

Report of:	Meeting	Date
Mary Grimshaw, Legal Services Manager	Standards Committee	16 March 2023

Members' Code of Conduct Complaints - Summary

1. Purpose of report

- 1.1** To advise the Committee of the number and status of complaints received since the last meeting under the Members' Code of Conduct which have been, or are to be, considered by the Monitoring Officer and the Independent Person.

2. Outcomes

- 2.1** The public and councillors have confidence in the high standards of local government, and that there is transparency about the conduct of councillors and the mechanisms for dealing with alleged breaches of the Codes of Conduct.

3. Recommendations

- 3.1** That the Standards Committee note the outcome of concluded complaints and the progress of those still outstanding.

4. Background

- 4.1** The council and individual members are required to promote and maintain high standards of ethical behaviour as is required under section 27 of the Localism Act 2011 ("the Act"). The Act requires the council to have in place arrangements, under which allegations that a member of the council has failed to comply with the Code of Conduct can be investigated and decisions made on such allegations.
- 4.2** At previous Standards meetings it has been agreed that a statistical outline be provided to Members and a more detailed summary on a biannual basis.

5. Key Issues and proposals

5.1 The complaints received are summarised in the attached schedule – Appendix 1. Officers have combined a brief description of each complaint and outcome together with a summary of the type of complaint. However no personal information is provided. This will allow members to take an holistic view of the complaints whilst also considering whether there are any issues of particular concern and whether the outcomes are being used appropriately and effectively.

5.2 Since the last meeting, the Monitoring Officer has received 20 complaints. Many of these have been relatively minor issues and in the majority (75%) of cases it was concluded that there was no breach of the code. Where there was no breach it was often the case that the subject member was not acting in their capacity and others received were due to the complainant not being happy/satisfied with a council decision. Of those where it was determined that a breach occurred the MO & IP considered them best dealt with informally and have therefore been concluded without the need for formal report for Standards Committee with the subject member being provided with advice or signposting for training. Common themes of the complaints received have been inappropriate or disrespectful behaviour and inappropriate social media comments.

6. Data Protection Considerations

6.1 Personal data has been processed during the consideration / investigation of complaints. Whilst a privacy impact assessment has not been completed on this occasion, previous advice and guidance has been obtained from the councils Data Protection Officer in relation to ensuring that the privacy of data subjects is considered at each stage of the process.

Financial and legal implications	
Finance	None arising directly from this report.
Legal	The council has a legal duty to respond to complaints made against councillors alleging breaches of the Code of Conduct and have in place suitable procedures for handling and investigating complaints. The council is also responsible for having arrangements in place to investigate and determine allegations against parish councillors.

Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report for those issues marked with an X.

risks/implications	✓ / x
community safety	x
equality and diversity	x
sustainability	x
health and safety	x

risks/implications	✓ / x
asset management	x
climate change	x
ICT	x
data protection	✓

Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a 3rd party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

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List of background papers:		
name of document	date	where available for inspection
None		

List of appendices

Appendix 1 Schedule of current complaints