

## **Audit and Standards Committee**

**13 March 2017**

### **Annual Report on the Management of Complaints made under the Members' Code of Conduct**

**1. Recommendation:**

That the Panel note the information contained in this report.

Report of the Director of Strategy, Governance and Change

**2. Background**

Members of the Staffordshire County Council pride themselves in their high standards of behaviour. The County Council has its own Code of Conduct for members prepared in accordance with the requirements of the Localism Act 2011 and adopted in 2012. It is based upon the seven principles of public life namely: Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership.

The Code also specifically requires members to publically register and declare as necessary any disclosable pecuniary interest that they may have and any gifts and hospitality that they offer, are offered or refuse.

There may, however, be occasions when members of the public are unhappy about the way a Member of the County Council has behaved. The Localism Act 2011 requires local authorities to have arrangements in place to deal with such formal complaints against members. Those arrangements have to include the appointment of an 'Independent Person' whose views must be sought by the authority. The County Council has appointed two Independent Persons: Mr C Mitchell CBE and Mr A Goldstraw. As Independent members of the County Council's former Standards Committee both are experienced in handling complaints against members.

Complaints are made in writing to the Monitoring Officer of Staffordshire County Council. There is a form available on the internet to help people to describe the issue and their proposed resolution.

Complaints are acknowledged and then considered in the following way –

In cases of allegations in respect of disclosable pecuniary interest/bribery it may be necessary to refer the matter to the police for investigation. For other matters, the Monitoring Officer, in consultation with the Independent Person, assess the complaint to confirm whether or not it relates breach of the Code.

If they conclude that it warrants detailed consideration they will also decide whether that consideration needs to be by the Monitoring Officer or by a Panel of elected members.

### *Complaints considered by the Monitoring Officer*

These are complaints for which the Monitoring Officer in consultation with the Independent Person, feels that appropriate remedy would be:

- a formal apology by the member concerned to the complainant
- training, or both.

### *Complaints considered by a Panel of the Audit and Standards Committee*

Where the Monitoring Officer, in consultation with the Independent Person, thinks that it is not appropriate to deal with the complaint or that more serious sanctions might be appropriate the complaint will be referred to a Panel of up of 5 members taken from the full membership of this Committee. The sanctions available are wider including recommendations that the member be removed from a particular committee or outside body and the issuing of an appropriate press release.

### **3.Complaints considered- 2016**

In the period January 2016 to December 2016 there were four complaints. The complaints received were as follows:

<b>No. of complaints received by the monitoring officer</b>	<b>No. and nature of complaints considered by the monitoring officer /independent person</b>	<b>Action</b>
2	Failure to respond to emails	There was no sanction applied to the councillors concerned [in both cases caused by ICT issues] Apology extended for the delay
2	Councillor attitude falling short of expectations	There was no sanction applied to the councillors concerned Apology extended for offence/upset caused

No complaints were referred for consideration by the Audit and Standards Committee

## **Appendix 1**

### **1.0. Equalities Implications**

1.1 None

### **2.0. Legal Implications**

2.1 The County Council is required to have a formal complaints procedure for the handling of complaints about elected members.

### **3.0 Resource and Value for Money Implications**

3.1. There are no significant resource or value for money implications from this report..

### **4.0 Risk Implications**

4.1. Compliance with the arrangements addresses the risk of challenge to the governance arrangements of the Council.

Report Author:

Author's name: Ann-Marie Davidson Telephone No: (01785) 276131  
E-mail: ann-marie.davidson@staffordshire.gov.uk