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CHIEF EXECUTIVE'S OFFICE
CHIEF EXECUTIVE
Fiona Marshall

11 October 2017

PLEASE NOTE REVISED START TIME

Dear Councillor

You are summoned to attend the meeting of the;

JOINT STANDARDS COMMITTEE

on **THURSDAY 19 OCTOBER 2017** at **6.30 pm**.

in the Council Chamber, Maldon District Council Offices, Princes Road, Maldon.

A copy of the agenda is attached.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Fiona Marshall', enclosed within a hand-drawn oval.

Chief Executive

COMMITTEE MEMBERSHIP

CHAIRMAN

Councillor Rev. A E J Shrimpton

VICE-CHAIRMAN

Councillor Mrs M E Thompson

COUNCILLORS

Mrs B F Acevedo, I E Dobson and
M R Pearlman

PARISH COUNCILLORS

J Anderson
S Nunn

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AGENDA
JOINT STANDARDS COMMITTEE
THURSDAY 19 OCTOBER 2017

1. **Chairman's notices (please see overleaf)**

2. **Apologies for Absence**

3. **Minutes of the last meeting** (Pages 5 - 8)

To confirm the Minutes of the meeting of the Committee held on 1 June 2017 (copy enclosed).

4. **Disclosure of Interest**

To disclose the existence and nature of any Disclosable Pecuniary Interests, other Pecuniary Interests or Non-Pecuniary Interests relating to items of business on the agenda having regard to paragraphs 6-8 inclusive of the Code of Conduct for Members.

(Members are reminded that they are also required to disclose any such interests as soon as they become aware should the need arise throughout the meeting).

5. **Councillor Code of Conduct - Request for Dispensation** (Pages 9 - 14)

To consider the report of the Monitoring Officer (copy enclosed).

6. **Constitutional and Operating Arrangements for the Joint Standards Committee**
(Pages 15 - 18)

To consider the report of the Monitoring Officer, (copy enclosed).

7. **Summary of Councillor Conduct Complaints and Queries 2012 to 2017** (Pages 19 - 24)

To receive, for information, a summary document prepared by the Monitoring Officer (copy enclosed).

8. **Any other items of business that the Chairman of the Committee decides are urgent**

9. **Exclusion of the Public and Press**

To resolve that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following item(s) of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

10. **Allegation of Misconduct** (Pages 25 - 26)

To consider the report of the Monitoring Officer, (copy enclosed).

NOTICES

Sound Recording of Meeting

Please note that the Council will be recording any part of this meeting held in open session for subsequent publication on the Council's website. At the start of the meeting an announcement will be made about the sound recording. Members of the public attending the meeting with a view to speaking are deemed to be giving permission to be included in the recording.

Fire

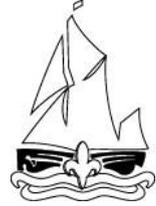
In event of a fire, a siren will sound. Please use the fire exits marked with the green running man. The fire assembly point is outside the main entrance to the Council Offices. Please gather there and await further instruction.

Health and Safety

Please be advised of the different levels of flooring within the Council Chamber. There are steps behind the main horseshoe as well as to the side of the room.

Closed-Circuit Television (CCTV)

This meeting is being monitored and recorded by CCTV.



**MINUTES of
JOINT STANDARDS COMMITTEE
1 JUNE 2017**

PRESENT

Chairman	Councillor Rev. A E J Shrimpton
Vice-Chairman	Councillor Mrs M E Thompson
Councillors	Mrs B F Acevedo and I E Dobson
Parish / Town Councillors	Councillors J Anderson and S Nunn
Substitute Members	Councillor R G Boyce MBE
In attendance	Councillors E L Bamford, Mrs P A Channer CC, A S Fluker and S J Savage

109. CHAIRMAN'S NOTICES

The Chairman drew attention to the list of notices published on the back of the agenda.

110. APOLOGIES FOR ABSENCE AND SUBSTITUTION NOTICE

Apologies for absence was received from Councillor M R Pearlman and Mr N Hodson, the Independent Person. In accordance with notice duly given Councillor R G Boyce MBE was substituting for Councillor Pearlman.

111. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 23 February 2017 be approved and confirmed.

112. DISCLOSURE OF INTEREST

There were none.

113. CONSTITUTIONAL AND OPERATING ARRANGEMENTS FOR THE JOINT STANDARDS COMMITTEE

The Committee considered the report of the Monitoring Officer on a reference from the Council to review certain aspects of these proposed revised arrangements considered at

the last meeting. The Chairman welcomed to the meeting Mr S Chughtai, Deputy Monitoring Officer.

At the last meeting agreement was reached on a range of potential revisions to the constitutional and operating arrangements for the Committee for recommendation to the Council. At the meeting of the Council on 5 April 2017 concerns were raised principally on:

- the ability of the Councillor being investigated to request that the matter is dealt with in open session, and
- the period of 28 working days given for responses to hearings.

The report sought to provide clarification on both issues and the Deputy Monitoring Officer had written to all Members in response to the queries raised at the Council meeting.

In the discussion that followed, Members raised the following issues:

- the need to ensure that the Leader of the Council was advised of all complaints against District Councillors. It was noted that the Committee had previously highlighted this.
- the changes agreed to the procedure for electing the Chairman and Vice-Chairman of the Committee had not gone far enough in that this should not take place within the confines of the Statutory Annual Meeting but should occur at the first ordinary meeting of the Committee. Councillor S Nunn asked that his dissatisfaction on this point be recorded. It was agreed that no further action was required on this.
- the need for the action point in Stage 1 where the Monitoring Officer may move straight to consultation with the Independent Person if the Councillor complained of declining to meet with or speak to the Monitoring Office to be qualified with the words “without good reason”; equally, the Monitoring Officer needed to be flexible in these arrangements. This was agreed.
- Councillors the subject of conduct complaints had expressed a loss of confidence in the ability of the Monitoring Officer to investigate complaints and should be able to choose to have an independent investigator.
- the Committee had not taken up the recommendations of the Local Government Authority (LGA) Peer Review and should meet on a more regular basis. It was noted that although scheduled meetings had in the past been cancelled for lack of business, special meetings had been arranged as when required.

On the fourth bullet point above, a proposition by Councillor I E Dobson seconded by Councillor Mrs B F Acevedo that as an alternative the Councillor concerned should have the right to revert to this Committee was subsequently withdrawn. It was noted that there would be expense associated with engaging an external investigator.

On a general point regarding the Conduct Complaints Process flowchart, the Committee agreed with the observation of the Committee Services Manager that it had become over-populated and that some written text to summarise the process would be helpful.

There then followed some discussion on the second of the points raised at the Council meeting on the basis of which the entire matter had been referred back to the

Committee. It was agreed that notification of outcomes of the Committee's consideration of reports on and hearings into complaints should be given to the Councillor concerned immediately or otherwise as soon as practicably possible. The ability for a detailed decision notice with reasons could follow within the 28 day period. It was also agreed that the text of the operating arrangements in this respect is aligned with the provisions of the flowchart.

In reply to a question the Committee Services Manager advised that in terms of sanctions the Committee could only recommend to a Parish/Town Council on a complaint against a Parish or Town Councillor. In the event that the recommendation was that training be given it would be open to the Parish or Town Council to procure it.

Subject to the matters highlighted above, the Committee agreed to resolve to recommend to the Council acceptance of the revised constitutional and operating arrangements.

RECOMMENDED

- (i) that the Council agrees that the revisions to the constitutional and operating arrangements of the Joint Standards Committee as outlined in the report and clarified above, and shown as tracked in **APPENDICES 1 and 2** to these Minutes be adopted as part of the Council's constitutional documentation;
- (ii) that as a consequence of a revision included in (i) above, Council and Committee Procedure Rule 20 be amended to also exclude the Joint Standards Committee when conducting its business in private session.

114. EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following item(s) of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 1 and 2 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

In response to a point of concern raised it was noted that although there was nothing in the Council's Constitution requiring non-Members of the Committee to leave the meeting at this point, the Committee was recommending to this effect to the Council.

115. COUNCILLOR CODE OF CONDUCT COMPLAINT

The Deputy Monitoring gave a verbal report on progress with the investigation into a conduct complaint involving a District Councillor which had been agreed at the last meeting. This was noted. Members expressed the view that a written report to the Committee would have been preferable and also requested that the Committee be kept informed and updated on all conduct complaints generally.

There being no further items of business the Chairman closed the meeting at 6.10 pm

REV. A E J SHRIMPTON
CHAIRMAN

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REPORT of MONITORING OFFICER

to
JOINT STANDARDS COMMITTEE
19 OCTOBER 2017

COUNCILLOR CODE OF CONDUCT – REQUEST FOR DISPENSATION

1. PURPOSE OF THE REPORT

- 1.1 To consider a request from Councillor M S Heard for a dispensation to enable him to participate in meetings where he has a particular Disclosable Pecuniary Interest. This matter is for decision by the Committee.

2. RECOMMENDATION

- 2.1 The Committee is recommended to decline the request for a dispensation.

3. SUMMARY OF KEY ISSUES

- 3.1 The Local Code of Conduct for Councillors provides that where a Councillor has a Disclosable Pecuniary Interest in a matter under consideration at a meeting he/she shall disclose it and must not participate or vote. Further, the Councillor must withdraw from the meeting unless a dispensation has been received.
- 3.2 Councillor Heard has written to the Chief Executive requesting a dispensation to enable him to attend and participate in meetings of the Overview and Scrutiny Committee operating as the Crime and Disorder Committee. His letter is attached as **APPENDIX 1**.
- 3.3 The Localism Act 2011 provides for the Council to grant dispensations in limited circumstances to enable Members to participate and vote on matters in which they have Disclosable Pecuniary Interests. A dispensation, if granted, would allow the Member with a Disclosable Pecuniary Interest to participate in discussions and vote on such matters. The wording of the relevant section of the Localism Act 2011 is as follows:

Section 33(2)

A relevant authority may grant a dispensation under this section only if, after having regard to all the circumstances, the authority –

- (a) considers that without the dispensation the number of persons prohibited by section 31(4) from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business,

- (b) considers that without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business,
- (c) considers that granting the dispensation is in the interests of persons living in the authority's area,
- (d) if it is an authority to which Part 1A of the Local Government Act 2000 applies and is operating executive arrangements, considers that without the dispensation each member of the authority's executive would be prohibited by section 31(4) from participating in any particular business to be transacted by the authority's executive, or
- (e) considers that it is otherwise appropriate to grant a dispensation.

3.4 While Councillor Heard disputes that he has a Disclosable Pecuniary Interest, or the nature of it, he has been advised by or on behalf of the Monitoring Officer that it is considered that he does have a Disclosable Pecuniary Interest. In considering his request against the circumstances set out above, it is clear that items (a), (b) and (d) do not apply. This leaves the request to be considered against grounds (c) and (e).

3.5 It is clear that Councillor Heard, in common with other Councillors, has a particular interest in policing and police performance and wishes to further that through the Overview and Scrutiny Committee acting as the Crime and Disorder Committee. If he were unable to act as he would wish and not obtain a dispensation, then in terms of ground (c) it is necessary to assess whether a dispensation to him is in the interests of persons living in the area. In this context, there is no case to be made to satisfy the need to represent a particular Ward issue since there is another Ward Member and other Ward Members for Maldon and an arrangement could be made for another Member to raise questions on behalf of the conflicted Member. Ground (c) ought to be seen as perhaps applicable to all or a number of Councillors.

3.6 This then leaves ground (e) and whether it is otherwise appropriate to grant a dispensation. Councillor Heard supports his request by drawing attention to his experience that puts him in a good position to contribute towards the efficient and effective conduct of Council business on this subject. The view can be taken that since the majority of policing matters generally are for scrutiny there is little that is strictly business to be transacted in the normal way. While there may be a case for any Member to be granted a dispensation on a specific matter under consideration at a particular time, to grant a dispensation on this request which of its nature is quite wide could set a precedent for other similar requests. As the Local Government Act 2000 states, dispensations may only be granted in limited circumstances and the Committee is advised that it should look most critically at any such request in the light of the applicable grounds.

3.7 This matter has been looked at from a legal perspective and, given the comments set out above, the conclusion of the Monitoring Officer is that the request for a dispensation should be declined.

4. IMPACT ON CORPORATE GOALS

4.1 Although somewhat indirectly, this matter is connected with the decision making processes of the Council, is in part a matter of compliance with the law and is also

linked to high level outcomes associated with the corporate goal of delivering good quality, cost effective and valued services in a transparent way.

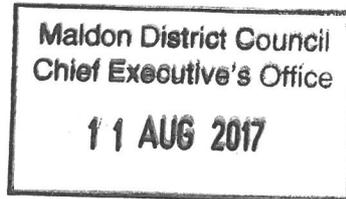
5. IMPLICATIONS

- (i) **Impact on Customers** – It is right and proper that the Council is able openly to explain, through well-presented and user-friendly constitutional documentation, the way in which it is set up and operates, and how it conducts its business. It is important that the Council’s procedures are seen as open and transparent.
- (ii) **Impact on Equalities** – None identified.
- (iii) **Impact on Risk** – None identified.
- (iv) **Impact on Resources (financial)** – None identified.
- (v) **Impact on Resources (human)** – None identified.
- (vi) **Impact on the Environment** – None identified.

Background Papers: None.

Enquiries to: Stuart Jennings, Corporate Governance Project Officer or Saleem Chughtai, Senior Solicitor and Deputy Monitoring Officer, (Tel. 01621 875756).

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Cllr. Mark S. HEARD
Corner Lodge
57 Essex Road
Maldon
Essex
CM96JH

Independent District Councillor
Maldon West

Date:, 10 August 2017

To: Ms Fiona MARSHALL
Chief Executive
Maldon District Council

Dear Fiona,

I have recently been advised by the Deputy Monitoring Officer - Wendy MORSE that as an employee of Essex Police, I may have an 'Other Pecuniary Interest' in respect of any Police/Council business because of a public perception that I cannot detach myself from Public Service and my employment, this impacts upon my ability to attend meetings of The Overview & Scrutiny Committee acting as The Crime and Disorder Committee.

This perception appears to be based upon the fact that I am employed by The Chief Constable of Essex as a civilian auditor and that I receive a Police Pension from Essex County Council. It would seem that this affects my participation in any business that **directly** impacts on that interest.

The Localism Act 2011 provides for the Council to grant dispensations in limited circumstances to enable Members to participate and vote on matters in which they have Disclosable Pecuniary Interests. The relevant section and wording in respect of granting a dispensation of the Act is as follows:

Section 33(2)

A relevant authority may grant a dispensation under this section only if, after having regard to all the circumstances, the authority –

(a) - Considers that without the dispensation the number of persons prohibited by section 31(4) from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business,

(b) - Considers that without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business,

(c) - Considers that granting the dispensation is in the interests of persons living in the authority's area,

(d) - If it is an authority to which Part 1A of the Local Government Act 2000 applies and is operating executive arrangements, considers that without the dispensation each member of the authority's executive would be prohibited by section 31(4) from participating in any particular business to be transacted by the authority's executive, or

(e) – Considers that it is otherwise appropriate to grant a dispensation.

Firstly I cannot agree that receiving a Police pension having been a serving Essex Police Officer from 1978 to 2008 **directly impacts** any business of Maldon District Council as it is very unlikely to discuss anything affecting police pensions - if it did of course I would have no hesitation in openly declaring a pecuniary interest and leaving the debate.

I now move to my current employment status as a Police employee. My daily work as an Auditor does not touch upon any financial matters whatsoever and I focus on historical data looking at the performance and actions of individual officers and the quality of investigations to ensure compliance with procedures and policies and to make sure that any unreported crimes are correctly recorded. I am not in any managerial or influential position which would change these procedures and I report directly to managers who consider what (if any) action to take in order to facilitate continuous improvements.

I do ,however,recognise the need to maintain public confidence in the conduct of the Council's business and have always been mindful to address the public perception element and it is clear from my track record that I have always acted in the interests of the public and far from favouring the Police - I have often been critical where Maldon's performance or police presence is found to be lacking. This can be evidenced in the recent decision for the police to move into the Council Offices which I still believe will be a mistake and I remain concerned about problems with access, facilities and police visibility. I am well aware that both The Council and The Police and Crime Commissioner want this to happen, yet the public do not and I have been very vocal on this issue.

As an employee of Essex Police and a practitioner with 39 years' experience in the policing arena, I feel that I would be most qualified to comment upon issues that will balance or contribute positively to the possible outcome of a proposed vote and also to be present where a professional view exists to facilitate the need for efficient and effective conduct of the Council's business and it is for this reason that I ask for a dispensation under Section 33(2)(c)

To seek such a dispensation, I have been advised to make this request to yourself as Chief Executive. I understand that the matter will then need to be referred to the Joint Standards Committee, which has delegated power from the Council in its terms of reference, to consider and grant dispensations. I would welcome this opportunity to put my case verbally and if necessary I am prepared to appear before the Joint Standards Committee to further evidence both my impartiality to the police and my commitment to the people of Maldon.

Yours Sincerely
Mark S HEARD
Councillor Maldon West





REPORT of MONITORING OFFICER

to
JOINT STANDARDS COMMITTEE
19 OCTOBER 2017

CONSTITUTIONAL AND OPERATING ARRANGEMENTS FOR THE JOINT STANDARDS COMMITTEE

1. PURPOSE OF THE REPORT

- 1.1 To consider and recommend to the Council the adoption of a summary of the Councillor Conduct Complaints Procedure as part of its constitutional documentation.

2. RECOMMENDATION

To the Council:

That the summary of the Councillor Conduct Complaints Process be adopted as part of the Council's constitutional documentation in place of the Complaints Process flowcharts.

3. SUMMARY OF KEY ISSUES

- 3.1 Following consideration at the last meeting, and adoption by the Council on 13 July 2017, various revisions have been made to the constitutional and operational arrangements for this Committee. In the consideration of this matter by the Committee reference was made and revisions made to the Complaints Process flowcharts which are included with the constitutional documentation. At the last meeting it was suggested and generally agreed that since these flowcharts had become over-populated and therefore difficult to follow, a written summary of the process would be preferable.
- 3.2 As part of the presentation of the Committee's recommendations to the last meeting of the Council a summary document prepared by Officers was circulated. The Council noted this but did not adopt it as it had not been considered by the Committee. That summary is now attached at **APPENDIX 1** for the Committee's consideration and recommendation to the Council for adoption. The proposed effect of this is that it will replace the flowcharts within the constitutional documentation and what is published, which is in line with common practice. The flowcharts can then simply be held and maintained as an internal aide memoire.

4. IMPACT ON CORPORATE GOALS

- 4.1 The review and updating of the corporate governance arrangements of the Council underpins the decision making processes of the Council, is in part a matter of compliance with the law and is also linked to high level outcomes associated with the corporate goal of delivering good quality, cost effective and valued services in a transparent way.

5. IMPLICATIONS

- (i) **Impact on Customers** – It is right and proper that the Council is able openly to explain, through well-presented and user-friendly constitutional documentation, the way in which it is set up and operates, and how it conducts its business. It is important that the Council’s procedures are seen as open and transparent.
- (ii) **Impact on Equalities** – None identified.
- (iii) **Impact on Risk** – None identified.
- (iv) **Impact on Resources (financial)** – None identified.
- (v) **Impact on Resources (human)** – None identified.
- (vi) **Impact on the Environment** – None identified.

Background Papers: None.

Enquiries to:

Stuart Jennings, Corporate Governance Project Officer, (Tel: 01621 875745).

CODE OF CONDUCT COMPLAINTS PROCESS – WRITTEN SUMMARY**Stage I**

1. If a complaint has been made by an Officer of the District Council against a District Councillor it shall not normally be referred to the Monitoring Officer (MO) unless it has first been dealt with under the Member/Officer Relations Protocol.
2. Upon receipt of complaint, an initial assessment will be undertaken by the MO to establish the exact nature of the complaint and whether there is a potential breach of the Code of Conduct.
3. All complaints will be acknowledged and the Councillor complained of notified within five working days of receipt. The Leader of the Council will be notified of all complaints against District Councillors and generally kept advised.
4. The MO will seek further information as required from either the Councillor complained of or the complainant within 15 working days of receipt of the complaint. If the subject Councillor declines to co-operate with the MO without good reason, then the MO may move directly to consult with the Independent Person (IP) – this in itself could constitute a separate breach of the Code of Conduct.
5. The MO will then consider the complaint in discussion with the IP and reach a conclusion as to the likelihood of a breach of the Code and a way forward. A conclusion will normally be reached within 25 working days of receipt of the complaint, and the respective parties notified. Options for conclusion at this stage are:
 - No further action
 - Refer to Political Group Leader for action (MO / IP to reconsider if no action taken)
 - Informal resolution
 - Refer to Police (if potential criminal issues involved)
 - MO / IP decide to put straight to **investigation** (internal) and then Stage II **Hearing**
 - Move to Stage II (with or without further discussion with parties to complaint)

Stage II

1. Refer to Joint Standards Committee (JSC) – two possible decisions/outcomes –
 - **Investigation** (and Group Leader informed)
 - No further action (all parties including IP to be notified immediately and rationale / detailed reasoning to be provided within 10 working days of the decision)

2. **Investigation** outcomes –
 - NO BREACH
 - No further action
 - Copy of report and findings to all parties including IP
 - Report to JSC for information

 - BREACH
 - MO / IP consider and pursue possible **informal resolution**
 - **JSC Hearing** (which may also be convened to hear outcome of Stage I investigation by MO or a failure to achieve informal resolution under Stage II)

3. **Hearing** findings to be notified to all parties immediately and any rationale/detailed reasoning for decision to be provided within 10 working days of the hearing. Decision notice to be published on Council’s website as soon as is practicable after notification.

SUMMARY OF COUNCILLOR CONDUCT COMPLAINTS AND QUERIES – 2012 TO 2017

BACKGROUND:

The majority of conduct complaints stem from complaints around the planning process and discussions, whether at District or at Parish level. In some cases once the process has been clarified nothing specific in relation to member conduct has emerged. Similarly, conduct complaints around interests have largely been able to be clarified and resolved prior to commencement of Stage 1 of the complaints process.

In some other cases, the conduct complained of can at best be categorised as showing disrespect, which can be largely down to perception. In one or two cases, there may have been greater cause for action if the Code of Conduct had included the disrepute provision as it does now or indeed in two cases the failure to respond to the Monitoring Officer (MO). Again in some of these instances Officers have sought to deal with these situations informally and in some cases as a precursor to commencement of Stage 1 of the complaints process.

The fact that the vast majority of conduct complaints received over the last four years have been concluded at either prior to or at Stage 1 of the Conduct Complaints Process can broadly be interpreted as one of the following:

- A complaint about process alluding to conduct
- A complaint about conduct that cannot be defined in relation to the Code
- A defined complaint in relation to the Code on which an initial assessment is made and the view of the Independent Person is sought
- Informal resolution achieved or a conclusion being reached, without further investigation or reference to the Standards Committee, that no further action should be taken.

For the most part, or unless the facts suggest otherwise, a decision to take no further action under Stage 1 of the Complaints Process will be based on a conclusion reached as to the lack of engagement of or likelihood of a breach of the Code of Conduct having occurred. Any firmer conclusion than that may only be reached in the light of an investigation when evidence can be sought and tested.

KEY TO TABLE:

Black = being progressed

Blue = on hold or otherwise awaiting info from the complainant or the member concerned in order to consider further steps

Green = concluded (whether via member officer protocol, prior to or at Stage I or Stage II)

2017
Overall Total = 13

DISTRICT COUNCIL - 6			PARISH / TOWN COUNCIL - 7		
	Complaints and Queries	Status		Complaints and Queries	Status
1.	Publication of personal data by member	Concluded at or prior to Stage 1 – advised to contact Councillor direct.	1.	Complaint concerning alleged failure to declare an interest in relation to two planning applications before the Parish Council (PC) for comment.	Stage 1 – clarification and advice provided. Matter considered concluded.
2.	Behaviour towards others	Concluded at or prior to Stage 1.	2.	Complaint relates to PC operation not individual members at this time, but being dealt with by MO / Deputy Monitoring Officer (DMO) given issues raised	Meeting held with Parish Members in order to bring matter to an informal resolution.
3.	Further detail not forthcoming	No further action.	3.	Complaint concerning actions of member: causing potential professional damage and victimising the complainant. Further detail not forthcoming.	No further information forthcoming and no further action taken.
4.	Complaint about actions of member in connection with planning appeal.	Stage I – resolved and no evidence of breach provided.	4.	Concern/ query over conduct of member at Council meeting.	Awaiting further information from complainant in order to make initial assessment.
5.	Complaint about conduct at council mtg.	Informal resolution achieved: apology accepted.	5.	Concern over failure to declare interest. Not formal complaint.	Dealt with via reminder to all members being sent via Clerk.
6.	Query re declaration of interest given at APC.	Not a complaint. Query raised and explanation provided to complainant and advice provided to member. Matter considered resolved.	6.	Complaint over member conduct at council mtg.	Mtg held and matter brought to informal resolution at Stage I.

			7.	Query in relation to planning and pre-determination/bias due to social media posts. Not a complaint.	Advice provided and matter concluded.
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2016					
Overall Total = 13					
DISTRICT COUNCIL - 7			PARISH / TOWN COUNCIL - 6		
	Complaint relating to...	Status		Complaint relating to...	Status
1.	Complaint relating to handling of planning application	Concluded Stage 1	1.	Complaint relating to handling of planning matter.	Concluded Stage 1.
2.	Complaint relating to behaviour of member towards officer	Referred to Joint Standards Committee (JSC) – decision taken by JSC not to investigate and no further action	2.	Complaint relating to conduct of member of committee.	Concluded Stage 1.
3.	Complaint relating to member advice provided to a planning applicant (in opposition of Maldon District Council (MDC) position)	Dealt with via Member / Officer protocol and therefore no formal complaint submitted to MO.	3.	Complaint relating to conduct of member of committee.	Concluded Stage 1.
4.	Complaint relating to the members parking in / otherwise obstructing part of the highway.	Complaint related to conduct not covered by the Code and therefore not progressed as formal complaint. Advised complainant to contact Councillor direct. Concluded Stage 1	4.	Complaint relating to conduct of member of committee.	Concluded prior to Stage 1.
5.	Complaint relating to handling of planning application	Stage 1 - informal resolution obtained.	5.	Complaint relating to handling of planning matter.	Concluded prior to Stage 1.

6.	Complaint relating to member comments about member of public	Stage 1 - informal resolution obtained.	6.	Complaint relating to handling of planning matter.	Concluded prior to Stage 1.
7.	Complaint relating to member behaviour towards officers, and potential impact on end service users.	Stage II - Informal resolution reached.			

2015
Overall Total = 6

DISTRICT COUNCIL - 2			PARISH / TOWN COUNCIL - 4		
	Complaint relating to...	Status		Complaint relating to...	Status
1.	Complaint regarding process of voting at committee.	Concluded by JSC in February 2017 – no breach.	1.	Complaint relating to handling of planning matter.	Concluded Stage 1
2.	Complaint about Cllrs conduct	Actions identified as being outside scope of Conduct Complaints procedure.	2.	Complaint relating to conduct of member of committee.	Concluded Stage 1.
			3.	Complaint relating to conduct of member of committee	Concluded Stage 1
			4.	Complaint relating to disclosure of interests.	Concluded Stage 1.

2014
Overall Total =3

DISTRICT COUNCIL - 2			PARISH / TOWN COUNCIL - 1		
	Complaint relating to...	Status		Complaint relating to...	Status
1.	Cllr complained of being spoken to rudely.	Stage 1 – informal resolution obtained.	1.	Complaint relating to conduct of member of committee	Concluded Stage 1.

2.	Cllr complained of being spoken to rudely.	Stage 1 – informal resolution obtainen.			
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2013					
Overall Total =7					
DISTRICT COUNCIL - 6			PARISH / TOWN COUNCIL - 1		
	Complaint relating to...	Status		Complaint relating to...	Status
1.	Details unavailable	Concluded Stage 1	1.	Details unavailable	Not proceeded with
2.	Details unavailable	Process not conduct			
3.	Details unavailable	Concluded Stage 1			
4.	Details unavailable	Concluded Stage 1			
5.	Details unavailable	Concluded Stage 1			
6.	Details unavailable	No complaint materialised.			

2012					
Overall Total =2					
DISTRICT COUNCIL - 6			PARISH / TOWN COUNCIL - 1		
	Complaint relating to...	Status		Complaint relating to...	Status
			1.	Details unavailable.	Concluded Stage 1.
			2.	Details unavailable.	Concluded Stage 1.

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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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