

**STANDARDS AND ETHICS
COMMITTEE**

13th JUNE 2018

**REPORT OF THE DIRECTOR OF GOVERNANCE AND LEGAL
SERVICES & MONITORING OFFICER**

**MEMBERS' CODE OF CONDUCT COMPLAINTS – QUARTER 4 OF
2017/18**

Reason for Report

1. To provide the Committee with an update on complaints made during Quarter 4 of 2017/18 (the period running from 1st January 2018 to 31st March 2018) against Members of Cardiff Council or any of Cardiff's Community Councils, alleging a breach of the Members' Code of Conduct.

Background

2. The Committee receives regular reports from the Monitoring Officer on complaints made against Members of Cardiff Council and Community Councils within its area, alleging a breach of the Members' Code of Conduct. (There are six Community Councils in Cardiff: Lisvane; Old St. Mellons; Pentyrch; Radyr and Morganstown; St. Fagans; and Tongwynlais.) These reports provide information to assist the Committee to discharge its functions, in particular:
 - i. To monitor and scrutinise the ethical standards of the Authority, its Members, employees and any associated providers of the Authority's services, and to report to the Council on any matters of concern;
 - ii. To advise the Council on the effective implementation of the Code including such matters as the training of Members and employees on the Code's application; and
 - iii. To undertake those functions in relation to community councils situated in the area of the Council and members of those community councils which are required by law',

(paragraphs (a), (c) and (g) respectively, of the Committee's terms of reference).

3. The Committee considers the number of complaints made and any themes or patterns emerging, but does not consider the specific details of each individual case, unless the complaint is formally referred to the Committee for a decision.
4. Complaints received during Quarter 3 of 2017/18 were considered at the Committee's last meeting, in March 2018.

Issues

5. Two complaints alleging a breach of the Members' Code of Conduct were received by the Monitoring Officer during Quarter 4 of the current financial year, 2017/18, covering the period running from 1st January 2018 to 31st March 2018.
6. The table below shows the type of complaint received in Quarter 4 of this year and provides comparative figures for the previous 4 quarters.

	Q4 Jan, Feb, Mar 2017	Q1 Apr, May, Jun 2017	Q2 Jul, Aug, Sept 2017	Q3 Oct, Nov, Dec 2017	Q4 Jan, Feb, Mar 2018
Total	7	4	1	1	2
Member on Member	2	2	0	0	0
Public on Member	5	2	1	1	1
Officer on Member	0	0	0	0	1
Community Councillors	0	0	0	1	0

7. The complaint received from a member of the public related to comments made by a Councillor on social media, which the complainant considered were inappropriate. The Monitoring Officer's view was that there was no evidence of a breach of the Code of Conduct, but the complainant was informed of their right to complain to the Ombudsman if they remained dissatisfied.
8. The complaint received from a member of staff related to the tone of an email sent by a councillor which was considered to be unacceptable. The Monitoring Officer raised the concern with the Member who immediately apologised for any offence caused. The complainant agreed that no further action was necessary.

9. The Committee will note that the number of complaints received during Quarter 4 remains low; and that no breaches of the Members' Code of Conduct have been found.

Legal Implications

10. There are no legal implications arising from the recommendations of this report.

Financial Implications

11. There are no direct financial implications arising from this report.

Recommendation

The Committee is recommended to note the contents of the report.

Davina Fiore

Director of Governance and Legal Services, and Monitoring Officer

23 May 2018

Background papers

Standards and Ethics Committee report 'Member Code of Conduct Complaints, Quarter 3 of 2017/18', 28th March 2018.