

Committee: STANDARDS (ADVISORY) COMMITTEE	Date: 14 July 2015	Classification: Unrestricted	Report No.	Agenda Item No.
Report Of: Interim Monitoring Officer		Title: Code of Conduct for Members – Complaints and Investigation Monitoring		
Originating Officer: Meic Sullivan-Gould		Wards Affected: N/AI		

1. SUMMARY AND BACKGROUND

- 1.1 The Council's arrangements for dealing with complaints of breach of the Code of Conduct for Members provide for the Monitoring Officer to report quarterly (or less frequently if there are no complaints to report) to the Advisory Committee on the number and nature of complaints received and action taken as a result.
- 1.2 The arrangements as revised by full Council on 18 September 2013 also provide that in cases where the Monitoring Officer has extended the time period of investigations into complaints from two months to three months, s/he provide a report on the reasons to the Advisory Committee for noting.
- 1.3 During the present quarter there have been no new complaints accepted by the Monitoring Officer and/or referred for investigation. In addition, all outstanding complaints (4 in total) were determined at a meeting of the Investigation & Disciplinary Sub-Committee held on 23 June 2015.

2. RECOMMENDATIONS

- 2.1 That Members of the Advisory Committee note the content of this report.

**LOCAL GOVERNMENT ACT 1972 (AS AMENDED) SECTION 100D
LIST OF "BACKGROUND PAPERS" USED IN THE PREPARATION OF THIS REPORT**

Brief description of "background paper"

**Tick if copy
supplied for register**

**If not supplied, name
and telephone number
of holder**

Standards (Advisory) Committee file

Meic Sullivan-Gould 020
7364 4800

3. PREVIOUS COMPLAINTS

- 3.1 The position in respect of the previous outstanding four complaints determined by the Investigation & Disciplinary Sub-Committee (IDSC) on 23 June 2015 is set out in the table attached as Appendix 1 to this report. Members will be aware that the Interim Monitoring Officer had been seeking to convene a meeting of the IDSC since September of last year but that attempts to secure dates acceptable to nominated Members of the IDSC failed on a number of occasions. More recently it was not possible to convene a meeting of the IDSC during the pre - election period for the general election in May 2015 and the subsequent Tower Hamlets mayoral and ward elections in June 2015.

4. COMMENTS OF THE CHIEF FINANCIAL OFFICER

- 4.1 There are no immediate financial implications arising out of this report.

5. LEGAL SERVICES COMMENTS

- 5.1 This report has been prepared by the Interim Monitoring Officer and incorporates legal comments.

6. RISK MANAGEMENT IMPLICATIONS

- 6.1 The provision of quarterly reports relating to the number and nature of complaints assists the Advisory Committee in exercising its oversight role in terms of promoting and maintaining high standards of conduct.

7. ONE TOWER HAMLETS CONSIDERATIONS

- 7.1 There are no specific anti poverty or equal opportunity implications arising out of this report.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 This report has no immediate implications for the Council's policy of sustainable action for a greener environment.

9. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 9.1 There are no specific crime and disorder reduction implications arising out of this report.

10. EFFICIENCY STATEMENT

- 10.1 This report is not concerned with proposed expenditure, the use of resources or reviewing/changing service delivery and an efficiency statement is not therefore required.

Appendix 1

Complaint reference number	Date complaint received by Monitoring Officer	Complainant	Alleged breach(es) of the Code of Conduct	Outcome of consultation with IP	Complaint status and history
IDSC/ 05/2013	11/07/2013	Councillor	Failure to treat with respect, bullying, disrepute, using position as a Member to improperly secure an advantage/disadvantage, improper use of Council resources.	Referred for investigation.	Closed: An investigation was commenced on 9 September 2013. The investigation was delayed due to the need to appoint an alternative investigator. The investigation was completed in July 2014. The independent investigator found that there was no failure to comply with the Code of Conduct for Members. The IDSC considered the matter on 23 June 2015. The Sub-Committee agreed the recommendation of the Interim Monitoring Officer (following consultation with the Independent Person) that in light of the finding of the independent investigator, the complaint should be closed.

Complaint reference number	Date complaint received by Monitoring Officer	Complainant	Alleged breach(es) of the Code of Conduct	Outcome of consultation with IP	Complaint status and history
IDSC/ 08/2013	08/11/2013	Member of the public and a Councillor	Failure to treat with respect, bullying/ intimidation and disrepute.	Referred for investigation.	<p>Closed:</p> <p>An investigation was commenced on 5 December 2013. The investigation was completed in July 2014. The independent investigator found that there was no evidence of a failure to comply with the Code of Conduct for Members. The IDSC considered the matter on 23 June 2015. The Sub-Committee agreed the recommendation of the Interim Monitoring Officer (following consultation with the Independent Person) that in light of the finding of the independent investigator, the complaint should be closed.</p>

Complaint reference number	Date complaint received by Monitoring Officer	Complainant	Alleged breach(es) of the Code of Conduct	Outcome of consultation with IP	Complaint status and history
IDSC/09/2013	12/11/2013	Councillor	Failure to treat with respect, bullying/intimidation and disrepute.	Referred for investigation.	<p>Closed:</p> <p>An investigation was commenced on 5 December 2013. The investigation was completed in July 2014. The independent investigator found that there was no evidence of a failure to comply with the Code of Conduct for Members. The IDSC considered the matter on 23 June 2015. The Sub-Committee agreed the recommendation of the Interim Monitoring Officer (following consultation with the Independent Person) that in light of the finding of the independent investigator, the complaint should be closed.</p>

Complaint reference number	Date complaint received by Monitoring Officer	Complainant	Alleged breach(es) of the Code of Conduct	Outcome of consultation with IP	Complaint status and history
ASC/01/2012	16/11/2011	Councillor	Disclosing confidential information, disrepute, using position as a Member to improperly secure an advantage/disadvantage.	26/01/2012 Referred for investigation by former statutory Assessment Sub-Committee.	<p>Closed:</p> <p>An investigation was completed on 7 June 2012 under the previous statutory arrangements for standards complaints which applied up until 1 July 2012. As previously reported to the Advisory Committee it had been envisaged that a Hearings Sub-Committee would consider the outcome of the investigation into this complaint and associated procedural issues. However, advice was obtained from leading counsel that these matters should be considered by the IDSC rather than a Hearings Sub-Committee of the Advisory Committee. The IDSC considered the matter on 23 June 2015 and decided that the complaint should not be referred for hearing.</p>