



**Name of meeting: Standards Committee**

**Date: 15<sup>th</sup> September 2021**

**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 March 2021.

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?	not applicable
Key Decision - Is it in the <a href="#">Council's Forward Plan (key decisions and private reports?)</a>	no
The Decision - Is it eligible for call in by Scrutiny?	no
Date signed off by <a href="#">Strategic Director</a> & name	Yes – Rachel Spencer-Henshall – 7 <sup>th</sup> September
Is it also signed off by the Service Director Finance?	Yes – Eamonn Croston
Is it also signed off by the Service Director for Legal, Governance and Commissioning?	Yes – Julie Muscroft
Cabinet member <a href="#">portfolio</a>	Cllr Paul Davies

**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 29<sup>th</sup> of March 2021.
- 1.2 This report will look at the number of complaints received since the 29<sup>th</sup> of March 2021, 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.

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

### **2.1 Complaints Summary**

- 2.1.1 Since the 29<sup>th</sup> of March 2021 the Monitoring Officer has received 11 complaints relating to alleged breaches of the Code of Conduct. This figure includes one multiple complaint relating to 2 councillors. One complaint was received that complained about 3 Councillors, but these were essentially separate complaints, so have been recorded as such.
- 2.1.2 9 relate to Kirklees Councillors (a total of 9 Councillors). There are 2 complaints that relate to Town or Parish councillors. There are two separate complaints relating to the same member.
- 2.1.3 Of these 11, 5 were not progressed after the initial assessment process. The remaining 6 complaints are currently being investigated, with clarification being sought from the complainant in respect of three of them, before they can be considered under the initial assessment process.

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

- 2.2.1 Of the 12 complaints that were carried forward from the previous report as ongoing, 3 have now been resolved informally, 4 are to progress to a meeting of the assessment panel, 1 is to be dismissed and the remaining 4 are being reviewed by the Monitoring Officer and the Independent Person.

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

- 2.3.1 The previous report contained a total of 16 new complaints about 13 named Kirklees members, covering the period from the 29<sup>th</sup> of September 2020 to the 29<sup>th</sup> of March 2021. This compares with the current period under review, the 30<sup>th</sup> of March 2021 to the 14<sup>th</sup> of September 2021, where there is a total of 11 new complaints that related to 9 named Kirklees member and 2 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 (6 complaints relating to 6 members), whilst 1 concerns the behaviour of 1 member in social media posts, 2 concern behaviour in the pre-election period (3 members), and 2 concern the behaviour of members at Planning Committee.
- The sources of the complaints are that 10 were received from members of the public and 1 was from a Kirklees Councillor.
- 2.3.3 Comparing this to the previous report, complaints were about the behaviour at meetings (9 complaints relating to 5 members), 1 concerns an allegation of an undeclared conflict of interest, and 2 concern the behaviour of a member during lockdown. There are 4 complaints that have arisen from the planning process, concerning the actions of ward members. Of the 9 complaints recorded above relating to behaviour at committee meetings, 8 of these were complaints about behaviour at planning committee meetings.
- The sources of the complaints in this period are that 1 was from a Kirklees Councillor, and the remaining 10 were from members of the public.
- 2.3.4 Comparison between the two reports shows that the overall number of complaints has fallen from 16 to 11, whilst the number of Councillors complained about has fallen to 11 from 15.
- 2.3.5 In this period, we have seen no instances of 'multiple' complaints, with the same complaint being made and supported by more than one complainant.
- 2.3.6 The total number of complaints relating to Town or Parish Councils has risen from 0 to 2.
- 2.3.7 The number of complaints relating to the planning process has fallen in this period, from 12 of 16, to 2 of 9.

### **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. Next steps and timelines**

- 4.1 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.

### **5. Officer recommendations and reasons**

- 5.1 It is recommended that the report is noted.

### **6. Cabinet portfolio holder's recommendations**

N/A

**7. Contact officer**

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

8.1 N/A

**9. Service Director responsible**

Julie Muscroft  
Service Director – Legal, Governance and Commissioning  
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## **Appendix A**