

Standards Committee

14 September 2023



Reading
Borough Council
Working better with you

Title	Standards Committee
Purpose of the report	To note the report for information
Report status	Public report
Report author	Michael Graham – Assistant Director of Legal and Democratic Services
Lead Councillor	Cllr Liz Terry
Corporate priority	Our Foundations
Recommendations	<ol style="list-style-type: none">1. To note the Member Complaints received in years 2022/20232. To consider any further work which may be necessary to promote high standards of conduct in public life in the Council

1. Executive Summary

- 1.1. Each year the Standards Committee receives a report on complaints activity in the previous year. This allows members of the Committee to scrutinise the workings of the complaints system.

2. Policy Context

- 2.1. The Localism Act requires all councils to have a local Member Code of Conduct. It also requires councils to put in place arrangements under which allegations can be investigated and arrangements under which decisions on allegations can be made. Currently the Council's arrangements are set out in Article 9 of the Constitution (which describes the remit of the Standards Committee). These arrangements have been in place since May 2013 although the Code and the Arrangements for Dealing with Complaints were substantively reviewed in 2022 with a new Code of Conduct agreed at Council in October 2022

3. Complaints In the Financial Year 2022/2023

- 3.1. Reports to the Standards Committee are usually made annually to update the Committee on the number of complaints made and other issues.
- 3.2. Annex A to this report contains a list of five complaints that were made to the Monitoring Officer in financial year 2022/2023, two of the complainants referred two councillors to the Monitoring Officer bringing the total number of complaints to seven.
- 3.3. The lists are anonymised. There is a public interest in the operation of a complaints procedure, that not every matter should be made public. Hence, details of councillors and members of the public are redacted in this summary. This encourages resolution of matters at the earliest stage possible, in the quickest timescale and with the least formality. This practice is consistent with Standards Committee proceedings elsewhere. If a serious matter is brought before the Committee, the Committee item would usually proceed as a Part 2 matter until the Committee had weighed up the public interest in

publicity and taken into account whether the subject councillor was proven to have breached the Code or not.

- 3.4. If a member is found to have breached the Code then this report will identify that councillor so that there is transparency in the public interest.
- 3.5. Members will note that of the seven complaints in Annex A:
 - 2 complaints resulted in no action as no evidence was provided when requested
 - 4 were judged not to engage the Code of Conduct and were rejected at the initial filter stage
 - 1 complaint was against a third-party contractor and not due to councillor conduct
- 3.6. It is suggested by the Monitoring Officer that there are no trends or conclusions which can be drawn from this data. The cases which are reported do not highlight any systemic issues of concern for the Council. This is a low level of complaint activity and demonstrates that councillors generally have good relations with the community. The Committee will no doubt wish to consider this for itself.

4. Options

- 4.1. The Committee is asked:
 - a) To note the Complaints received in financial years 2022/2023
 - b) To note training will be provided to all councillors on the Code of Conduct
 - c) To consider any further actions which are appropriate to improve standards in public life within the Council

5. Environmental and Climate Implications

- 5.1. The Council declared a Climate Emergency at its meeting on 26 February 2019 (Minute 48 refers).
- 5.2. There are no environmental or climate implications arising from this decision. This report is to consider member complaints. None of these complaints relate to environment or climate implications.

6. Community Engagement

- 6.1. Section 138 of the Local Government and Public Involvement in Health Act 2007 places a duty on local authorities to involve local representatives when carrying out "any of its functions" by providing information, consulting or "involving in another way".
- 6.2. It is not anticipated that there will be public consultation on the matters raised by this report.

7. Equality Implications

- 7.1. Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to—
 - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 7.2. Equality Impact Assessment (EIA) is not relevant to this report.

8. Legal Implications

- 8.1. The Council is bound to maintain a Councillor Code of Conduct and to publish arrangements to advise residents how complaints can be made under the Code. These implications are covered in the main report.

9. Financial Implications

- 9.1. There are no direct financial implications arising from this report.

10. Background Papers

- 10.1. There are none.

Annex A

Councillor Complaints received between 1 April 2022 – 31 March 2023

Complaints are anonymised where there is an early resolution of the complaint. It is in the public interest to ensure that the complaints procedure can operate smoothly with issues which are resolved informally not subject to publicity.

No	Date	Complainant	Cllr	Acknowledged	W/Days	Complaint	Outcome	Stage	Date	W/Days
1	23-Jul-22	Ms A	Cllr A	09-Aug-22	12	Interference in employment contract and legal case	Evidence requested. None forthcoming.	0	09-Aug-22	12
1	23-Jul-22	Ms A	Cllr B	09-Aug-22	12	Interference in employment contract and legal case	Evidence requested. None forthcoming.	0	09-Aug-22	12
2	05-Aug-22	Cllr C	Cllr D	05-Aug-22	1	Using Council resources for political purposes	Mistake admitted and apology given. Words of advice given.	0	16-Aug-22	8
2	05-Aug-22	Cllr C	Cllr E	05-Aug-22	1	Using Council resources for political purposes	Mistake admitted and apology given. Words of advice given.	0	16-Aug-22	8
3	10-Oct-22	Mr F	Cllr G	20-Dec-22	52	Using Council resources for political purposes	Conduct complained of was due to contractor - not councillor	0	20-Dec-22	52

4	03-Jan-23	Miss H	Cllr I	03-Jan-23	1	Perceived religious intolerance online	Complaint misconceived, comments online were not related to any religious group.	0	22-Feb-23	37
5	05-Mar-23	Mr J	Cllr K	06-Mar-23	1	Lack of contact from councillor	Words of advice offered to councillor about managing expectations	0	23-Mar-23	14