

6 March 2018		ITEM: 6
Standards and Audit Committee		
Annual Members Complaints Update Report		
Wards and communities affected: None	Key Decision: No	
Report of: David Lawson, Assistant Director Law & Governance & Monitoring Officer		
Accountable Head of Service: David Lawson, Monitoring Officer		
Accountable Director: Lyn Carpenter, Chief Executive		
This report is Public		

Executive Summary

This report is to provide the Committee with an update of complaints against Members of the Council, their status, outcome and actions taken.

1. Recommendation(s)

1.1 The Standards and Audit Committee is recommended to note the report and comment on any perceived trends and training needs

2. Introduction and Background

2.1 In 2012 Full Council adopted, as required by the Localism Act 2011, a new local Code of Conduct and Complaints Procedure.

2.2 In accordance with the new Code, the Monitoring Officer conducts an initial assessment of complaints about Members of the Council against an approved initial assessment criteria and consults with the Independent Person and tries to resolve matters informally if possible or appropriate. If a complaint requires further investigation the Monitoring Officer will report the matter to the Members' Advisory Panel which will conduct a local hearing to consider whether the Member has failed to comply with the Conduct.

2.3 During the last year 5 complaints via a duly completed complaint form (and a further 3 expressions of complaint but without a completed complaint form) have been received by the Monitoring Officer. The progress of these complaints is set out in **Appendix 1**. There have been no identified breaches of the Code of Conduct by Members during this period, all complaints have

been investigated to initial assessment stage and the statutory Independent Person consulted in all cases.

- 2.4 All the complaints were received from members of the public, in 2 cases the complaints involved elected Members “private capacity” and therefore were not within the remit of the Code of Conduct. For the remainder either no complaint form was received, or there was insufficient evidence to pass the initial threshold test or were matters appropriate to a mediated resolution as confirmed by the Independent Person. Insofar as there was any common thread this could be addressed by the regular training on the Nolan principles as already embodied in our local Code of Conduct.
- 2.5 It should also be noted that although a fairly long period of grace is given before formally closing a matter most complaints were processed within a month and post Localism Act 2011 there has been no need for the previous practice of having a series of statutory sub-committees to assess all complaints no matter how unfounded or trivial.

3. Issues, Options and Analysis of Options

- 3.1 This report aims to aid the Standards & Audit Committee in exercising an oversight as to the promotion of high standards of conduct by Members and Co-opted Members of the Authority and to help address and emerging trends that may require training input.

4. Reasons for Recommendation

- 4.1 For continued good governance and to ensure that the Standards Committee is aware of complaints against Members of the Council.

5. Consultation (including Overview and Scrutiny, if applicable)

- 5.1 This report is for information only.

6. Impact on corporate policies, priorities, performance and community impact

- 6.1 For continued good governance.

7. Implications

7.1 Financial

Implications verified by: **Sean Clark**
Director of Finance & IT

There are no financial implications associated with this report.

7.2 Legal

Implications verified by: **Matt Boulter**
Deputy Monitoring Officer

The Standard & Audit Committee has within its terms of reference the promotion of high standards of conduct by Members and Co-opted Members of the Authority.

7.3 Diversity and Equality

Implications verified by: **David Lawson**
Monitoring Officer

None.

7.4 Other implications (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

None.

8. Background papers used in preparing the report (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- Council Constitution
- <https://www.thurrock.gov.uk/constitution-of-council/thurrock-council-constitution>

9. Appendices to the report

Appendix 1 – Progress of Complaints Update

Report Author:

David Lawson
Monitoring Officer
Assistant Director of Law & Governance