

BABERGH DISTRICT COUNCIL and MID SUFFOLK DISTRICT COUNCIL

From: Monitoring Officer	Report Number: JAC42
To: Joint Audit and Standards Committee	Date of meeting: 10 November 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: 38860 & 39403 – Tostock Parish Council

8.1.1 A complaint has been made that Councillor "A" 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.

- 8.1.2 The Deputy Monitoring Officer has investigated the position here and has gathered further information. He has now received the Independent Person's comments and after taking these into account has decided that no action is needed.
- 8.1.3 Councillor A's actions although a little unwise were not deliberately intended to breach the Suffolk Local Code of Conduct. It was felt that the fact that Councillor A was subject to a complaint was sufficient sanction in itself.
- 8.1.4 Additionally, Councillor A was warned as to their future conduct. The complainant has been advised of this decision.
- 8.1.5 Subsequently a further complaint was made against Councillor A by another local individual based on very similar facts to those referred to above. Before this further complaint could be assessed Councillor A resigned as a Tostock Parish Councillor. In the light of this resignation this latest investigation has now ceased.
- 8.2 Complaint Ref: 38622 – Raydon Parish Council
- 8.2.1 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.
- 8.2.2 The Deputy Monitoring Officer has investigated this somewhat complicated position here and collected a considerable amount of paperwork. He has now received the Independent Person's comments and after taking these into account has decided that no action is needed against any of the Raydon Parish Councillors.
- 8.2.3 In short, in the opinion of the Deputy Monitoring Officer none of the complaints made are actually breaches of the Suffolk Local Code of Conduct. This view was also shared by the Independent Person who came to the same conclusion as the Deputy Monitoring Officer. The complainant and the relevant Parish Councillors have been advised of the decision here.
- 8.3 Complaint Ref: 39218 – Babergh District Council
- 8.3.1 A complaint was made that Councillor "B" 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, is currently reviewing the matter in consultation with the Independent Person.
- 8.4 Complaint Ref: 39094 – Great Waldingfield Parish Council
- 8.4.1 Two complaints were made that Councillor "C" 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, is currently reviewing the matter in consultation with the Independent Person.
- 8.5 Complaint Ref: 39333– Shotley Parish Council and Babergh District Council
- 8.5.1 A complaint was made that Councillor "D" of Shotley Parish Council and Councillor "E" of Babergh District Council failed to declare disclosable pecuniary interests in breach of the Code of Conduct. The Monitoring Officer is awaiting the outcome of the investigation by the Suffolk Constabulary.

8.6 Complaint Ref: 38205 – Babergh District Council

8.6.1 A complaint was made about Councillors “F” and “G” 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 complaint against Councillors “F” and “G”. An update will be provided to Members in due course.

8.7 Complaint Ref: 39902 – Babergh District Council

8.7.1 A complaint was made about Councillors “H” and “I” 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 complaint against Councillors “H” and “I”. An update will be provided to Members in due course.

8.8 Complaint Ref: 39903 – Babergh District Council

8.8.1 A complaint was made about Councillor “J” of Babergh District Council in respect of alleged actions during a Committee meeting. The Deputy Monitoring Officer is arranging consultation with the independent person in accordance with the standards complaints procedure regarding the complaint against Councillor “J”. An update will be provided to Members in due course.

8.9 Complaint Ref: 39898 – Long Melford Parish Council

8.9.1 A complaint was made about Councillor “K” of Long Melford Parish Council in respect of alleged comments and actions during a Parish meeting. The Deputy Monitoring Officer is arranging consultation with the independent person in accordance with the standards complaints procedure regarding the complaint against Councillor “K”. An update will be provided to Members in due course.

8.10 Complaint Ref: 39899 – Bentley Parish Council

8.10.1 A complaint was made about Councillors “L” and “M” of Bentley Parish Council in respect of alleged actions in their role as Parish Councillors. The Deputy Monitoring Officer is arranging consultation with the independent person in accordance with the standards complaints procedure regarding the complaint against Councillors “L” and “M”. An update will be provided to Members in due course.

8.11 Complaint Ref: 39406 – Stradbroke Parish Council

8.11.1 A complaint was made about Councillor “N” of Stradbroke Parish Council in respect of an alleged breach of the Code of Conduct. The Deputy Monitoring Officer is arranging consultation with the independent person in accordance with the standards complaints procedure regarding the complaint against Councillor “N”. An update will be provided to Members in due course.

8.12 Complaints Ref: 39891, 39889, 39890, 40108, 40195, 40196, 40294 – Stradbroke Parish Council

8.12.1 Seven complaints were made about Councillor “O” of Stradbroke Parish Council in respect of an alleged failure to declare a disclosable interest and alleged breaches of the Code of Conduct. The Deputy Monitoring Officer is arranging consultation with the independent person in accordance with the standards complaints procedure regarding the complaints against Councillor “O”. An update will be provided to Members in due course.

9. Appendices

None.

10. Background Papers

Complaint files.

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