

Committee: <b>STANDARDS (ADVISORY) COMMITTEE</b>	Date: <b>18 March 2014</b>	Classification: <b>Unrestricted</b>	Report No.	Agenda Item No.3.1
Report Of: <b>Interim Monitoring Officer</b>		Title: <b>Code of Conduct for Members – Complaints and Investigation Monitoring</b>		
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.
- 1.3 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.

## 2. RECOMMENDATIONS

- 2.1 That Members of the Advisory Committee note the complaints and investigation monitoring information contained in 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
Standards (Advisory) Committee file		Meic Sullivan – Gould 020 7364 4800

### 3. NEW COMPLAINTS

<b>Complaint reference number</b>	<b>Date complaint received by Monitoring Officer</b>	<b>Complainant</b>	<b>Alleged breach(es) of the Code of Conduct</b>	<b>Outcome of consultation with IP</b>	<b>Date investigation commenced and investigation status</b>
IDSC/07/2013	17 and 23/11/2013	Councillor	Disclosing confidential information and disrepute	Referred for investigation	Investigation included as part of on going investigation into complaint reference IDSC/01/2013
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	Investigation commenced 05/12/2013 and is currently on going
IDSC/09/2013	12/11/2013	Councillor	Failure to treat with respect, bullying/intimidation and disrepute	Referred for investigation	Investigation commenced 05/12/2013 and is currently on going

### 4. ON-GOING AND PREVIOUS COMPLAINTS

<b>Complaint reference number</b>	<b>Date complaint received by Monitoring Officer</b>	<b>Complainant</b>	<b>Alleged breach(es) of the Code of Conduct</b>	<b>Outcome of consultation with IP</b>	<b>Date investigation commenced and investigation status</b>
IDSC/01/2013	14/03/2013	Councillor	Failure to treat with respect, bullying, compromising the impartiality of those who	Referred for investigation	Investigation commenced 30/04/2013. The investigation has been delayed due to the need to seek specialist external legal

			work for the Authority, disclosing confidential information, disrepute, using position as a Member to improperly secure an advantage/disadvantage		advice and the need to appoint an alternative investigator following the appointment of Mr Norman as Interim Monitoring Officer on 18 September 2013. An external investigator was appointed on 25 September 2013 and she is in the process of preparing a draft investigation report. Also there have been further additional related complaints -IDSC07/2013 which have been included in this investigation
IDSC/02/2013	10/05/2013	Councillor	Failure to treat with respect and bullying	Informal local resolution of complaint attempted without success. Matter referred for advice to IDSC on 11/12/2013	On 11/12/13 IDSC recommended that a further attempt at local resolution is sought in consultation with the IP. It has not been possible to resolve the complaint on an informal basis and in accordance with the wishes of the IDSC, the Deputy Monitoring Officer is now investigating the matter. The two Councillors have identified a number of witnesses and these are being asked for statements. Once all statements are received a report will be submitted to the IDSC

IDSC/ 03/2013	10/05/2013	Councillor	Improper use of Council resources	Not referred for investigation	N/A complaint closed
IDSC/ 04/2013	20/05/2013	Member of public	Bullying	Not referred for investigation	N/A complaint closed
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	Investigation commenced 09/09/2013. The investigation has been delayed due to the need to appoint an alternative investigator following the appointment of Mr Norman as Interim Monitoring Officer on 18 September 2013. An external investigator was appointed on 25 September and she is in the process of preparing a draft investigation report.
IDSC/ 06/2013	06/09/2013	Anonymous complainant referred by a Councillor	Failure to treat with respect and bullying	In order for the complaint to be investigated the Councillor was informed that the anonymous complainant would need to be identified and interviewed as a potential witness	The anonymous complainant was not identified and no investigation was commenced

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	The investigation was completed on 07/06/2012 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 has now been obtained from leading counsel that these matters should be considered by the IDSC rather than a Hearings Sub-Committee of the Advisory Committee and arrangement are being made to progress the matter on this basis
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**5. COMMENTS OF THE CHIEF FINANCIAL OFFICER**

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

**6. LEGAL SERVICES COMMENTS**

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

**7. RISK MANAGEMENT IMPLICATIONS**

7.1 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.

**8. ONE TOWER HAMLETS CONSIDERATIONS**

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

**9. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

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

**10. CRIME AND DISORDER REDUCTION IMPLICATIONS**

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

**11. EFFICIENCY STATEMENT**

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