

BABERGH DISTRICT COUNCIL and MID SUFFOLK DISTRICT COUNCIL

From: Monitoring Officer	Report Number: JAC31
To: Joint Audit and Standards Committee	Date of meeting: 30 June 2014

COMPLAINTS MONITORING REPORT

1. Purpose of Report

1.1 To report on Code of Conduct complaints received or determined in the last quarter.

2. Recommendation

2.1 That the content of this report be noted.

3. Financial Implications

3.1 No direct costs have been incurred in the handling of complaints.

4. Risk Management

4.1 Key risks are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
Complaints are not handled promptly.	Low	Negligible	Monitoring of complaints
Decisions are not sound.	Low	Significant	Apply adopted procedures

5. Consultations

Usually an 'independent person' appointed under the Localism Act 2011 has or will be consulted on each complaint.

6. Equality Analysis

6.1 Not relevant to this report

7. Shared Service / Partnership Implications

7.1 The same processes are applied across both Councils.

8. Key Information

8.1 Complaint Ref 37211 – Tostock Parish Council

8.1.1 Four complaints were made that Councillor "A" of the Tostock Parish Council had been involved in a serious road traffic accident which resulted in charges of dangerous driving being brought by the Police. All four complaints arose from the same incident. Councillor "A" has been found "Guilty" of dangerous driving.

- 8.1.2 The Deputy Monitoring Officer is investigating the position but is waiting to take further action until after the Crown Court sentences the Councillor. This is due to take place shortly.
- 8.2 Complaint Ref 38943 – Tostock Parish Council
- 8.2.1 Two further complaints have been made that Councillor “A” of the Tostock Parish Council has treated certain local residents without respect and in a manner which could reasonably be regarded as bringing their office or Council into disrepute.
- 8.2.2 The Deputy Monitoring Officer is investigating the position and will report further to this Committee in due course.
- 8.3 Complaint Ref N/A yet – Tostock Parish Council
- 8.3.1 A complaint has been made that Councillor “B” of the Tostock Parish Council breached a large number of the provisions of the Suffolk Local Code of Conduct.
- 8.3.2 The Deputy Monitoring Officer is investigating the position here and will report further to this Committee in due course.
- 8.4 Complaint Ref 38860 – Tostock Parish Council
- 8.4.1 A complaint has been made that Councillor “C” of the Tostock Parish Council has treated a fellow Councillor without respect and in a manner which could reasonably be regarded as bringing their office or Council into disrepute.
- 8.4.2 The Deputy Monitoring Officer has investigated the position here and has gathered further information. He is waiting to receive the Independent Person’s comments before assessing this complaint. The Deputy Monitoring Officer will report further to the Committee in due course.
- 8.5 Complaint Ref 38622 – Raydon Parish Council
- 8.5.1 A complaint has been made that all the Councillors of the Raydon Parish Council have breached a large number of the provisions of the Suffolk Local Code of Conduct.
- 8.5.2 The Deputy Monitoring Officer is investigating this somewhat complicated position here and will report further to this Committee in due course.
- 8.6 Complaint Ref 38808 – Felsham Parish Council
- 8.6.1 A complaint has been made that Councillor “D” of the Felsham Parish Council has treated a fellow Councillor without respect and in a manner which could reasonably be regarded as bringing their office or Council into disrepute.
- 8.6.2 The Deputy Monitoring Officer is investigating the position here and will report further to this Committee in due course.
- 8.7 Complaint Ref 39107 – Beyton Parish Council
- 8.7.1 A complaint has been made that Councillor “E” of the Beyton Parish Council has treated certain local residents without respect and in a manner which could reasonably be regarded as bringing their office or Council into disrepute.
- 8.7.2 The Deputy Monitoring Officer is investigating the position and will report further to this Committee in due course.

8.8 Complaint Ref 38480 – Stowupland Parish Council

- 8.8.1 A total of four complaints has been made that Councillors “F”, “G”, “H”, “I” and “J” of the Stowupland Parish Council have breached a large number of the provisions of the Suffolk Local Code of Conduct.
- 8.8.2 The Deputy Monitoring Officer is investigating this complicated position here which in some cases involves complaints made by and against the same Councillor and will report further to this Committee in due course.

8.9 Complaint Ref: 38203 – Bentley Parish Council

- 8.9.1 A complaint was made that Councillors “K”, “L”, “M” and “N” of Bentley Parish Council had prevented access to information to which parishioners are entitled by law. The information requested and allegedly not provided relates to allotments proposed in the parish.
- 8.9.2 The Monitoring Officer, after consultation with the independent person in accordance with the standards complaints procedure, issued her decision regarding the complaints against Councillors “K”, “L”, “M” and “N”. The conclusion was reached that no further action was to be taken on the complaint. However, an observation was made by the Monitoring Officer that the parish council may wish to consider seeking advice on specialist areas from a variety of sources. The complaint is now closed.

8.10 Complaint Ref: 38204 – Mid Suffolk District Council

- 8.10.1 A complaint was made that Councillor “O” of Mid Suffolk District Council has acted in breach of the Code of Conduct. The Monitoring Officer, after consultation with the independent person in accordance with the standards complaints procedure, did not uphold the complaint. The conclusion was reached that there was no evidence of conduct by Councillor “O” referred to in this complaint which would amount to a breach of the Suffolk Local Code of Conduct. Had there been any such evidence, the complaint would not, in any event be deemed sufficiently serious to warrant further action. The complaint is now closed.

8.11 Complaint Ref:39218 – Babergh District Council

- 8.11.1 A complaint was made that Councillor “P” of Babergh District Council has acted in breach of the Code of Conduct. The complaint concerns alleged conduct at a meeting of the Planning Committee. The Monitoring Officer, in accordance with the standards complaints procedure rules, requested Councillor “P” to provide a response to the complaint. An update will be provided to Members at the November Committee meeting.

8.12 Complaint Ref: 39094 – Great Waldingfield Parish Council

- 8.12.1 Two complaints were made that Councillor “Q” of Great Waldingfield Parish Council has acted in the breach of the Code of Conduct. The complaints mainly concern alleged conduct at the meeting of the parish council on 14 April 2014. The Monitoring Officer, in accordance with the standards complaints procedure note, requested Councillor “Q” to provide a response to the complaints. An update will be provided to Members at the November Committee meeting.

8.13 Complaint Ref:39333– Shotley Parish Council and Babergh District Council

8.13.1 A complaint was made that Councillor “R” of Shotley Parish Council and Councillor “S” of Babergh District Council failed to declare disclosable pecuniary interests in breach of the Code of Conduct. The Monitoring Officer is liaising with the Suffolk Constabulary. An update will be provided to Members at the November Committee meeting.

8.14 Complaint Ref:38205 – Babergh District Council

8.14.1 A complaint was made about Councillors “T” and “U” of Babergh District Council in respect of their role in the consideration of a planning application. The Deputy Monitoring Officer is arranging consultation with the independent person in accordance with the standards complaints procedure regarding the complaints against Councillors “T” and “U”. An update will be provided to Members at the November Committee meeting.

9. Appendices

None.

10. Background Papers

Complaint files.

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