

Audit, Governance and Standards Committee

29 July 2021

Update on Member Code of Conduct complaints

Report by Lauren McCann, Monitoring Officer

Purpose

To report to the Committee a summary of complaints under the Members' Code of Conduct during 2019 and 2020

Recommendations

The contents of this Report are noted

Benefits to the Community:

To provide transparency on complaints against elected Members

Introduction

Code of Conduct Complaints

s.27 Localism Act 2011 requires that relevant authorities have a statutory duty to promote and maintain high standards of conduct my Members and co-opted Members of the authority

Authorities are required to adopt a Code dealing with the conduct that is expected of Members when they are acting in that capacity, and to adopt arrangements for the investigation of complaints and decisions on such allegations.

(1) Number of Complaints

The last 2 years has seen a significant rise in complaints over the previous 2 years.

2018	2019	2020
9	19	12

(2) Complaint by complainants

It remains the position that a significant number of complaints are made by Members against other Members of different political groups. There have been no examples in the last 5 years of any complaints between Members of the same political group.

The Monitoring Officer will be bringing forward proposals in due course for Members to consider the new Model Code of Conduct and an updated Code of Conduct Complaints Procedure.

	2018	2019	2020
Complaints by Members against Members of different groups	5	4	5
Complaints by Members against Members of the same group	0	0	0
Complaints by members of the public	4	14 (of which 7 complaints by one individual & 3 complaints by another individual)	7 (of which 6 have been made by 3 complainants)
Complaints by officers	0	1	0

(3) Types of complaints

Nature of Complaint	2018	2019	2020
Public statements including social media / website/ internet / email comment	5	7	7
Unacceptable conduct at Council / Committee	2	3	3
Conflict of interest	2	1	0
Breach of Officer-Member Protocol	0	1	0
Breach of data protection rules	0	2	0
Bullying and/or intimidation	0	1	1
Other	0	4	1

(4) Outcome of complaints

	2018	2019	2020
Complaints rejected at preliminary stage (including informal resolution)	9	19	11 (2 informal resolutions)
Complaints requiring formal investigation	0	0	1
Complaints referred to AGS Code of Conduct Panel	0	0	0

Resource implications

None

Legal Implications

None

Risk Assessment

N/A

Equalities Analysis

N/A

Health Implications

N/A

Background papers

Previous Report to AGSC dated July 2019

Author of report

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