



CONSTITUTION AND STANDARDS COMMITTEE

Wednesday, 25 November 2020

REPORT TITLE:	SUMMARY OF STANDARDS COMPLAINTS
REPORT OF:	MONITORING OFFICER

REPORT SUMMARY

This report provides a summary of Standards complaints received under the Members' Code of Conduct and Protocol for dealing with complaints against Members between 31 October 2019 and 31 October 2020.

RECOMMENDATION/S

That the Constitution and Standards Committee notes the summary of standards complaints set out at Appendix 1 to this report.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 To provide the Committee with an opportunity to consider the handling and progress of standards complaints

2.0 OTHER OPTIONS CONSIDERED

- 2.1 The process for the administration of standards complaints is undertaken in accordance with the revised Protocol for dealing with complaints against Members which was approved by the Committee in February 2019.

3.0 BACKGROUND INFORMATION

- 3.1 The Council is required to deal with complaints made against Members under its approved Ethical Framework.
- 3.2 In order to assist with the effective administration of standards complaints, the Committee, as part of its monitoring role, is invited to consider the nature and handling of complaints received pursuant to the Members' Code of Conduct.
- 3.3 Appendix 1 sets out a summary of the complaints received between 31 October 2019 and 31 October 2020 and their status.
- 3.4 One complaint which was received in July 2019 and was still outstanding at the time of the last report to the Committee in November 2019 was investigated and referred to the Standards Panel on 4 December 2019. The Panel found that there had been a breach of the Code of Conduct and required a number of actions to be undertaken by the subject Member and the Monitoring Officer. The full decision was published on the Council website and all of the required actions have been undertaken by the Monitoring Officer and the subject Member.
- 3.5 The Ethical Framework requires complaints to be dealt with confidentiality and therefore it is not possible to provide extensive details in respect of each complaint.
- 3.6 Between 31 October 2019 and 31 October 2020 a total of 5 complaints in respect of the conduct of 5 Members have been received. The complaints were received from 5 different complainants. There were 2 complaints raised by Members against other Members. No complaints received during this period are ongoing. None of the complaints received were referred for a formal investigation.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications arising from this report save that where an external investigator or trainer is appointed, additional costs will be incurred. Such costs will vary depending upon the nature of the complaint and the time taken to undertake and complete the investigation or undertake the training.

5.0 LEGAL IMPLICATIONS

- 5.1 Under the Localism Act 2011 the Council is required to have a Code of Conduct relating to the conduct of Members and arrangements in place to deal with any complaints received in respect of Members conduct.
- 5.2 This report provides an opportunity for the Committee to monitor the progress of complaints.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 There are no such issues arising from this report.

7.0 RELEVANT RISKS

- 7.1 The administration of standards complaints should be dealt with as efficiently as possible to ensure matters are concluded quickly and closure of issues secured for both complaint and the subject member(s) involved. The current Covid-19 pandemic has impacted on capacity to deal with complaints and has led to a failure to adhere to the timescales contained in the Protocol for dealing with complaints against Members.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 One of the Independent Persons is consulted every time a complaint is received.

9.0 EQUALITY IMPLICATIONS

- 9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity. There are no specific equality implications arising from this report.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

- 10.1 There are no specific environmental and climate issues arising from this report.

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APPENDICES

Appendix 1 – Summary of Standards Complaints

BACKGROUND PAPERS

The Members' Code of conduct

The Protocol for dealing with complaints against Members

SUBJECT HISTORY (last 3 years)

Council Meeting	Date