

Local Members Interest
N/A

Audit and Standards Committee – Tuesday 05 July 2022

Code of Conduct for Members – Report on the Management of Complaints (June 2021-June 2022)

Recommendation

I recommend that:

- a. The Committee note the information contained in this report; and
- b. Make any recommendations that they think fit to assist in respect of the management of Member complaints.

Report of the Director for Corporate Services

Complaints Management and Number of Cases June 2021 – June 2022

1. I am reporting on the number and management of complaints against elected members for the June 2021-June 2022 period.
2. The County Council has its own Code of Conduct for members prepared in accordance with the requirements of the Localism Act 2011. The Council's Code was revised and a new code adopted in 2021 in line with the Local Government Association's Model Code of Conduct for Members which was called for by the Committee on Standards in Public Life (CSPL).
3. Overall, members adopt high standards of conduct all of the time. However there are occasions when members of the public are unhappy about the way an individual member of the County Council has behaved. The Localism Act 2011 requires local authorities to have arrangements in place to deal with complaints about the conduct of members. Those arrangements include provision for the involvement of an 'Independent Person'.
4. The Authority has four Independent Persons - Mr Tom Roach and Mrs Christina Robotham who earlier this year had their term of office renewed for a further four years, and Mr Eddie Barnett and Mrs Sue Charles, who have recently been appointed and are undergoing training.
5. A formal complaint by a member of the public can be lodged either on-line or in writing to the Monitoring Officer. The Monitoring Officer assesses the allegation and consults one of the Independent Persons on whether the allegation, if proved, involves a breach of the Code. If this is the case a further assessment is made on whether the issue can be dealt with by the Monitoring Officer under delegated authority, or, in serious cases, by a Panel of members.

Complaints considered by the Monitoring Officer

6. These are complaints for which the Monitoring Officer, in consultation with the Independent Person, feels that appropriate remedy would be:
- a formal apology by the member concerned to the complainant, or
 - training, or
 - both an apology and training

Complaints considered by a Panel of the Audit and Standards Committee

7. Where the Monitoring Officer, in consultation with the Independent Person, thinks that it is not appropriate for the Monitoring Officer to deal with the complaint or that more serious sanctions might be appropriate, the complaint will be referred to a Panel of five members taken from the full membership of this Committee. The sanctions available are wider including recommendations that the member be removed from a particular committee or outside body and the issuing of an appropriate press release.

Issues dealt with during June 2021 – June 2022

8. Details of the number and outcome of complaints received are given in the Table below:

Period	No. of complaints	No. of members	Outcome
June 2021 – Dec 2021	6	4	All concluded - No breaches of the Code
January 2022- June 2022	5	3	2 cases concluded– No breach of the Code 3 cases – under consideration

More detail of the complaints and agreed actions are shown at Appendix 1 to this report.

9. For this reporting period there is no underlying theme to the nature of complaints other than the fact that many relate to one to one dealings which a member has had with a constituent. Previously common themes, including the use of social media, do not feature highly however it is worth taking this opportunity to remind members of the need to carefully consider the contents and potential consequences of social media posts. At the time of issuing this report, your Members' Development Forum is due to receive a presentation from the newly appointed social media officer. Any information resulting from that presentation will be shared with all members in due course.

Legal Implications

10. The County Council is required to have a formal complaints procedure for the handling of complaints about elected members.

Risk Implications

11. Compliance with the requirement to have a Code of Conduct for members and a local process to deal with alleged breaches of that Code arrangements addresses the risk of challenge to the governance arrangements of the Council.

List of Background Documents/Appendices:

Appendix 1 - Complaints against Elected Members – June 2021 –June 2022

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