

**STANDARDS AND ETHICS  
COMMITTEE**

**28<sup>th</sup> MARCH 2018**

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

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**MEMBERS' CODE OF CONDUCT COMPLAINTS – QUARTER 3 OF  
2017/18**

**Reason for Report**

1. To provide the Committee with an update on complaints made during Quarter 3 of 2017/18 (the period running from 1<sup>st</sup> October 2017 to 31<sup>st</sup> December 2017) 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 2 of 2017/18 were considered at the Committee's last meeting, in November 2017.

## Issues

5. One complaint alleging a breach of the Members' Code of Conduct was received by the Monitoring Officer during Quarter 3 of the current financial year, 2017/18, covering the period running from 1<sup>st</sup> October 2017 to 31<sup>st</sup> December 2017.
6. The table below shows the type of complaint received in Quarter 3 of this year and provides comparative figures for the previous 4 quarters.

	Q3 Oct, Nov, Dec 2016	Q4 Jan, Feb, Mar 2017	Q1 Apr, May, Jun 2017	Q2 Jul, Aug, Sept 2017	Q3 Oct, Nov, Dec 2017
Total	4	7	4	1	<b>1</b>
Member on Member	2	2	2	0	<b>0</b>
Public on Member	2	5	2	1	<b>1</b>
Officer on Member	0	0	0	0	<b>0</b>
Community Councillors	0	0	0	0	<b>1</b>

7. The single complaint received during Quarter 3 was from a member of the public, who was an unsuccessful applicant for an advertised vacancy which a Community Council proposed to fill by co-option. The complaint was made against the Chair of the Community Council, alleging that he had cyber-stalked the applicant in order to encourage other Councillors not to co-opt him. (The complainant also made various other allegations of bias on the part of the Community Council as a whole.) The complaint was referred to the Ombudsman. The Ombudsman decided there was no evidence of a breach of the Code and decided not to investigate the matter.
8. The Committee will note that the number of complaints received during Quarter 3 remains low in comparison with the number of complaints received during previous quarters.

### **Legal Implications**

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

### **Financial Implications**

10. 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**

21<sup>st</sup> March 2018

#### Background papers

Standards and Ethics Committee report 'Member Code of Conduct Complaints, Quarter 2 of 2017/18', 22<sup>nd</sup> November 2017.