

Subject: **Member Complaints Update**
Date of Meeting: **25 March 2014**
Report of: **Monitoring Officer**
Contact Officer: Name: **Brian Foley** **Tel: 293109**
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Wards Affected: All

FOR GENERAL RELEASE**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 This paper updates the Audit and Standards Committee on allegations about Member conduct following the last report to Audit and Standards Committee on 19 January 2014.
- 1.2 The information given in this paper is accurate on 14 March 2014.
- 1.3 This paper does not cover corporate complaints as that material was given in the last two reports. An annual review of corporate complaints performance will be reported in July which will also comment on the process for identifying and sharing learning from customer feedback across the organisation.

2. RECOMMENDATION:

- 2.1 That the Committee note the report.

3. RELEVANT BACKGROUND INFORMATION

- 3.1 The current status of Code of Conduct complaints is:

3.1.1 Active complaints

- A complaint has been received from an elected Member about the accuracy of information supplied by another Member to a committee. This complaint is awaiting a decision on how to progress the matter.
- A complaint was received by a member of the public who alleged that they were assaulted by an elected Member. This complaint is awaiting a decision on how to progress the matter.

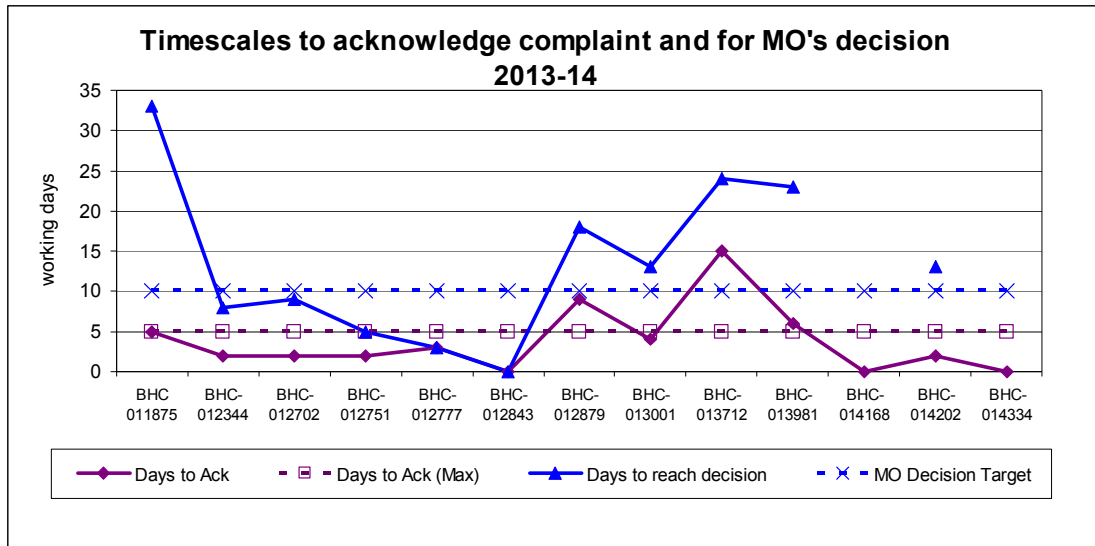
3.1.2 Closed complaints:

- a. A complaint initially referred for investigation has been resolved by local resolution. The complaint was from a member of staff who felt uncomfortable with the way that an elected Member approached him for information about a service user. The Member explained the reason for the unannounced visit and accepted this had put the officer in a difficult position. The Member offered an apology and an assurance that an appointment would always be made in future. The officer accepted the apology.
- b. A complaint has been received about a decision of the Environment, Transport and Sustainability Committee held in Nov 2013. The minutes of the meeting demonstrated that Members of the Committee carefully considered the proposal and were able to reach a view on whether or not they supported the proposal. The Monitoring Officer stated there was no evidence to suggest that any member of the Committee sought to misrepresent their office. The matter was not therefore referred for investigation.
- c. A complaint was received from a taxi driver that an elected Member had asked him to move his vehicle because it appeared to have been illegally parked and that the Member had bullied him. Having conducted some preliminary research the Monitoring Officer was of the view that the facts as presented were insufficient to represent a potential breach of the Code of Conduct. The matter was not therefore referred for investigation.
- d. A complaint was received from an elected Member about an unfortunate and offensive remark made to a member of the public by another Member at a Full Council meeting and that remark was overheard by other members of the public. The Member met with the member of the public and made a personal apology which was accepted. The Member arranged for the people who had overheard the comment to be informed that an apology had been given and accepted.

3.2 The Council's performance in dealing with individual complaints is illustrated in the chart below.

3.2.1 Complaints about Member conduct should be acknowledged as soon as possible and within a maximum of 5 working days. This is achievable in most instances but there have been three occasions where acknowledgement has taken longer than 5 working days.

3.2.2 It is our intention that the complainant will normally be informed within 10 working days how the matter will be dealt with. This is not always possible because there are occasions when it is helpful to gain some background information before reaching a decision.



3.2.3 There have been 13 complaints about Member conduct in 2013-14, there were 14 complaints in the previous year. Four complaints in 2013-14 related to the same matter. There has therefore been a reduction in the number of issues complained about in 2013-14 compared to the previous year.

3.2.4 Following the introduction of a new complaint process under the Localism Act complaints about Member conduct by other Members ceased. However, in the February 2014 there have been two complaints of this type.

4. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 4.1 There are no financial implications arising from this report.

Finance Officer Consulted: Anne Silley Date: 25/02/14

Legal Implications:

- 4.2 The Council's arrangements under which complaints about Member conduct are investigated and decided conform with the relevant provisions of the Localism Act 2011 and with local procedures agreed by Audit & Standards Committee in September 2012, as amended in April 2013.

Lawyer Consulted: Oliver Dixon Date: 28/02/14

Equalities Implications:

- 4.3 There are no Equalities implications

Sustainability Implications:

- 4.4 There are no Sustainability implications

Crime & Disorder Implications:

- 4.5 There are no Crime and Disorder implications

Risk and Opportunity Management Implications:

- 4.6 There are no Risk and Opportunity Management implications

Corporate / Citywide Implications:

- 4.7 There are no Corporate or Citywide implications

SUPPORTING DOCUMENTATION

Appendices:

1. None

Documents in Members' Rooms

1. None

Background Documents

1. None