

Committee: <b>STANDARDS (ADVISORY) COMMITTEE</b>	Date: <b>17 October 2012</b>	Classification: <b>Unrestricted</b>	Report No.	Agenda Item No.
Report Of: <b>Assistant Chief Executive (Legal Services)</b>		Title: <b>Code of Conduct for Members – Complaints Monitoring Report</b>		
Originating Officer: <b>Isabella Freeman</b>		Wards Affected: N/AI		

**DRAFT**

**1. SUMMARY AND BACKGROUND**

- 1.1 The Standards (Advisory) Committee replaced the statutory Standards Committee on 1 July 2012 following implementation of the Localism Act 2011. Also from 1 July 2012 new arrangements (agreed by the Council on 18 June 2012) were implemented for dealing with complaints about alleged failures to comply with the Code of Conduct for Members.
- 1.2 The new arrangements provide for the Monitoring Officer to report quarterly (or less frequently if there are no complaints to report) to this Committee on the number and nature of complaints received and action taken as a result. Accordingly this report contains information relating to complaints that have been dealt with about alleged failures to comply with the Code of Conduct for Members since 1 July 2012.

**2. RECOMMENDATION**

- 2.1 That Members consider and note the content of this report.

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**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 x

### **3. QUARTERLY COMPLAINTS REVIEW**

- 3.1 On 1 July 2012 five complaints remained outstanding which had been initiated under the statutory arrangements which applied prior to that date. Of those five complaints, one had already been referred for hearing to the First-tier Tribunal (Local Government Standards in England). That complaint concerns the alleged disclosure of confidential information, misuse of position and conduct bringing the Council into disrepute. The other four outstanding complaints as at 1 July 2012 have now been closed following consideration by the Investigations & Disciplinary Sub-Committee on 27 September 2012. Further information relating to those complaints is contained in the paragraph below.
- 3.2 Three of the complaints were related matters alleging in each case a failure to treat with respect, bullying and intimidation. The complaints had been referred for investigation and an independent investigator completed three separate investigations after 1 July 2012. The Investigations & Disciplinary Sub Committee considered the outcome of each investigation (which concluded in respect of each complaint there was no evidence of a failure to comply with the Code of Conduct for Members) and confirmed the decision of the Monitoring Officer (following consultation with the Independent Person) that each of the complaints should be closed. The other outstanding complaint concerned an alleged failure to treat with respect, bullying and conduct bringing the Council into disrepute and the Sub-Committee confirmed the decision of the Monitoring Officer (taken in consultation with the Independent Person) not to refer the complaint for investigation.
- 3.3 Since 1 July 2012 there has been one complaint which has been considered by the Monitoring Officer in consultation with the Independent Person and referred for investigation. This complaint which concerns an alleged failure to treat with respect and behaving in a threatening/intimidating manner is currently subject to investigation.

### **4. COMMENTS OF THE CHIEF FINANCIAL OFFICER**

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

### **5. CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL SERVICE)**

- 5.1 This report has been prepared by the Assistant Chief Executive (Legal Services) who is also the Council's Monitoring Officer and incorporates legal comments.

### **6. RISK MANAGEMENT IMPLICATIONS**

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

**7. ONE TOWER HAMLETS IMPLICATIONS**

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

**8. SAGE IMPLICATIONS**

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