



STANDARDS COMMITTEE REPORT

Report Title	STATISTICS – CODE OF CONDUCT ARRANGEMENTS COMPLAINTS
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AGENDA STATUS: PUBLIC

Committee Meeting Date:	11 June 2018
Policy Document:	No
Directorate:	Borough Secretary and Monitoring Officer

1. Purpose

- 1.1 The purpose of the Report is to provide the Committee with information by reporting on the statistics regarding the number of complaints received and dealt with under the “*Arrangements for dealing with allegations of breaches of the Northampton Borough Council Members’ Code of Conduct and of Codes of Conduct adopted by Parish Councils*”.
- 1.2 At its meeting of 18 December 2017, the Standards Committee requested that statistical information be presented to each meeting of the Committee; with updates on the live complaints, new complaints and complaints that have been actioned and closed since the last meeting.

2 Recommendations

- 2.1 To note the statistics in relation to the number of complaints received, and dealt with, under the Code of Conduct Arrangements.
- 2.2 That statistical data in relation to the number of complaints received and dealt with, in respect of the Code of Conduct Arrangements is presented to each meeting of the Committee.

3. Issues and Choices

3.1 Report Background and Issues

- 3.1.1 It was resolved at the meeting of the Standards Committee held on 17 July 2017 that information regarding the number of complaints received and dealt with under the Code of Conduct Arrangements would be presented to the

Committee at its next meeting in October. This information was presented to the Committee in October.

3.1.2 The Committee requested that the data presented to it was elaborated upon to include further statistics regarding the complaints, such as the time taken to resolve the complaints and the outcomes of each complaint.

3.1.3 Further information was provided to the Standards Committee at its meetings in December 2017 and March 2018.

3.1.4 The data in paragraph 3.1.5 below relates to all Code of Conduct complaints that are still live, have been closed since the 19 March 2018 Committee meeting or have been received since the March 2018 Committee papers were published.

3.1.5

a) Complaints against a Parish Councillor

1) Complaint received on 23 March 2017

This file is now closed.

The determination of the initial assessment of the complaint was that the complaint would be referred to an investigation. The investigation has taken place and the Investigator's report was received in March 2018. The file was closed on 4 April 2018.

The Investigator:

- Suggested that there is an urgent need to review the wording of the Code of Conduct, in particular Paragraph 12.
- Concluded that the investigation did not identify a breach of the Code by the Subject Member.

The Solicitor, on behalf of the Monitoring Officer, met with the Independent Person to consider the Investigator's report and determined that there would be no further action based on the legal case presented in the Investigator's report. It would be recommended to the Standards Committee, NBC, that a supplementary Code to the Code of Conduct should be considered. Should this be adopted by the Standards Committee, the relevant Officer is charged with informing the Parish Clerks of the change and recommend that the Parish Councils consider adopting a supplementary Code to their Codes of Conduct.

2) Complaint received on 13 March 2018

This file is still open.

An initial assessment made by the Solicitor, on behalf of the Monitoring Officer, in consultation with the Independent Person, was held on 3 April 2018. The determination of the initial assessment of the complaint was that the complaint would be referred to an investigation. An Investigator has been appointed and his report is awaited.

3) Complaint received on 11 May 2018

The complaint was received on 11 May 2018. Pre-assessment determined that the complaint was out of scope and the file was closed on 29 May 2018.

b) Complaint against a Borough Councillor

1) Complaint received on 25 March 2017

As reported to the December and March 2018 meetings of the Standards Committee, this file is still open.

The determination of the initial assessment of the complaint was that the complaint would be held in abeyance pending the outcome of a separate investigation.

2) Two complaints received on 14 May 2018

Two complaints about the same Councillor were received on 14 May 2018 and the initial assessments of the complaints are scheduled for 5 June 2018. The determination of the initial assessment will be provided to the Committee at the meeting.

3.2 Choices

3.2.1 Members are asked to note the information provided.

4. Implications (including financial implications)

4.1 Policy

4.1.1 This report does not have any direct policy implications.

4.2 Resources and Risk

4.2.1 This report does not have any direct resource implications.

4.3 Legal

4.3.1 Complaints received are dealt with in accordance with the *Arrangements for dealing with allegations of breaches of the Northampton Borough Council Members' Code of Conduct and of Codes of Conduct adopted by Parish Councils* which were adopted pursuant to the Localism Act 2011.

4.4 Equality

4.4.1 There are no direct equality and diversity implications arising from this report.

4.5 Consultees (Internal and External)

4.5.1 Not applicable.

4.6 Other Implications

4.6.1 None.

5. Background Papers

5.1 Complaints received in respect of the Arrangements for dealing with allegations of breaches of the Northampton Borough Council Members' Code of Conduct and of Codes of Conduct adopted by Parish Councils.

**Francis Fernandes
Borough Secretary and Monitoring Officer**