



**Name of meeting: Standards Committee**

**Date: 11<sup>th</sup> March 2020**

**Title of report: Code of Conduct complaints update**

**Purpose of report**

To brief the standards committee on Councillor complaints under the Code of Conduct since the last Standards Committee meeting in September 2019.

<b>Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?</b>	<b>not applicable</b>
<b>Key Decision - Is it in the <a href="#">Council's Forward Plan (key decisions and private reports?)</a></b>	<b>no</b>
<b>The Decision - Is it eligible for call in by Scrutiny?</b>	<b>no</b>
<b>Date signed off by <a href="#">Strategic Director</a> &amp; name</b>	<b>YES - Rachel Spencer-Henshall</b>
<b>Is it also signed off by the Service Director for Finance IT and Transactional Services?</b>	<b>Yes</b>
<b>Is it also signed off by the Service Director for Legal Governance and Commissioning Support?</b>	<b>Yes</b>
<b>Cabinet member <a href="#">portfolio</a></b>	<b>Cllr Graham Turner</b>

**Electoral wards affected: All**

**Ward councillors consulted: None**

**Public or private: Public**

**Has GDPR been considered? Yes**

## **1. Summary**

- 1.1 This report follows on from the report that was before the Standards Committee on the 11<sup>th</sup> of September 2019.
- 1.2 This report will look at the number of complaints received since the 11<sup>th</sup> of September 2019, along with their type and nature.
- 1.3 It will also look at which of those new complaints have been resolved and which are still subject to investigation or further action. It will also provide an update on those complaints that were received in the previous reporting period and were not resolved at the time of the previous report.
- 1.4 It will also compare this period's complaints with the previous period, to see if there are any significant differences or trends.
- 1.5 Following the introduction of some graphic interpretations of the complaints data at the previous Committee meeting and member discussion, the type of information being presented in this way has been expanded and members are encouraged to review these and make any further suggestions. These are at the Appendix A to this report.

## **2. Information required to take a decision**

### **2.1 Complaints Summary**

- 2.1.1 Since the 11<sup>th</sup> of September 2019 the Monitoring Officer has received 18 complaints relating to alleged breaches of the Code of Conduct. This figure includes multiple complaints relating to 1 councillor.
- 2.1.2 10 relate to Kirklees Councillors (a total of 11 Councillors) and 8 relate to parish councillors. The number of identified Town or Parish councillors complained about is 6, from 2 Town or Parish Councils.
- 2.1.3 Of these, 3 were not progressed after the initial assessment process and 1 was dealt with informally. The remaining 14 are relatively recent and 9 are currently being investigated before being considered under the initial assessment process, with the remainder being part way through the formal standards process.
- 2.1.4 There are a number of interrelated complaints involving one Town or Parish Council.

### **2.2 Update on previous complaints**

- 2.2.1 Of the 46 complaints recorded in the previous report as then ongoing, these have all now been concluded. Those that related to Town or

Parish Councils were referred back for recommended sanctions to be voted on and implemented.

- 2.2.2 Of the 46, 44 went through the formal Assessment Panel and subsequent decision making process stage. Of the remaining 2 complaints, 1 was dealt with informally by the Monitoring Officer and Independent Person, and the other was not progressed. There remain some difficulties in enforcing the outcome of the decisions.

### 2.3 Previous Report and comparison with the present report

- 2.3.1 The previous report contained a total of 59 new complaints about 12 named Kirklees members, plus a total of 2 Town and Parish Councillors, covering the period from the 6<sup>th</sup> of March 2019 to the 11<sup>th</sup> of September 2019. This compares with the current period under review, the 11<sup>th</sup> of September 2019 to the 11<sup>th</sup> of March 2020, where there is a total of 18 complaints that related to 11 named Kirklees Councillors and 6 named Town or Parish Councillors.

- 2.3.2 The nature of the complaints in the present report concern the behaviour of members towards members of the public (3 complaints relating to 3 members), whilst 9 concern the behaviour of 5 members in social media posts, 1 concerns behaviour towards an officer, 1 concerns alleged failures to comply with sanctions from a previous complaint, 3 concern behaviour at meetings, and the final complaint concerned allegations made in the local press.

The sources of the complaints are that 5 were received from 4 Town or Parish Councillors, 2 were from an officer of a Town or Parish Council and the remaining 11 were from members of the public.

- 2.3.3 Comparing this to the previous report, 45 of the complaints in that report related to the use of social media by 3 members and the remainder related to behaviour, with 10 relating to behaviour at official meetings, 1 relating to member involvement in planning matters, 1 relating to alleged threatening behaviour by a member and 1 relating to the failure to respond to a member of the public.

Of these 59 complaints, 4 were made by 3 Kirklees Councillors, 1 was from 1 Town or Parish Councillor and the remainder came from members of the public.

- 2.3.4 No complaints in this period have yet resulted in formal consideration by the Assessment Panel.

- 2.3.5 Comparison between the two reports, shows that the overall number of complaints has fallen from 59 to 18, whilst the number of Councillors complained about has risen to 17. The drop is because of the

unusually high number of complaints about one Councillor in the previous period.

2.3.6 In this period, we have seen 1 instance of a 'multiple' complaint, with the same complaint being made and supported by more than one complainant.

2.3.7 As anticipated, the total complaints relating to Town or Parish Councils has fallen in the current period, but they remain a possible cause for concern as a number of the new complaints relate directly to previous Town and Parish Council complaints and there is also the possibility that the Monitoring Officer may be seeing a number of inter-related complaints from Town and Parish Councils. It is also of note that, in this period, Town and Parish Council members have generated only one less standards complaint than Kirklees members.

### **3. Implications for the Council**

#### **3.1 Working with People**

N/A

#### **3.2 Working with Partners**

N/A

#### **3.3 Place Based Working**

N/A

#### **3.4 Climate Change and Air Quality**

N/A

#### **3.5 Improving Outcomes for Children**

N/A

#### **3.6 Other (eg Legal/Financial or Human Resources)**

The promotion and maintenance of high standards of conduct by councillors is an important part of maintaining public confidence in both the council and its members. Failure to do so could have reputational implications.

4. **Consultees and their opinions**

N/A

5. **Next steps**

- 5.1 The Monitoring Officer will continue to assess any complaints about members' conduct as and when they are received and will report the outcomes to this committee as appropriate.

6. **Officer recommendations and reasons**

- 6.1 It is recommended that the report is noted and the Standards Committee have regard to the information in considering the training and support requirements for Councillors.

7. **Cabinet portfolio holder's recommendations**

N/A

8. **Contact officer**

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9. **Background Papers and History of Decisions**

- 9.1 N/A

10. **Service Director responsible**

Julie Muscroft  
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## **Appendix A**