	Closed
BCP-050	<ul style="list-style-type: none"> • Failing to treat others with respect • Causing the Council to breach equality laws • Bullying any person • Intimidating or attempting to intimidate 	<p>Complaint reviewed and informal resolution agreed by the Monitoring Officer.</p> <p>Statement of clarification and apology posted on social media channel.</p>	Closed

Reference	Nature of allegation	Outcome / Decision	Status
BCP-051	<ul style="list-style-type: none"> • Failing to treat others with respect • Bullying any person • Intimidating or attempting to intimidate • Compromising or attempting to compromise the impartiality of those who work for or on behalf of the Council • Bringing the office of Councillor or the Council into disrepute while acting in an official capacity 	Complaint reviewed and informal resolution agreed by the Monitoring Officer. Statement of clarification and apology posted on social media channel.	Closed
BCP-052	<ul style="list-style-type: none"> • Failing to treat others with respect • Intimidating or attempting to intimidate 	Complaint reviewed and informal resolution agreed by the Monitoring Officer. Statement of clarification and apology posted on social media channel.	Closed
BCP-053	<ul style="list-style-type: none"> • Failing to treat others with respect • Bringing the office of Councillor or the Council into disrepute while acting in an official capacity 	The complaint is being considered	Pending
BCP-054	<ul style="list-style-type: none"> • Failing to treat others with respect 	Complaint reviewed and informal resolution agreed by the Monitoring Officer. Statement of clarification and apology posted on social media channel.	Closed

Reference	Nature of allegation	Outcome / Decision	Status
BCP-055	<ul style="list-style-type: none"> • Failing to treat others with respect • Causing the Council to breach equality laws • Compromising or attempting to compromise the impartiality of those who work for or on behalf of the Council • Bringing the office of Councillor or the Council into disrepute while acting in an official capacity 	Complaint reviewed and informal resolution agreed by the Monitoring Officer. Statement of clarification and apology posted on social media channel.	Closed
BCP-056	<ul style="list-style-type: none"> • No specific details but related to complaints 047-052 & 054-055 	Complaint reviewed and informal resolution agreed by the Monitoring Officer. Statement of clarification and apology posted on social media channel.	Closed
BCP-057	<ul style="list-style-type: none"> • Failing to treat others with respect • Bringing the office of Councillor or the Council into disrepute while acting in an official capacity • Using or attempting to use the position as a Councillor 	Complaint reviewed and dismissed by the Monitoring Officer. Allegations appropriately dealt with previously	Closed
BCP-058	<ul style="list-style-type: none"> • Failing to treat others with respect 	Complaint reviewed and informal resolution agreed by the Monitoring Officer. Subject councillor apologised for failure respond to issue and matter was concluded satisfactorily.	Closed
BCP-059	<ul style="list-style-type: none"> • Failing to treat others with respect • Preventing a person from getting information that the person is entitled to by law • Bringing the office of Councillor or the Council into disrepute while acting in an official capacity 	Complaint reviewed and informal resolution agreed by the Monitoring Officer. Subject councillor apologised for failure to provide a timely response which has now been provided.	Closed

Reference	Nature of allegation	Outcome / Decision	Status
BCP-060	<ul style="list-style-type: none"> • Failing to treat others with respect • Bringing the office of Councillor or the Council into disrepute while acting in an official capacity 	<p>Complaint reviewed and informal resolution agreed by the Monitoring Officer.</p> <p>Subject councillor apologised for offense caused which was accepted by the complainant.</p>	Closed
BCP-061	<ul style="list-style-type: none"> • Failing to treat others with respect • Causing the Council to breach equality laws • Bullying any person • Intimidating or attempting to intimidate • Compromising or attempting to compromise the impartiality of those who work for or on behalf of the Council • Bringing the office of Councillor or the Council into disrepute while acting in an official capacity • Using or attempting to use the position as a Councillor improperly to confer on or secure an advantage for him or anyone else • Failing to have regard to the advice of the Monitoring Officer or Chief Finance Officer • In respect of a prejudicial interest, failing to withdraw from the room or chamber, exercising executive functions, or seeking to improperly influence a decision 	<p>The complaint is being considered by the Monitoring Officer</p>	Pending
BCP-062	<ul style="list-style-type: none"> • Bringing the office of Councillor or the Council into disrepute while acting in an official capacity 	<p>The complaint is being considered by the Monitoring Officer</p>	Pending

Reference	Nature of allegation	Outcome / Decision	Status
TCP-006	<ul style="list-style-type: none"> • Failing to treat others with respect • Bullying any person • Intimidating or attempting to intimidate 	The complaint is being considered by the Monitoring Officer	Pending

Summary of financial implications

7. There are no financial implications arising from this report.

Summary of legal implications

8. The Council has a legal duty to respond to complaints made against councillors of allegations of a breach of the Code of Conduct. The Council has adopted procedures for handling complaints.

Summary of human resources implications

9. There are no direct manpower implications arising from this report, however, the Committee will be aware that the handling and processing of complaints is resource intensive. A high volume of complaints could require the need for additional resources. It is therefore critical that the committee continuously seeks to promote and maintain high standards of conduct by all councillors to help limit the number of complaints.

Summary of sustainability impact

10. There are no sustainability implications arising from this report.

Summary of public health implications

11. There are no public health and wellbeing implications arising from this report.

Summary of equality implications

12. There are no equality implications arising from this report.

Summary of risk assessment

13. There are no direct risks associated with this report.

Background papers

Records of complaints received by the Council since the last meeting – These records contain exempt information (Categories 1 (Information relating to any individual) and 2 (Information which is likely to reveal the identity of an individual)).

Appendices

There are no appendices to this report.

STANDARDS COMMITTEE



Report subject	Annual Report on Code of Conduct Complaints
Meeting date	13 July 2021
Status	Public Report
Executive summary	<p>This report provides a summary of the complaints received and determined which were made against councillors for alleged breaches of the Code of Conduct.</p> <p>The Standards Committee has a duty to consider an annual report and to promote and maintain high standards of conduct.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <p>the annual report on code of conduct complaints be reviewed and any areas for further work be identified for inclusion in the work programme.</p>
Reason for recommendations	To formally receive the annual report and provide the committee to identify areas for further development to promote high standards of conduct amongst councillors.
Portfolio Holder(s):	Not applicable
Corporate Director	Graham Farrant, Chief Executive
Report Authors	<p>Richard Jones, Head of Democratic Services</p> <p>Susan Zeiss, Director of Law and Governance and Monitoring Officer</p>
Wards	Not applicable
Classification	For Decision

Background

1. The monitoring officer is responsible for dealing with allegations that councillors have failed to comply with the members' code of conduct in accordance with the arrangements adopted by the Council.
2. BCP Council, and all parish and town councils within the boundary of BCP Council, have a statutory duty in the Localism Act 2011 to 'promote and maintain high standards of conduct by members and co-opted members of the authority'.
3. The Standards Committee is responsible for conducting an annual review of the complaints received. Due to the impact of the pandemic, it was not possible to bring a report last year and this report therefore covers the two-year period for 2019/2020 and 2020/21.

Code of Conduct

4. In accordance with the provisions the Localism Act 2011 the council has an adopted a code of conduct. A new code was adopted at the Council meeting in June 2021, this report considers the code in place for the periods in question.

Independent Persons

5. The Act also requires that the council appoint "at least one independent person" whose views are sought and taken into account before it makes its decision on an allegation of a breach of the code of conduct. Their view may also be sought in dealing with allegations which have not been investigated and they may be asked to provide support to subject members who are the subject of an allegation. The council has three independent persons, Paul Cashmore, Ian Sibley and Jonathan Storey. The monitoring officer is grateful for the time and commitment these independent members have given.

Arrangements

6. A revised standards procedure was approved by the council on 23 March 2021 permitting the Monitoring Officer to enter into early preliminary and informal dialogue with the parties concerned with a view to providing early mediation and resolution. Although approved during the period to which this report relates, any changes were not introduced for sufficient time to impact any of those complaints referred to in this report, but it is likely that this change will have an impact in 2021/22.

Register of interests

7. The council maintains a register of interests for councillors of BCP Council and these are published on the Council's web site. A reminder is sent to all councillors each month to request that entries are checked for accuracy and for updates to be registered.

Standards complaints

8. This report covers the two-year periods from 1 April to 31 March for 2019/20 and 2020/21. Complaints are classified to fall within each respective year using the concluded date to ensure that all complaints are captured. Complaints concluded after 1 April 2021 or still pending a decision will be reported next year.

Total number of complaints for period	2019/20	2020/21
Number of BCP complaints	17	19
Number of Parish and Town Council complaints	1	2

9. The complaints against parish and town councillors were all dismissed with no breach of the code identified. Due to the low number of parish related complaints further analysis has not been undertaken at this level.
10. The following analysis and data tables are therefore based on the complaints made against BCP Councillors for 2019/20 and 2020/21 respectively.
11. Following an apparent increase in the number of complaints made by fellow councillors, complaints received against BCP councillors are now categorised by type of complainant (e.g., public, councillor and officer). The table below shows the breakdown by type. It should be noted that there are a further 5 complaints submitted by councillors which are still pending or which have been concluded in 2021/22.

Complainant Type	2019/20	2020/21
Public	14	16
Councillor	1	3
Officer	2	0

12. Officers have further analysed complaints to identify the behavioural source of the complaints, the alleged breach criteria and the final outcome. The tables below provide a breakdown of these categories.

Behavioural source for complaint	2019/20	2020/21
Spoken word	5	2
Email	0	2
Social Media	6	6
Lack of response	2	0
Other	5	9

13. For clarity, the 'other' criteria referred to in the table includes typically non-behavioural actions, for example, decisions of the council as a whole, allegation of interest conflicts, matters arising from media articles and historic matters.
14. When making a complaint, complainants are requested to indicate which obligations of the Council's Code of Conduct they consider the subject councillor has breached. Complainants are permitted to identify more than one criteria. The following table provides a summary of the respective allegations made by complainants.

Alleged Code Breached	2019/20	2020/21
Failing to treat others with respect	9	9
Causing the Council to breach equality laws	2	2
Bullying any person	4	2
Intimidating or attempting to intimidate	6	3
Compromising or attempting to compromise the impartiality of those who work for or on behalf of the Council	2	2
Unlawfully disclosing confidential information or information believed to be of a confidential nature	0	1
Preventing a person from getting information that the person is entitled to by law	0	0

Alleged Code Breached	2019/20	2020/21
Bringing the office of Councillor or the Council into disrepute while acting in an official capacity	7	10
Using or attempting to use the position as a Councillor improperly to confer on or secure an advantage or disadvantage for him or herself or anyone else	3	5
Using or authorising the use of the Councils resources not in accordance with the Councils requirements	0	0
Using or authorising the use of the Councils resources improperly for political purposes	1	0
Failing to have regard to the Councils Code of Publicity	2	2
Failing to have regard to the advice of the Monitoring Officer or Chief Finance Officer	0	0
Failing to declare the existence and nature of a personal interest	1	3
In respect of a prejudicial interest, failing to withdraw from the room or chamber; exercising executive functions; or seeking to improperly influence a decision	1	2
Failing, within 28 days, to register any new or changes to a personal interest in the register of Members interests	1	0

15. Finally, the following table provides details of the outcome of the complaints.

Complaint Outcome	2019/20	2020/21
Outside Jurisdiction	1	1
Dismissed - No Breach of Code	9	16
Potential Breach - Informal Resolution	3	1
Independent Investigation - No Breach	4	1
Independent Investigation - Breach	0	0

16. Whilst, the vast majority of complaints have resulted in no breach of the code being identified and the complaint being dismissed, any complaint received is the result of a perceived dissatisfaction by the complainant and has the potential to damage the reputation of the Council. Administering the complaints process is also a high resource activity and as a consequence every effort should be made to reduce complaints arising in the first instance. All councillors should be encouraged to play an active role and take responsibility for promoting and maintaining high standards of conduct.
17. On analysis of all complaints received, approximately 50% relate to a lack of respect which includes behaviour at meetings, email correspondence and social media. Of those complaints where a potential breach was found, the subject member was requested to apologise, attend additional training or provide an alternative appropriate remedy. Additional training sessions have been offered to all councillors on the Code of Conduct and the use of social media, however, it is recognised that further training is required.
18. A new code has recently been adopted by the council and recommended to all town and parish councils. Training on the new code is to be scheduled shortly.

Conclusion

19. This report provides information about the council's performance in relation to the code of conduct and the administration of complaints. The data in this report provides a baseline for future annual reports.

Summary of financial implications

20. There are no financial implications arising directly from this report.

Summary of legal implications

21. The annual review report evidences that the council complies with the duties required under the Localism Act 2011.

Summary of human resources implications

22. There are no human resource implications arising from this report.

Summary of sustainability impact

23. There are no sustainability impact implications arising from this report.

Summary of public health implications

24. There are no public health implications arising from this report.

Summary of equality implications

25. This report provides statistical for complaints processed in accordance with agreed policy and procedures. Consequently, there are no equality implications arising from this report.

Summary of risk assessment

26. As mentioned previously, any complaint is the result of the complainant being dissatisfied with the actions or behaviours of councillors, which in turn can damage the reputation of the council. Whilst some complaints may be unavoidable, all councillors have a responsibility and duty to promote high standards of conduct. Every effort should be made to raise the awareness of all councillors by the committee.

Background papers

Records of complaints received by the Council between 1 April 2019 and 31 March 2021. These records contain exempt information (Categories 1 (Information relating to any individual) and 2 (Information which is likely to reveal the identity of an individual)).

Appendices

There are no appendices to this report.

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