

STANDARDS AND ETHICS COMMITTEE

20 JULY 2016

REPORT OF THE INTERIM MONITORING OFFICER

MEMBER CODE OF CONDUCT COMPLAINTS 2016/17

Reason for Report

1. To provide a brief update on complaints made against Members of the Council during the last four quarters alleging breaches of the Code of Conduct, with a focus on the last three months.

Background

2. The table below shows the position for the last four quarters. There have been four complaints recorded for the last 3 months.

	Q2 July, August, Sept 15	Q3 Oct, Nov, Dec 15	Q4 Jan, Feb, Mar 16	Q1 April, May, June 16
Total	24	8	18	4
Member on Member	15	3	4	1
Public on Member	8	5	6	3
Officer on Member	1	0	0	0
Community Councillors	0	0	8	0

Complaints received in Quarter 1 of 2016/17

3. The figures for the last three months show a diminution in the number of complaints. The four complaints which were received in Q1 of 2016/17 were completely varied in nature. Brief details and outcomes are as follows:
 - (a) Alleged misinformation given by a Member to a member of the public. The complaint was dealt with through correspondence and no complaint was made to the Ombudsman.

- (b) Anonymous complaint of malpractice unsubstantiated by evidence. It was not possible to pursue the complaint due to anonymity and lack of detail.
 - (c) Complaint from member of public about an elected Member's tone on Twitter. The complaint was dealt with through correspondence.
 - (d) Correspondence between Members. The complaint is being dealt with through dialogue which is ongoing at the present time.
4. As reported to the last meeting of this Committee, an unusual event in Q4 of 2015/16 was the receipt of notice from the Ombudsman of formal complaints against eight Community Councillors. All related to the same Community Council.

The Ombudsman decided not to investigate five of those complaints. He did investigate three and found no breach of the Code of Conduct. However he advised Members to be mindful of behaviour which risked discrediting their Community Council in the eyes of the public.

Other Local Authorities in Wales

- 5. Members of the Committee have indicated that they would like to know how Cardiff compares with other local authorities in terms of Code of Conduct complaints.
- 6. Accordingly enquiries have been made of all other local authorities in Wales. The outcome shows that there is no uniformity of approach in the way that complaints are recorded and dealt with. This makes it impossible to produce meaningful comparative data. It does however seem to be the case that most local authorities receive fewer complaints than Cardiff, which is unsurprising given Cardiff's size. It is also apparent that hearings related to complaints are rare.

Legal Implications

- 7. There are no legal implications arising from the content of this report.

Financial Implications

- 8. There are no direct financial implications arising from the content of this report.

Recommendation

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

DAVID MARR
INTERIM MONITORING OFFICER
14th July 2016