



Committee and date
Standards Committee
20 July 2011

Item
10
Public

COMPLAINTS ABOUT MEMBER CONDUCT

Responsible Officer Claire Porter

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1. Summary

This report provides information in respect of complaints about member conduct which have been dealt with by the Assessment Sub-Committee or the Review Sub-Committee, for the period 1 April 2010 to 31 March 2011.

2. Recommendations

That the report be noted.

REPORT

3. Outcome of Complaints to Assessment Sub-Committee

A total of 56 complaints were considered by the Assessment Sub-Committee during the period.

The decision of the Assessment Sub-Committee in 34 of the cases was that there should be no further action and 9 were referred for an investigation. Of these, 1 was referred to Standards for England for Investigation.

A total of 49 allegations were made by members of the public 10 of which from one complainant involved all members of a Parish Council.

A full breakdown and analysis of complaints considered by the Assessment Sub-Committee is attached at Annex A.

2. Outcome of requests for review

Out of the 34 complaints in respect of which no further action was required, 14 requests were made for the decision to be reviewed.

The original decision of the Assessment Sub-Committee was considered reasonable in 12 cases and consequently, upheld. The Review

Sub-Committee felt however that in respect of one other case, this should be referred for investigation by the Monitoring Officer.

In respect of one further case, the Sub-Committee felt that the matter should be referred for "other action".

3. **Other Action**

Of the 13 complaints which were referred by the Assessment Sub-Committee for other action, 10 were made by one complainant in respect of similar issues regarding 10 members of one parish council. All required training to be provided on the requirements of the Code of Conduct. (The outcome of this was reported to the last meeting of the Committee).

Similarly complaints relating to the conduct of a member of 3 parish councils respectively were referred for other action in the form of the offer/provision of training on the Code of Conduct.

The case referred for other action, by the Review Sub-Committee, involved a town councillor and training on the requirements of the Code of Conduct was given to this person.

4. **Investigations**

The case referred to Standards for England involved allegations about the conduct of a member of Shropshire Council. Standards for England agreed that for the majority of the allegations in the complaint no action was required. They did refer back to the Standards Committee one allegation with a view to the Committee deciding if it should be investigated. The Committee after reconsidering the allegation decided no action was necessary.

Of the 8 cases referred to the Monitoring Officer for investigation, 6 resulted in a finding of no breach of the Code of Conduct, and one finding of a breach. In the latter case, the Hearing Sub-Committee resolved to sanction the member concerned and requested that the member send a letter of apology to the complainant.

One case was referred back to the Assessment Sub-Committee, by the Monitoring Officer, on the basis that the subject member had emigrated. The Sub-Committee agreed that no further action was necessary.

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

Decision Notices of Assessment Sub-Committee regarding complaints on member conduct.

Human Rights Act Appraisal

This report is compatible with the Human Rights Act 1998.

Environmental Appraisal

N/A

Risk Management Appraisal

It is vital to ensure high standards of conduct from elected and co-opted members of Shropshire Council and the parish/town councils. A failure to do so will undermine the public's trust in their local Councillors and Councils.

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Community / Consultations Appraisal

N/A

Cabinet Member

N/A

Local Members

All areas of the County

Appendices

None

SUMMARY OF COMPLAINTS 01.04.10 – 31.03.11

	Total	Decision			Complainant			
		No Action	Investigation		Other Action	Member	Officer	Public
			Monitoring Officer	Standards for England				
Baschurch PC	1	1					1	
Bayston Hill PC	1		1			1		
Bishops Castle TC	2	1	1			2		
Bridgnorth TC	2	2				1	1	
Church Pulverbatch PC	5	5					5	
Church Stretton TC	3	3					3	
Conover PC	1	1					1	
Great Hanwood PC	1	1					1	
Hordley PC	1				1		1	
Ludlow TC	2	1			1		1	
Market Drayton TC	1	1				1		
Selattyn Gobowen PC	1	1				1		
Shifnal TC	6	5	1				6	
Shrewsbury TC	1*	1					1	
Stoke-on-Tern PC	1	1					1	
West Felton PC	2	1			1	2		
Whitchurch Rural PC	10				10		10	
Shropshire Council	16*	10	5	1		1	14	

* Includes one complaint about a member of both Shropshire Council and Shrewsbury Town Council

NA: No action
 INV: Investigation:
 (MO: Monitoring Officer)
 (SFE: Standards for England)
 OA: Other action