



Name of meeting: Standards Committee

Date: 15th March 2022

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 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 Council's Forward Plan (key decisions and private reports?)	no
The Decision - Is it eligible for call in by Scrutiny?	no
Date signed off by Strategic Director & name	Yes – Rachel Spencer-Henshall
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 portfolio	N/A

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 15th of September 2021.
- 1.2 This report will look at the number of complaints received from the 15th of September 2021 to the end of February 2022, 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 15th of September 2021 the Monitoring Officer has received 12 complaints relating to alleged breaches of the Code of Conduct. This figure includes a complaint about one member, that was made by two separate members of the public and has been recorded as two complaints. It also includes one complaint that was against two members.
- 2.1.2 11 relate to Kirklees Councillors (a total of 11 Councillors). There is 1 complaint that relates to Town or Parish councillors.
- 2.1.3 Of these 12, 5 were not progressed after the initial assessment process. The remaining 7 complaints are currently being investigated, being considered under the initial assessment process.
- 2.1.4 The process for making a complaint has been amended slightly since the last report, with a web-based form for complainants to complete. This has a number of advantages over the previous process where we provided a copy of the form to complete and return to us.
- 2.1.5 However, there was a problem with the set up which meant that the form was not sending a notification email to the Monitoring Officer, alerting her to a new complaint. This has been identified and fixed, but there were 4 complaints that were made that were delayed in being acknowledged.

2.2 Update on previous complaints

- 2.2.1 Of the 19 complaints that were carried forward from the previous report as ongoing, 7 were dismissed at the initial stage, 4 progressed to a meeting of the assessment panel and findings were made, 4 were finalised informally 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, for the period the 30th of March 2021 to the 14th of September 2021, contained a total of 11 new complaints that related to 9 named Kirklees members and 2 named Town or Parish Councillors. This compares with the current period under review, where there is a total of 12 complaints relating to 11 Kirklees Councillors and 1 Town / Parish Councillor.

- 2.3.2 The nature of the complaints in the present report concern the behaviour of members towards members of the public (5 complaints relating to 5 members), whilst 1 concerns the behaviour of 1 member in emails, 2 concern the behaviour of members in meeting, and 4 concern the behaviour of members at Planning Committee.

The sources of the complaints are that 11 were received from members of the public and 1 was from a Town / Parish Clerk.

- 2.3.3 Comparing this to the previous report, complaints there were about 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.

- 2.3.4 Comparison between the two reports shows that the overall number of complaints has increased by 1, with a small rise in the number of complaints about Kirklees members. The number of Councillors complained about has risen to 12.

- 2.3.5 In this period, we have seen one instance of a 'multiple' complaint, 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 fallen from 2 to 1.

- 2.3.7 The number of complaints relating to the planning process has risen in this period, from 2 to 4, although the 'multiple' complaint referred to above is one of these.

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**

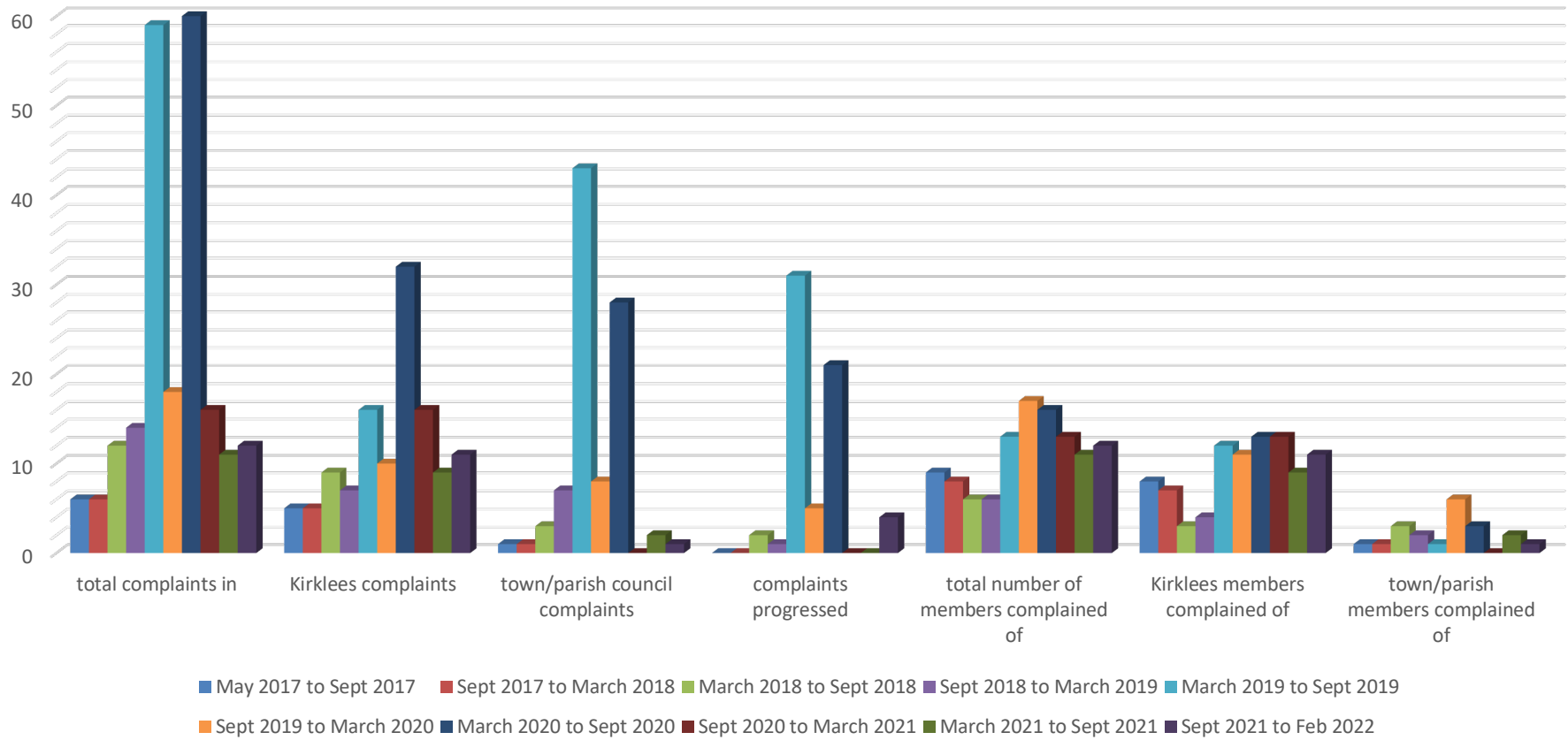
8.1 N/A

9. **Service Director responsible**

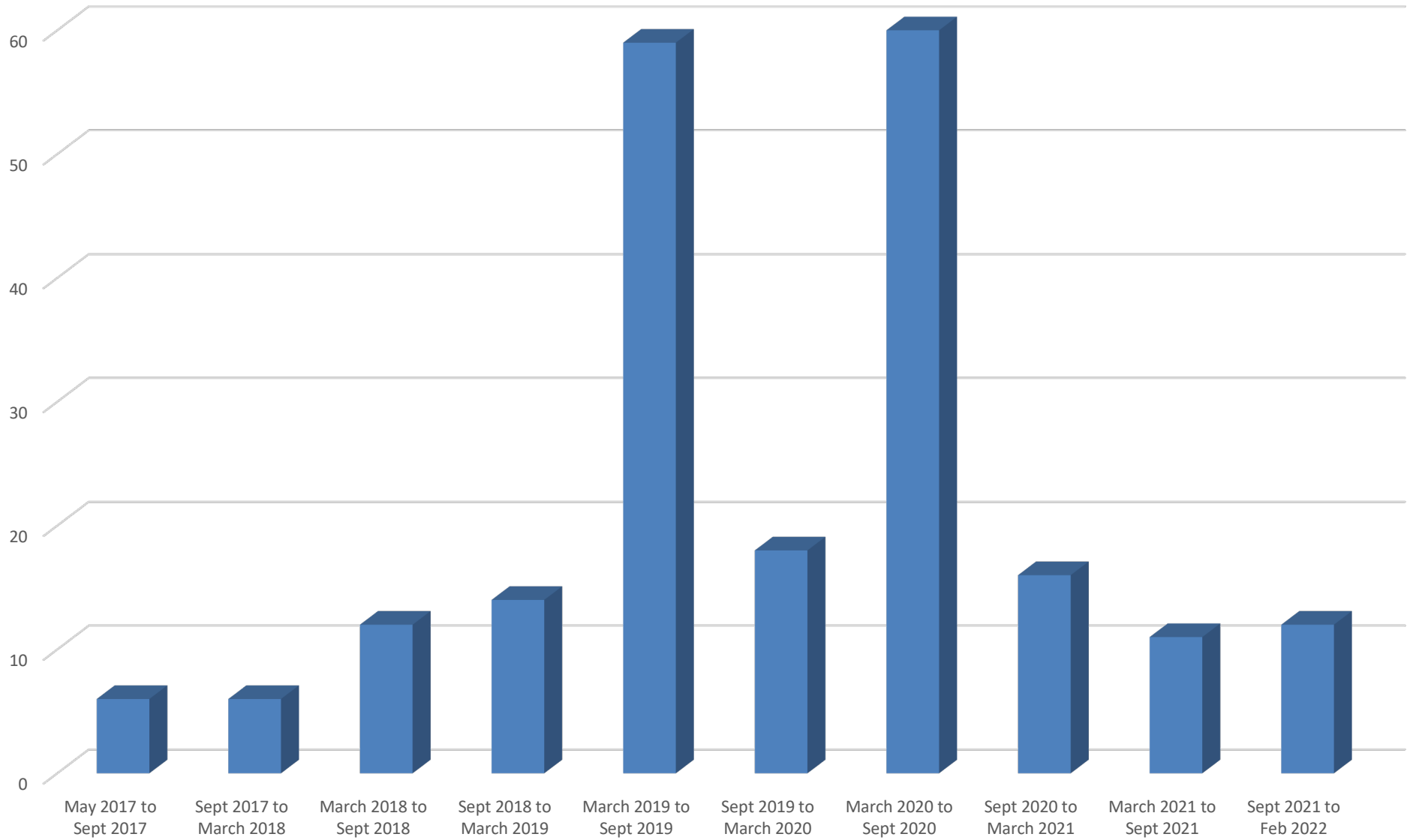
Julie Muscroft
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Appendix A

Complaints summary

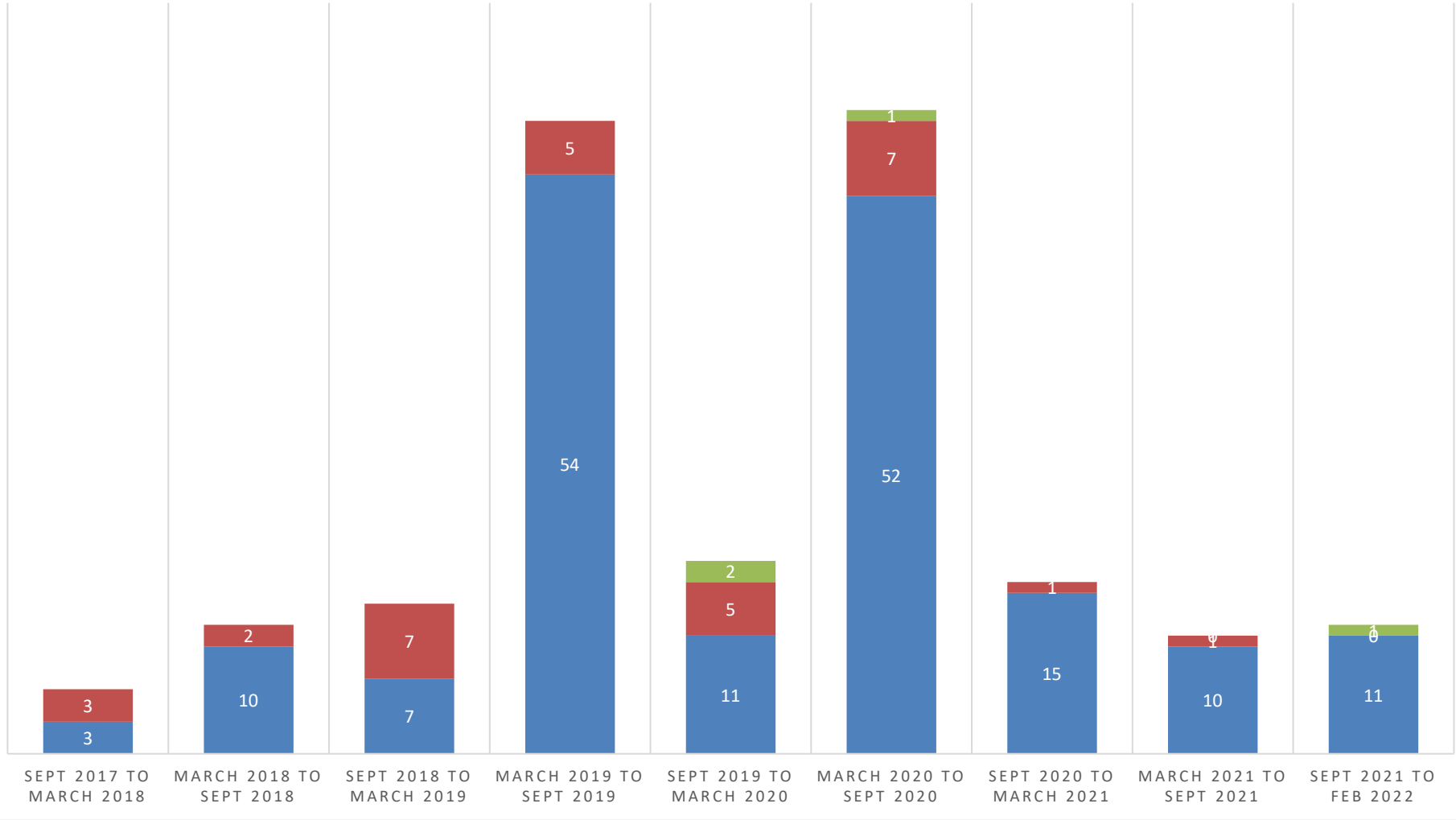


total complaints in



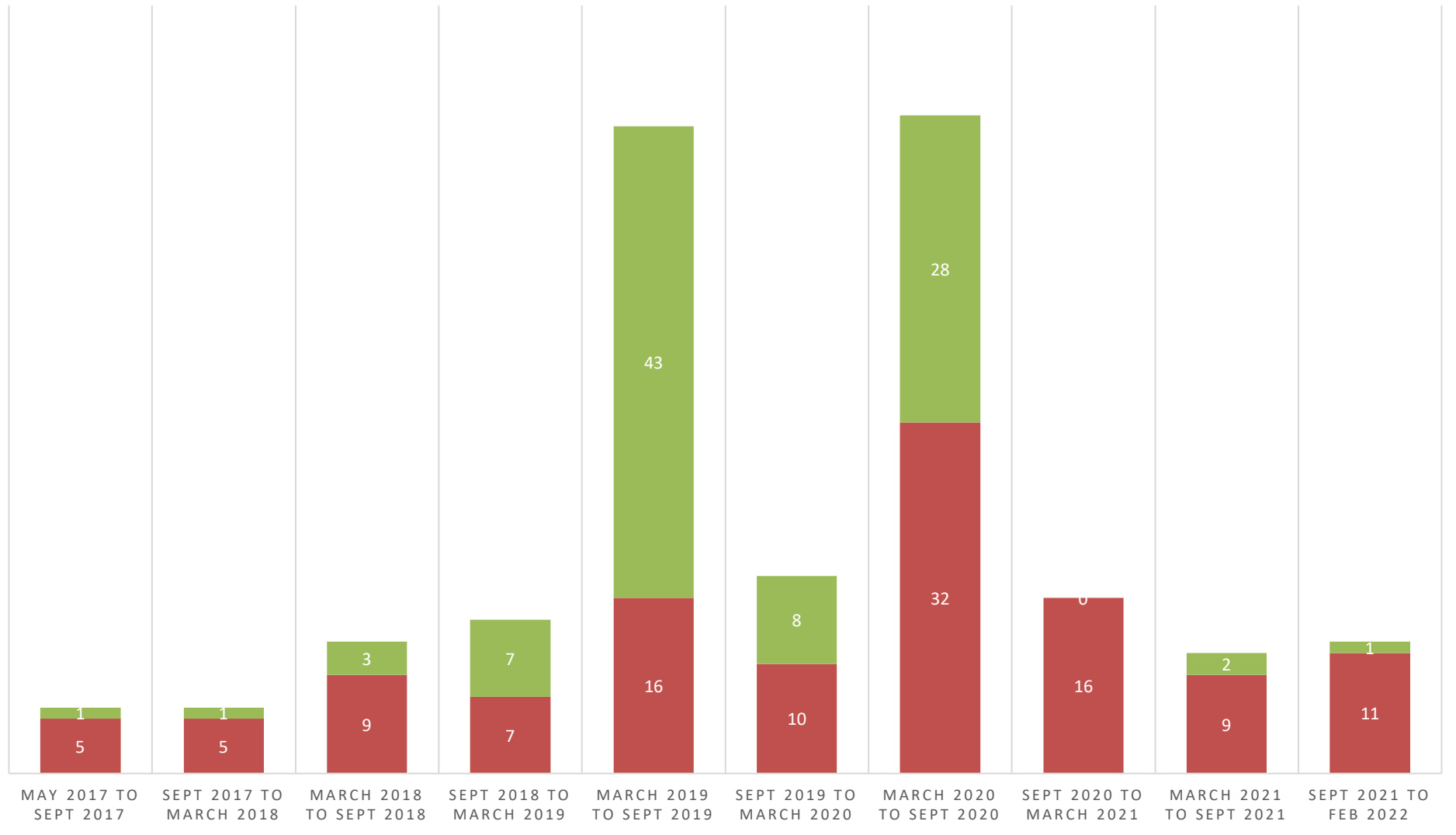
SOURCES OF COMPLAINTS RECEIVED

■ from mop ■ from cllrs ■ from officers

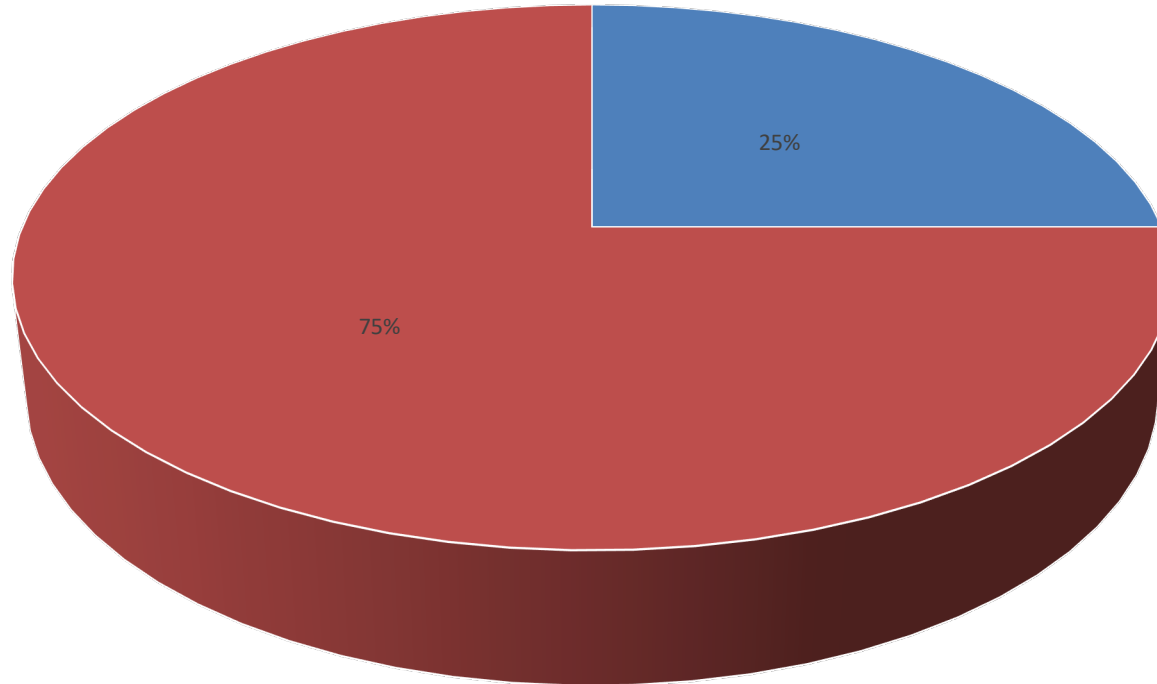


COMPLAINTS - KIRKLEES / TOWN AND PARISH COUNCILS

■ Kirklees complaints ■ town/parish council complaints



Sept 2021 to Feb 2022



■ Planning related complaints ■ Other complaints