

BABERGH DISTRICT COUNCIL and MID SUFFOLK DISTRICT COUNCIL

From: Monitoring Officer	Report Number: JAC59
To: Joint Audit and Standards Committee	Date of meeting: 17 August 2015

COMPLAINTS MONITORING REPORT

1. Purpose of Report

- 1.1 To report on Code of Conduct complaints received or determined since the last time that such complaints were reported to the Committee.

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

- 5.1 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: 40957 – Stoke By Nayland Parish Council

- 8.1.1 A total of 4 different complainants made allegations that Councillor "A" of the Stoke By Nayland Parish Council had breached the Code of Conduct in relation to issues surrounding an attempt to remove street lighting from the village of Stoke By Nayland. All the complaints relate to this issue and are inter-related.

- 8.1.2 One of the complainants has withdrawn their complaint as they have received an apology from Councillor “A”.
- 8.1.3 The Deputy Monitoring Officer has made enquiries into the three remaining complaints and has consulted with one of the Independent Persons.
- 8.1.4 Following this consultation the Deputy Monitoring Officer decided to take no action in relation to this complaint as it was not felt that the actions complained about constituted a breach of the Suffolk Local Code of Conduct.
- 8.1.5 All parties have been advised of the outcome of these enquiries.
- 8.2 Complaint Ref: 40649 – Felsham Parish Council
- 8.2.1 A complaint has been made that Councillor “B” of the Felsham Parish Council had breached the Code of Conduct with regards to the re-arrangement of a Parish Council meeting to suit certain Councillors and to the detriment of the complainant who was at all material times a Felsham Parish Councillor.
- 8.2.2 The Deputy Monitoring Officer has made enquiries into this complaint and has consulted with one of the Independent Persons.
- 8.2.3 Following this consultation the Deputy Monitoring Officer decided to take no action in relation to this complaint as it was not felt that the action complained about constituted a breach of the Suffolk Local Code of Conduct.
- 8.2.4 All parties have been advised of the outcome of this complaint.
- 8.3 Complaint Ref: 40839 – Elmswell Parish Council
- 8.3.1 A complaint has been made that Councillor “C” of the Elmswell Parish Council has failed to declare an interest in a planning matter before the Parish Council’s Planning Committee that Councillor C had by being a near neighbour and friend/acquaintance of the planning applicant.
- 8.3.2 The Deputy Monitoring Officer has made enquiries into this complaint and has consulted with one of the Independent Persons.
- 8.3.3 Following this consultation the Deputy Monitoring Officer decided to take no action in relation to this complaint as again it was not felt that the action complained about constituted a breach of the Suffolk Local Code of Conduct.
- 8.3.4 All parties have been advised of the outcome of this complaint.
- 8.4 Complaint Ref: 40477 – Beyton Parish Council
- 8.4.1 A complaint has been made that Councillor “D” of the Beyton Parish Council has intimidated and /bullied the complainant in relation to concerns that the complainant has raised as to the filming of Council meetings. The complainant also states that Councillor “D” has also used articles in the Beyton Village News and Beyton Parish magazine to discredit the complainant’s character and reputation.

8.4.2 The complainant has also made a subsequent complaint that Councillor “D” of the Beyton Parish Council has prevented the complainant from exercising their lawful right to film the proceedings of the Tostock Parish Council on a further occasion.

8.4.3 The Deputy Monitoring Officer has made enquiries into all these complaints and has consulted with one of the Independent Persons.

8.4.4 Following this consultation the Deputy Monitoring Officer decided to take no action in relation to any of these complaints as it was not felt that any of the actions complained about constituted a breach of the Suffolk Local Code of Conduct.

8.4.5 All parties have been advised of the outcome of these complaints.

8.5 Complaint Ref: 41022 – Beyton Parish Council

8.5.1 Complaints (from five complainants) have been made that Councillors “D” and “E” of the Beyton Parish Council have behaved improperly in relation to the filming of Council meetings & have incorrectly spent Parish Council funds on road signage and on geese and on the equipment for the keeping and rearing of geese. Furthermore a complaint has also been made that Councillor “E” has lied at Council meetings.

8.5.2 The Deputy Monitoring Officer has made enquiries into all these complaints and has consulted with one of the Independent Persons.

8.5.3 Following this consultation the Deputy Monitoring Officer decided to take no action in relation to any of these complaints as it was not felt that any of the actions complained about constituted a breach of the Suffolk Local Code of Conduct.

8.5.4 All parties have been advised of the outcome of these complaints.

8.6 Complaint Refs: 40365 & 42396 – Mid Suffolk District Council

8.6.1 Complaints have been made that Councillors “F”, “G”, and “H” of the Mid Suffolk District Council have breached the Members’ Code of Conduct.

8.6.2 The Deputy Monitoring Officer is currently making enquiries into these complaints and will in due course consult with the Independent Person. The outcome of these enquiries will be reported to a future meeting of this Committee.

8.7 Complaint Ref: 42443 – Bentley Parish Council

8.7.1 Two separate complaints have been made that Councillors “I” and “J” of the Bentley Parish Council have breached the Members’ Code of Conduct.

8.7.2 The Deputy Monitoring Officer is currently making enquiries into these two complaints and will in due course consult with the Independent Person. The outcome of these enquiries will be reported to a future meeting of this Committee.

8.8 Complaint Ref: 39889 – Stradbroke Parish Council

8.8.1 A complaint was made about Councillor “A6” of Stradbroke Parish Council in respect of alleged breaches of the Code of Conduct. In accordance with the standards complaints procedure and after consideration of the complaint by two separate Independent Persons the Joint Standards Board considered the matter and resolved:-

8.8.2 That A6 be found to have breached the Suffolk Local Code of Conduct for Members by not treating others with respect and possibly bullying.

8.8.3 That A6 formally apologises to the Parish Clerk and that this be recorded in the Parish Council Minutes.

8.8.4 That the Parish Clerk be encouraged to discuss with SALC/CAB other options open to her should any further incidents of this nature occur.

8.9 Complaint Ref: 41737 – Long Melford Parish Council

8.9.1 A Complaint had been received that Councillor “A” of Long Melford Parish Council has breached the Code of Conduct.

8.9.2 The Deputy Monitoring Officer has made enquiries into the complaint and has consulted with one of the Independent Persons.

8.9.3 Following this consultation the Deputy Monitoring Officer decided to take no action in relation to the complaint as it was not felt that there had been a breach of the Suffolk Local Code of Conduct.

8.9.4 All parties have been advised of the outcome of these complaints.

8.10 Complaint Ref: 41857 – Long Melford Parish Council

8.10.1 A Complaint had been received that Councillor “L” of Long Melford Parish Council has breached the Code of Conduct.

8.10.2 The Deputy Monitoring Officer has made enquiries into the complaint and has consulted with one of the Independent Persons.

8.10.3 The Independent Person has requested further clarification that the Deputy Monitoring Officer is seeking.

8.11 Complaint Ref: 42605 – Long Melford Parish Council

8.11.1 A Complaint had been received that Councillor “M” of Long Melford Parish Council has breached the Code of Conduct.

8.11.2 The Deputy Monitoring Officer has made enquiries into the complaint and has requested the person the subject of the complaint to provide information. This has now been received and one of the Independent Persons will be consulted.

8.12 Complaint Ref: 42606 – Long Melford Parish Council

8.12.1 A Complaint had been received that Councillor “N” of Long Melford Parish Council has breached the Code of Conduct.

8.12.2 The Deputy Monitoring Officer has made enquiries into the complaint and has requested the person the subject of the complaint to provide information. This has now been received and one of the Independent Persons will be consulted.

8.13 Complaint Ref: 42683 – Long Melford Parish Council

8.13.1 A Complaint had been received that Councillors “O and P” of Long Melford Parish Council have breached the Code of Conduct.

8.13.2 The Deputy Monitoring Officer has made enquiries into the complaint and has requested the persons the subject of the complaint to provide information. This has now been received and one of the Independent Persons will be consulted.

9. Appendices

None.

10. Background Papers

Relevant complaint files.

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