

Standards Committee
CRMG Scrutiny
Cabinet
Council

16 September 2024
15 October 2024
5 November 2024
21 November 2024

ANNUAL REPORT REGARDING COUNCILLOR CONDUCT

Report of the Assistant Director Legal and Democratic Governance

1. INTRODUCTION AND PURPOSE OF REPORT

- 1.1 To update the council on complaints received about the conduct of members during the 2023/24 municipal year.

2 BACKGROUND

- 2.1 Under the Members' Code of Conduct, complaints received by the Monitoring Officer about the conduct of members are subject to an initial assessment by the Monitoring Officer in consultation with the Statutory Independent Person. Where necessary, complaints will be referred to the Standards Committee Hearing Panel (sub-committee) for consideration.
- 2.2 The Council's approved policy for dealing with complaints states that the Standards Committee will be kept informed of the number of complaints received and an annual report of the Monitoring Officer be submitted to the Council Meeting. A summary of the complaints are set out below.

3 COMPLAINTS

- 3.1 In 2023/24, a total of four complaints were received. Three of the complaints were received from members of the public and one complaint was received on behalf of members of a Trade Union. Further details in relation to the complaints are set out below.
- 3.2 In all of the complaints, one of the two Independent Persons were consulted at an early stage and a view provided to the Monitoring Officer. On each occasion the Independent Person was in agreement with the action proposed and then taken by the Monitoring Officer.
- 3.3 The details below are a brief synopsis of the complaints received. The purpose of this report is purely to provide an overview of the number of complaints made, the salient points raised and how they were resolved whilst maintaining confidentiality. Out of the four complaints received, two were rejected and two were partially upheld.

Complaint 1

- 3.4 This complaint was made by a member of the public regarding the conduct of all the members of the Planning and Highways Regulation committee at one of

the committee meetings. After an initial investigation and discussion with the Independent Person the complaint was rejected.

Complaint 2

- 3.5 This complaint was made by a member of the public which related to comments made by a member in emails when acting in another role as part of their employment (not as a member) and for not disclosing an interest at an Area Committee meeting in relation to that employment.
- 3.6 After an initial investigation and discussion with the Independent Person the majority of the complaint was rejected due to the code of conduct not being engaged in relation to the email communications. The code of conduct was engaged at the Area Committee and the complaint that the member failed to declare an interest at the Area Committee meeting was upheld. The Monitoring Officer has reminded the member of the need to declare their interests at meetings, even if they are recorded on their register of interests.

Complaint 3

- 3.7 This complaint was made on behalf of members of a Trade Union relating to comments made by a member at a Council meeting.
- 3.8 After an initial investigation and discussion with the Independent Person the majority of the complaint was rejected. One element of the complaint was upheld, namely that the member showed a lack of respect when making the comments at the Council meeting. The Monitoring Officer recommended that training be provided and that an apology be provided by the member. The member has refused to provide an apology.

Complaint 4

- 3.9 This complaint was made by a member of the public in relation to a member's decision not to correspond or communicate with the complainant.
- 3.10 After an initial investigation and discussion with the Independent Person the complaint was not upheld. However, the Monitoring Officer recommended that the member provide a response to the complainant setting out their position, which was provided.

4 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

- 4.1 There are none.

5 LEGAL CONSIDERATIONS

- 5.1 This report is provided as per the requirement in the Council's constitution.

6 HUMAN RESOURCES IMPACT

6.1 There are none.

7 **EQUALITIES IMPACT**

7.1 None of the complaints raised any issues of any breaches of the Equalities Act 2010.

8 **ENVIRONMENTAL IMPACT**

8.1 There is none.

9 **CONCLUSIONS AND RECOMMENDATIONS**

9.1 None of the complaints received during this period progressed beyond the initial assessment or investigation stage as outlined in the constitution. No matters were referred to the Standards Committee or the Standards Sub Committee for hearing.

9.2 All members who have received complaints against them have engaged pro-actively and transparently with the Monitoring Officer in the course of the initial assessments. Those that received recommendations and advice from the Monitoring Officer have taken that onboard and complied with the recommendations made, save for the member who refused to provide an apology as requested. When a member signs the Code of Conduct they agree to abide by the Monitoring Officer's recommendations. However, the Monitoring Officer has no further remit to ensure that the recommendations are adhered to by the member.

BACKGROUND PAPERS

There are none

Anyone wishing to inspect the above background papers or requiring further information should contact Vicki Bates



Vicki Bates on Tel: 0161 474 3219 or by email on vicki.bates@stockport.gov.uk