

**STANDARDS AND ETHICS
COMMITTEE**

22 MARCH 2017

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

MEMBERS' CODE OF CONDUCT COMPLAINTS– QUARTER 3, 2016/17

Reason for Report

1. To provide the Committee with a brief update on complaints made during Quarter 3 against Members of the Council alleging breaches of the Code of Conduct.

Background

2. The Committee receives regular reports from the Monitoring Officer on complaints made against Members of the Council alleging a breach of the Members' Code of Conduct. 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; and
 - 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,

(paragraphs (a) and (c) respectively, of the Committee's terms of reference).
3. Complaints received during Quarter 2 of the financial year 2016/17 were considered at the Committee's last meeting, in November 2016.

Issues

4. A total of 4 complaints alleging a breach of the Members' Code of Conduct were received by the Monitoring Officer during Quarter 3 of the financial year 2016/2017.

5. The table below shows the type of complaints received in Quarter 3 and provides comparative figures for the previous 3 quarters.

	Q4 Jan, Feb, Mar 2016	Q1 April, May, June 2016	Q2 July, August, Sept 2016	Q3 Oct, Nov, Dec 2016
Total	18	4	3	4
Member on Member	4	1	0	2
Public on Member	6	3	3	2
Officer on Member	0	0	0	0
Community Councillors	8	0	0	0

6. The Committee will note that the number of complaints received during Quarter 3 (4 in total) remains similar to the last two quarters (Q1 and Q2) and lower than Q4 of 2015/16.
7. Two out of the four complaints were received from members of the public; and two were received from Members. All four cases have been informally resolved and closed. Brief details of the complaints and outcomes are as follows:
- i. Alleged unacceptable comments made by a Member to another Member after a Council meeting. The allegations were disputed and the complainant agreed that no further action should be taken.
 - ii. Alleged unacceptable comments made by a Member to another Member during a Committee meeting. The Member apologised and the complainant agreed that no further action was necessary.
 - iii. Complaint from a member of the public alleging that an elected Member's comments on social media were unacceptable / inappropriate. The allegations were investigated, but no evidence to show a breach of the Code was found.
 - iv. Complaint from a member of the public about the conduct of a Member. The complainant was asked to clarify the alleged breach of the Code and provide any supporting evidence, but has not responded. No further action is possible.

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

1st February 2017

Background papers

Standards and Ethics Committee report 'Member Code of Conduct Complaints, Quarter 2, 2016/17' dated 30th November 2016