

## **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.