

Notice of Standards Committee



Date: Tuesday, 17 January 2023 at 6.00 pm

Venue: Committee Room, First Floor, BCP Civic Centre Annex, St Stephen's Rd, Bournemouth BH2 6LL

Membership:

Chairman:

Cllr D Borthwick

Vice Chairman:

Cllr D Kelsey

Cllr M Andrews
Cllr A Filer

Cllr A Jones
Cllr L Northover

Cllr V Ricketts

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=5070>

If you would like any further information on the items to be considered at the meeting please contact: on 01202 096660 or email

Press enquiries should be directed to the Press Office: Tel: 01202 118686 or email 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

9 January 2023

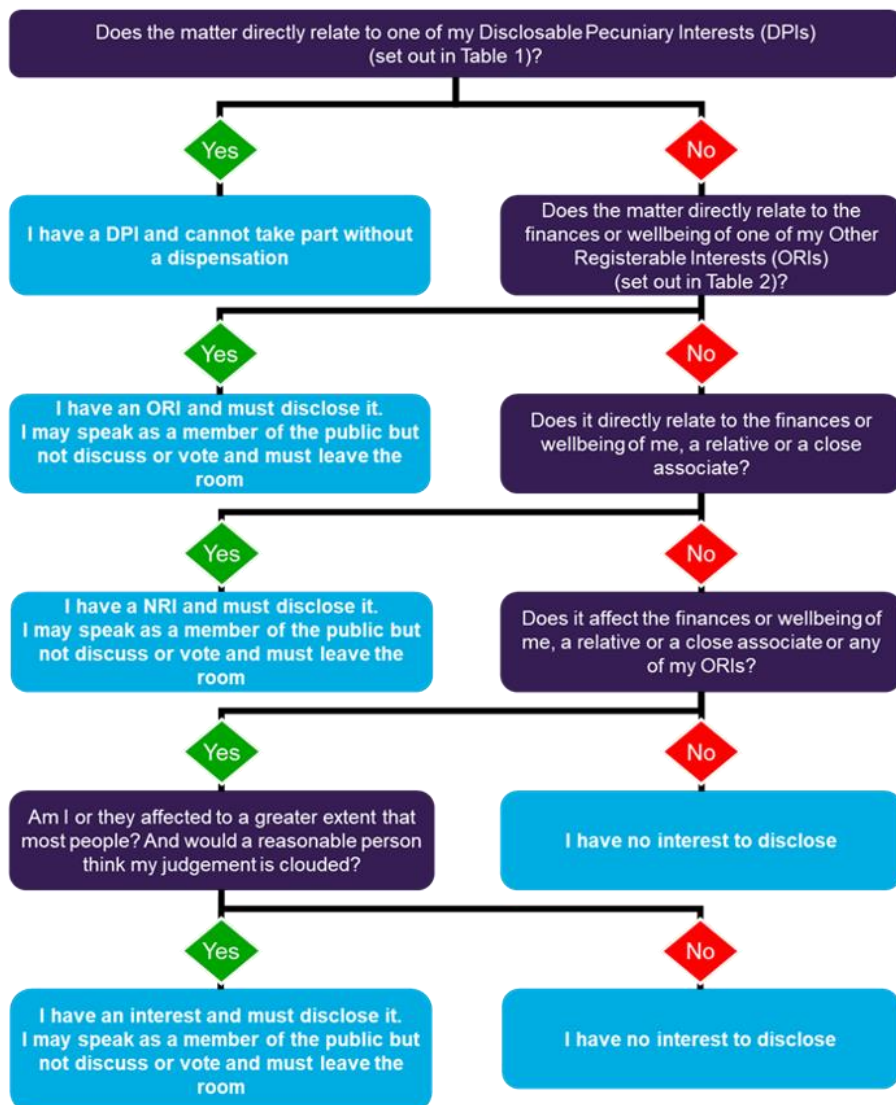


Maintaining and promoting high standards of conduct

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. 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.

4. Confirmation of Minutes

To confirm and sign as a correct record the minutes of the Meeting held on 05 July 2022.

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5. 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.bcpCouncil.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.

6. Code of Conduct Complaints - Review

The report provides Members with an update on complaints regarding alleged breaches of the Code of Conduct against councillors received or concluded since the last report to the Committee in July 2022.

The Committee is responsible for maintaining high standards of conduct by Members of BCP Council and the Town and Parish Councils, monitoring

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the operation of the Code of Conduct, and considering the outcome of commissioned independent investigations.

7. Code of Conduct Complaint - BCP110

To consider a report on a complaint submitted under the Code of Conduct complaint arrangements – to follow.

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 05 July 2022 at 6.00 pm

Present:-

Cllr D Borthwick – Vice-Chairman

Present: Cllr N Brooks, Cllr M Andrews, Cllr A Filer, Cllr D Kelsey,
Cllr M Phipps (In place of Cllr V Ricketts) and Cllr K Wilson (In place
of Cllr L Northover)

Also in attendance: Mr I Sibley and Mr P Cashmore (virtually) (Independent Persons)

Councillor Filer opened the meeting to preside over election of Chairman.

1. Apologies

Apologies had been received from Councillors Northover and Ricketts.

2. Substitute Members

Councillor Wilson substituted for Councillor Northover and Councillor Phipps substituted for Councillor Ricketts.

3. Election of Chairman

Nominations were received and seconded for Councillor Borthwick and Councillor Andrews for Chairman. Both nominees addressed the Committee to give reasons why they should be elected Chairman. Following a secret ballot it was:

RESOLVED that Councillor Borthwick be elected as Chairman of Standards Committee for the Municipal Year 2022/23.

4. Election of Vice Chairman

Nominations were received and seconded for Councillor Kelsey and Councillor Andrews for Vice Chairman. Following a secret ballot it was:

RESOLVED that Councillor Kelsey be elected as Vice Chairman of Standards Committee for the Municipal Year 2022/23.

5. Declarations of Interests

There were no declarations of interest received on this occasion.

6. Confirmation of Minutes

RESOLVED that the Minutes of the Standards Committee held on 1 February 2022, having previously been circulated, be confirmed as an accurate record and signed by the Chairman.

7. Public Issues

The following public statement received from Mr Alex McKinstry in relation to the annual report on complaints against Councillors and the high number of unsuccessful complaints was read out by the Clerk.

12 out of 34 complaints against Councillors have been dismissed as not breaching the Code of Conduct. As this is a high proportion, perhaps the Committee could examine some of these ostensibly groundless complaints. Are they being assessed thoroughly, given the comment about resources in Paragraph 18 of the report? (As a resident, I'd welcome more resource in this area.) Alternatively, if certain behaviour patterns are observable even in rejected complaints - 26 complaints, for instance, speak of "failing to treat others with respect" - then perhaps the definitions of misconduct, as set out in Pages 4-9 of the Code, need revising.

8. Annual Report on Code of Conduct Complaints

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 'A' to these Minutes in the Minute Book.

The report provided a summary of the complaints received and determined which were made against councillors for alleged breaches of the Code of Conduct.

The Standards Committee had a duty to consider an annual report and to promote and maintain high standards of conduct.

The Committee discussed the report including:

- In response to a query regarding the need for updated training, the Committee was advised that training on the new code of conduct had been undertaken in late 2021 and that a full training schedule post local elections in 2023. It was also highlighted that social media training had also been provided.
- It was advised that it appeared that the number of code of conduct complaints had increased generally across local authorities and the possible reasons for this were highlighted
- The reasons why Councillors and member of the public may complain was discussed, together with the process followed once a complaint had been received including possible sanctions available
- It was noted that there had been significant changes in the membership of the Committee and the Head of Democratic Services advised he would circulate the LGA Guidance to Committee Members and arrange a training session in relation to the Committees role **ACTION**

- An Independent Person paid tribute to the Monitoring Officer for informally resolving a number of complaints, thereby reducing the number of complaints being considered by the Committee.

RESOLVED that the annual report on the code of conduct complaints be noted and the following areas be included in the work programme: training needs on social media, new training schedule for 2023, new training session for Committee Members.

9. 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 report to the Committee in February 2022.

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.

In response to a query, it was confirmed that all complaints received to date had been logged.

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

10. Exclusion of Press and Public

The Committee considered whether it was appropriate to exclude the public and press for the next item.

RESOLVED that under Section 100 (A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 2 in Part I of Schedule 12A of the Act and that the public interest in withholding the information outweighs such interest in disclosing the information.

Voting: For - Unanimous

11. Consideration of Report in Respect of Complaints about a Councillor - BCP-021 and BCP-022

Councillor Filer left the meeting before this item was considered.

This item was considered as **exempt information as defined in Paragraphs 1 and 2 in Part I of Schedule 12A of the Act** and that the

public interest in withholding the information outweighs such interest in disclosing the information.

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 'C' to these Minutes in the Minute Book.

The report provided the Standards Committee with the conclusions of the investigation following two complaints made about a Councillor of BCP Council under references BCP-021 and BCP-022. The investigator's report was attached at Appendix 1. The investigator concluded that there were two grounds with sufficient evidence to uphold the complaint.

The Committee was asked to consider the Investigator's report.

The Committee, supported by the Monitoring Officer, discussed the Independent Investigators report and recommendations in detail. The Committee were keen that its resolution would bring this matter to an end with the possible remedies for non-compliance discussed and clarified.

The Independent Members provided the Committee with their views on the Investigators report.

It was Proposed and Seconded and on being put to the vote CARRIED that the following amendments be made to the recommendation, under (c) delete 'all three parties' and insert 'the subject Councillor' and at the end of that section insert 'relevant to that Member only' and under (d) delete 14 days and insert 28 days

RESOLVED that

- (a) the findings of the independent investigator that the subject councillor breached the Council's Code of Conduct on the grounds of failing to treat others with respect and bringing the office of councillor into disrepute, be accepted;**
- (b) the subject councillor be requested to furnish the complainants with a letter of apology for the use of the term 'racism' for the reasons set out in the report;**
- (c) the Council's Equality & Diversity lead Officer facilitate appropriate Equality and Diversity training for the subject Councillor with such training focussing on the issues that were unique and prevalent to matters at the time on the conditions set out in paragraph 1.12 of the investigator's report relevant to that Member only;**
- (d) should the subject councillor fail to provide a suitable letter of apology referred to in (b) and complete the training referred to in (c) above within 28 days of the date of receiving written notification, then a report of non-compliance be presented to full council.**

Voting: For unanimous

The meeting ended at 7.30 pm

CHAIRMAN

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STANDARDS COMMITTEE



Report subject	Code of Conduct Complaints - Review
Meeting date	17 January 2023
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 report to the Committee in July 2022.</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
Report Authors	<p>Ingrid Brown (Head of Legal Services)</p> <p>Richard Jones (Head of Democratic Services)</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 has been presented to previous meetings of the committee and now forms a regular item at committee meetings.

Analysis

3. Details of allegations/complaints in relation to the Code of Conduct are outlined in the table set out in paragraph 9 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 assessment by the Monitoring Officer, who may, if appropriate:
 - (a) reject the complaint on the grounds that it falls outside the scope of a valid Code of Conduct complaint;
 - (b) determine that there is no breach of the Code and no further action should be taken; or
 - (c) where considered appropriate, enter into an early preliminary and informal dialogue with the complainant and the Councillor complained of, and agree a speedy informal resolution of the complaint
 - (d) refer the complaint to the Chair of Standards Committee for consideration...
5. Where complaints proceed to the Chair of the Standards Committee (in consultation with councillors of the Standards Committee, the Independent Persons and the Monitoring Officer (or their Deputy)), the Chair may 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.
6. The table contained in this report provides information about of the nature of the complaint, the assessment of the Monitoring Officer (where appropriate), the decision of the Chair (following consultation), any informal resolutions determined by Chair (where applicable), and the status of the complaint at the date of the report
7. 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 the subject councillors and the complainant, unless specific direction to the contrary has been expressed.
8. There have been a large number of complaints in recent months and capacity issues have meant that there has been some delay in progressing some of these. This has now been addressed and regular scheduled consultation meetings have been set up to enable the Chair to consult as required in the Constitution.

9. Table 1

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 	Following consideration of the complaint at the last meeting where the complaint was upheld (in part), the subject councillor has complied with all required actions.	Closed
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 	Following consideration of the complaint at the last meeting where the complaint was upheld (in part), the subject councillor has complied with all required actions.	Closed
BCP-095	<ul style="list-style-type: none"> Bringing the office of Councillor or the Council into disrepute while acting in an official capacity 	Monitoring Officer completed an initial assessment and determined that there was insufficient evidence supplied to support allegations and that there was therefore no case to answer.	Closed
BCP-097	<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 improperly to confer on or secure an advantage or 	<p>The complaint has been initially assessed by the Monitoring Officer and is to be referred to the Chair for consideration on 16th January 2023</p> <p>A response from the Subject Councillor has been requested.</p>	Pending

Reference	Nature of allegation	Outcome / Decision	Status
	disadvantage for him or herself or anyone else		
BCP-098	<ul style="list-style-type: none"> • 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 or disadvantage for him or herself or anyone else • Using or authorising the use of the Councils resources not in accordance with the Councils requirements • Failing to have regard to the advice of the Monitoring Officer or Chief Finance Officer • Failing to declare the existence and nature of a personal interest • 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>Complaint reviewed by the Chair following consultation.</p> <p>Dismissed on the grounds that there was insufficient information submitted to demonstrate a prima facie breach of the code</p>	Closed
BCP-099	<ul style="list-style-type: none"> • Unlawfully disclosed confidential 	The complaint was considered by the	Closed

Reference	Nature of allegation	Outcome / Decision	Status
	<p>information or information believed to be of a confidential nature</p> <ul style="list-style-type: none"> • Bringing the office of Councillor or the Council into disrepute while acting in an official capacity • Using or authorising the use of the Councils resources not in accordance with the Councils requirements • Using or authorising the use of the Councils resources improperly for political purposes • Failing to have regard to the Council's Code of Publicity 	Monitoring Officer who concluded that there was no breach in relation to GDPR since the information belonged to a different Data Controller. The Monitoring Officer upheld the complaint in relation to the improper use of Council resources and an apology was offered by the subject councillor.	
BCP-100	<ul style="list-style-type: none"> • Specific criteria not identified but relates to actions with a committee meeting 	Complaint reviewed by the Chair following consultation. Dismissed on the grounds that there was insufficient information submitted to demonstrate a prima facie breach of the code.	Closed
BCP-101	<ul style="list-style-type: none"> • Failing to treat others with respect 	Monitoring Officer conducted an initial assessment and dismissed complaint. Subject of complaints relates to historic allegations.	Closed
BCP-102	<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 	Monitoring Officer conducted an initial assessment and dismissed complaint. Subject of complaints relates to historic allegations.	Closed

Reference	Nature of allegation	Outcome / Decision	Status
	<ul style="list-style-type: none"> 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 		
BCP-103	<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 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 Failing to declare the existence and nature of a personal interest 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>Monitoring Officer conducted an initial assessment and dismissed complaint.</p> <p>Subject of complaints relates to historic allegations.</p>	Closed
BCP-104	<ul style="list-style-type: none"> Failing to treat others with respect Compromising or attempting to compromise the 	The complaint has been initially assessed by the Monitoring Officer and was referred referred to the Chair for consideration in	Closed

Reference	Nature of allegation	Outcome / Decision	Status
	<p>impartiality of those who work for or on behalf of the Council</p> <ul style="list-style-type: none"> Failing to have regard to the Councils Code of Publicity 	<p>consultation on the 4th January 2023.</p> <p>This complaint was not upheld on the basis that the subject councillor's actions was part of the normal cut and thrust of politics.</p>	
BCP-105	<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 has been initially assessed by the Monitoring Officer and has been considered by the Chair in consultation.</p> <p>The Chair has requested further information from the Subject Councillor before this matter can be concluded. from the subject Councillor before this can be concluded</p>	Pending
BCP-106	<ul style="list-style-type: none"> 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 or disadvantage for him or herself or anyone else ailing to declare the existence and nature of a personal interest 	<p>Complaint initially assessed by the Monitoring Officer and considered by the Chair in consultation. Complaint not upheld for the reasons that the subject councillor was acting in accordance with the provisions of the constitution.</p>	Closed
BCP-107	<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 was initially assessed by the Monitoring Officer and referred to the Chair for consideration in consultation.</p> <p>Complaint not upheld for the reasons that the subject councillor was expressing</p>	Closed

Reference	Nature of allegation	Outcome / Decision	Status
		an honestly held and valid view.	
BCP-108	<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>The complaint has been initially assessed by the Monitoring Officer and was Chair for consideration in consultation on 4th January 2023.</p> <p>Complaint upheld and Subject Councillor to be asked to apologise.</p> <p>The decision of the Chair has been communicated to the Subject Councillor and a response awaited.</p>	Pending
BCP-109	<ul style="list-style-type: none"> Failing to treat others with respect; Causing the Council to breach equality laws 	<p>The complaint was initially assessed by the Monitoring Officer and referred to the Chair for consideration in consultation.</p> <p>Complaint upheld and resolution sought by way of an apology. .</p>	Closed.
TPC-007	<ul style="list-style-type: none"> Failing to behave in a way that a reasonable person would regard as respectful Acting in a way which a reasonable person would regard as bullying or intimidatory 	<p>Complaint reviewed by the Chair following consultation panel.</p> <p>Complaint upheld and informal resolution sought by way of an apology. In addition it was recommended that training be arranged.</p> <p>Awaiting copy of letter from subject member.</p>	Pending
BCP-110	<ul style="list-style-type: none"> Bringing the office of Councillor or the Council into disrepute while acting in an official capacity 	<p>Complaint was initially assessed by the Monitoring officer and referred to the Chair for consideration in consultation.</p> <p>The Chair has determined that this complaint should be reported to Standards Committee on 17 January 2023 for a decision.</p>	Pending

Reference	Nature of allegation	Outcome / Decision	Status
BCP-111	General complaint	Complaint initially assessed by the Monitoring Officer and determined to fall outside the scope of Code of Conduct as no particular Subject Councillor was identified	Closed
BCP-112	<ul style="list-style-type: none"> Failing to treat others with respect Failing to have regard to the Council's Code of Publicity. 	Complaint reviewed by Monitoring Officer and by Chair following consultation. Complaint to be considered again at a further meeting with the Chain in consultation.	Pending
BCP-113	<ul style="list-style-type: none"> Failing to treat others with respect Intimidating of attempting to intimidate Bringing the office of Councillor or the Council into disrepute while acting in an official capacity 	Complaint reviewed by Monitoring Officer and by Chair following consultation. Complaint to be considered again at a further meeting with the Chain in consultation.	Pending
BCP-114	<ul style="list-style-type: none"> Failing to treat others with respect Intimidating of attempting to intimidate Bringing the office of Councillor or the Council into disrepute while acting in an official capacity 	Complaint reviewed by Monitoring Officer and by Chair following consultation. Complaint to be considered again at a further meeting with the Chain in consultation.	Pending
BCP-115	<ul style="list-style-type: none"> Failing to have regard to the 	Complaint reviewed by Monitoring Officer and by Chair following consultation. Complaint to be considered	Pending

Reference	Nature of allegation	Outcome / Decision	Status
	<p>Council's Code of Publicity.</p> <ul style="list-style-type: none"> Failing to declare the existence and nature of a personal interest 	again at a further meeting with the Chain in consultation.	
BCP-116	<ul style="list-style-type: none"> Failing to have regard to the Council's Code of Publicity 	<p>Complaint reviewed by Monitoring Officer and by Chair following consultation.</p> <p>Complaint to be considered again at a further meeting with the Chain in consultation.</p>	Pending
BCP-117	<ul style="list-style-type: none"> Bringing the office of Councillor or the Council into disrepute while acting in an official capacity 	<p>Complaint reviewed by Monitoring Officer and by Chair following consultation.</p> <p>Complaint to be considered again at a further meeting with the Chain in consultation.</p>	Pending
BCP-118	<ul style="list-style-type: none"> Failing to treat others with respect Intimidating or attempting to intimidate Failing to have regard to the Council's Code of Publicity. 	<p>Complaint reviewed by Monitoring Officer and by Chair following consultation.</p> <p>Complaint to be considered again at a further meeting with the Chain in consultation.</p>	Pending
BCP-119	<ul style="list-style-type: none"> Bringing the office of Councillor or the Council into disrepute while acting in an official capacity 	The complaint was assessed by the Monitoring Officer and will be referred to the Chair for consideration in consultation on 16 th January 2023. Subject Councillors views have been sought.	Pending
BCP-120	<ul style="list-style-type: none"> Bringing the office of Councillor or the Council into disrepute while 	Monitoring Officer undertook an initial assessment and determined that that matter complained	Closed.

Reference	Nature of allegation	Outcome / Decision	Status
	<p>acting in an official capacity</p> <ul style="list-style-type: none"> • In respect of a prejudicial interest, failing to withdraw from the room or chamber; exercising executive functions; or seeking to improperly influence a decision: 	of is historic, being more than 12 months old.	
BCP-121	<ul style="list-style-type: none"> • Behaviour complained of and clarity being sought on alleged breach 	Monitoring Officer has initially assessed the complaint and requested further clarity from complainant	Pending
BCP-122	<ul style="list-style-type: none"> • Bringing the office of Councillor or the Council into disrepute while acting in an official capacity 	Referred to the Monitoring Officer for initial assessment	Pending
BCP-123	<ul style="list-style-type: none"> • Failing to treat others with respect • Bullying any person • Bringing the office of Councillor or the Council into disrepute while acting in an official capacity 	The complaint assessed by the Monitoring Officer and will be referred to the Chair for consideration in consultation on 16 th January 2022. Subject Councillor's views have been sought.	Pending
BCP-124	<ul style="list-style-type: none"> • Nature of breach not clear 	Monitoring Officer conducted an initial assessment and determined that there was no case to answer as the nature of the	Closed

Reference	Nature of allegation	Outcome / Decision	Status
		breach had not been sufficiently set out in the complaint.	
BCP-125	<ul style="list-style-type: none"> Failing to treat others with respect Breaching the Council's equality laws Bringing the office of Councillor or the Council into disrepute while acting in an official capacity 	The complaint assessed by the Monitoring Officer and will be referred to the Chair for consideration in consultation on 16 th January 2023 Subject Councillor's views have been sought.	Pending
BCP-126	<ul style="list-style-type: none"> Failing to treat others with respect Bullying any person Bringing the office of Councillor or the Council into disrepute while acting in an official capacity 	The complaint assessed by the Monitoring Officer and will be referred to the Chair for consideration in consultation on 16 th January 2023. Subject Councillor's views have been sought.	Pending

Summary of financial implications

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

Summary of legal implications

11. 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

12. 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

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

Summary of public health implications

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

Summary of equality implications

15. This report is reporting on the outcome of complaints made against councillors for alleged breaches of the Councillor's Code of Conduct and as a consequence there are no direct equalities implications arising from this report. The Code of Conduct includes a duty upon all councillors to promote equalities and to not discriminate unlawfully against any person. Equality implications are considered as an integral part of the complaints process.

Summary of risk assessment

16. 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.

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