

ARUN DISTRICT COUNCIL

REPORT TO THE STANDARDS COMMITTEE ON 20 FEBRUARY 2020

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| SUBJECT: | Register of Assessments of Complaints against Councillors |
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| DATE: | January 2020 |
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EXECUTIVE SUMMARY:

This report updates the Committee on the complaints against Councillors received over the past two years.

RECOMMENDATIONS:

The Committee is asked to resolve that:

- (1) the Register of Complaints against Councillors be noted; and

the Committee is asked to consider:

- (2) if any change to publication arrangements for decision notices should be made.

1.0 BACKGROUND AND COMPLAINT ACTIVITY SINCE THE LAST REPORT

- 1.1 A Register of Assessments of Complaints against Councillors is updated regularly by the Group Head of Council Advice & Monitoring Officer and distributed to Members of the Standards Committee. The register is a confidential document for the information and use of Members of the Standards Committee only to enable them to monitor the number and type of complaints, and to review any lessons learnt. This assists Members in making decisions on where to direct training. The register is also a reference source for Members of other similar complaints, when dealing with assessments.
- 1.2 As agreed at their meeting on 19 October 2017, the Committee will receive an updated list of all complaints received for the previous two years. The latest list of complaints has been provided to Members of the Committee only as an exempt Appendix and is not for publication by virtue of paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended, on the basis that it includes information relating to any individual.
- 1.3 Since the last meeting on 25 July 2019, ten complaints have been received under the Code of Conduct. Of the seven complaints completed, none have required a Stage 2 assessment. Should the Committee wish to discuss any information contained within the Appendix, they will need to consider moving into exempt business.

2.0 FUTURE PUBLICATION ARRANGEMENTS

- 2.1 As raised at the last meeting, practices have been reviewed on whether a modified public register of complaints should be introduced which could be published via the Committee, to the Council's website. This review has highlighted how few Councils publish information on the outcome of complaints received. The two examples found from the review will be presented at the meeting.
- 2.2 The Council is currently working within the Committee on Standards in Public Life's (CSPL) best practice recommendation (January 2019) of publishing a decision notice where a formal investigation into an allegation of misconduct has been undertaken. At Arun this is through an Assessment Panel. The CSPL's recommendation does not appear to be asking a local authority to publish a decision notice where there has not been a full investigation, or misconduct has not been found. Indeed, under Arun's Local Assessment Procedure no formal decision notice would be produced unless there had been a full Stage 2 investigation.
- 2.3 Based on this review, the Committee therefore needs to consider whether it wishes to make any change to its current publication arrangements to introduce a public register of complaints. The Committee may wish to bear in mind that one of the CSPL's recommendations to Government in their January 2019 report (Recommendation 15) is that the Local Government Transparency Code should be updated to require councils to publish annually:
- the number of code of conduct complaints they receive;
 - what the complaints broadly relate to (eg bullying, conflict of interest);
 - the outcome of those complaints, including if they are rejected as trivial or vexatious; and
 - any sanctions applied.

3.0 REASON FOR THE INFORMATION

- 3.1 To comply with the adopted Code of Conduct and Local Assessment Procedure.

4.0 OPTIONS

1. For recommendation (1) none as all the complaints have been considered in line with the adopted Local Assessment Procedure.
2. For recommendation (2), the Committee need to consider if any change in current practices is required.

5.0 BACKGROUND PAPERS

Members Code of Conduct
Local Assessment Procedure

<https://www.arun.gov.uk/complaints-against-councillors>
<https://www.arun.gov.uk/complaints-against-councillors>

Committee on Standards in Public Life – January 2019 report
<https://www.gov.uk/government/collections/local-government-ethical-standards>