



**Standards Committee**

**17 October 2011**

**Code of Conduct Complaints – 2010/11**

**Summary of Report**

To provide the Committee with an overview of the number and outcomes of complaints made against elected members that have been reviewed by the Initial Assessment and Review Sub Committees.

The Report will also give an overview of parts of the Code that breaches have been recorded against.

**Recommendations**

- (1) That the content of the report be noted;
- (2) That the Monitoring Officer circulates the report to all elected members for their information.

**Resource Considerations:**

**Financial:**

None arising from this report

**Legal:**

None arising from this report

**Staffing:**

None arising from this report

**Citizen Impact:**

None arising from this report

**Community Safety:**

None arising from this report

**Environmental:**

None arising from this report

**Performance and Risk Management:**

**Risk:**

None arising from this report

**Performance Management:**

None arising from this report

**Equality Implications:**

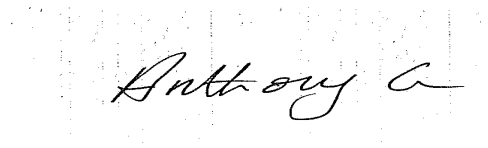
This report complies fully with the Council's policies on equality and diversity

**Consultation:**

None arising from this report

**Background papers**

All published



**Signed:**

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**Date:** 5 October 2011

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## **Background**

The Local Government Act 2000 introduced the requirement for local authorities to have statutory Standards Committees. The composition of these Committees and their broad remits were defined in legislation and subsequent statutory regulations.

Whilst initially the local Standards Committee had more of a 'policy overview' with Standards for England undertaking the investigative elements in relation to Member's Code of Conduct Investigations, further regulations have seen the responsibility passed to a local level since 2008.

From 8 May 2008, the Council have been responsible for hearing complaints in the first instance with the Standards Committee being responsible for receiving allegations and deciding whether any further action needed to be taken relating to alleged breaches of the Code of Conduct.

The Initial Assessment Sub Committee receives the complaint and undertakes an assessment to determine in the complaint should be investigated and/or action taken other than a full investigation. The Sub Committee may make a direction to the Monitoring Officer to take other steps such as the arrangement of training or a face to face meeting to discuss the implications of the allegation. Should the Sub Committee decide that there should be a local investigation then this would be undertaken for and behalf of the Monitoring Officer with a full report produced.

Following a finding of 'no further action by the Initial Assessment Sub Committee', a complainant can request a review which will be considered by the Review Sub Committee comprising of a different three members of the authorities Standards Committee. The criteria for review is the same as Initial Assessment and there is no right to seek further resolution if the complainant is dissatisfied with the decision made by this Sub Committee.

This report considers complaints received during 2010/11 with a full analysis at Appendix A.

A total of four complaints were received during this municipal year.

Of the complaints received all four were considered to have 'no action' which were subsequently reconsidered by a Review Sub Committee where the original decision was upheld.

For complaints received during this time 'predetermination and bias' were found to be the reasons for the most alleged breaches (three complaints received) and "you must treat others with respect" (Part 1 3 (1) where one complaint was received.

**Appendix A**

**Data Table**

	<b>Outcome from Initial Assessment Sub Committee:</b>	<b>Time:</b>	<b>Outcome from Review Sub Committee or final outcome:</b>
1	No action	IA 17 days	No action
2	No action	IA 21 days	No action
3	No action	IA 55 days	No action
4	No action	IA 55 days	No action

## Appendix B

Parts of the Code of Conduct breaches have been recorded against:

<b>Part of the Code of Conduct:</b>	<b>Description:</b>	<b>Number of occurrences:</b>
10 (i) and (ii)	Declaration of Personal Interests	1
	Predetermination and Bias	3