

Report to Ethical Standards and Member Development Committee

22 February 2022

Subject:	Complaints Update
Director:	Director of Law and Governance and Monitoring Officer – Surjit Tour
Contact Officer:	Surjit Tour Surjit_Tour@sandwell.gov.uk

1 Recommendations







- 1.1 That the update position on complaints received under the Councillor Code of Conduct be received.

2 Reasons for Recommendations

- 2.1 The report provides an update on the activity of the Council’s Monitoring Officer in relation to complaints received under the Councillor Code of Conduct arrangements.



3 How does this deliver objectives of the Corporate Plan?

		The Council's ethical governance framework and arrangements support the Council toward achieving its strategic objectives and ambition.
		
		

4 Context and Key Issues

- 4.1 The Committee has oversight of the Council's ethical governance framework and arrangements for dealing with complaints received under the Code of Conduct in relation to elected Members.
- 4.2 The table at Appendix A provides an update position on complaints received under the code of conduct. Item 1 details activity that has been progressed since previously reported to the last meeting of the Committee on 9 November 2021. Items 2-4 are the complaints that have been received since the last meeting of the committee and all are now resolved.

5 Alternative Options

- 5.1 None – the report is provided for information.

6 Implications

Resources:	The Council is required to ensure that sufficient resources are provided to the Monitoring Officer in order that they are able to exercise their statutory functions.
Legal and Governance:	The Local Government Act 2000 and Localism Act 2011 make provision for the arrangements for dealing with standards related matters.



Risk:	The Council must have in place, arrangements for dealing with matters relating to the conduct of elected members. These are regularly reviewed in line with the best practice recommendations of the Committee for Standards in Public Life
Equality:	There are no direct equality implications arising from this report.
Health and Wellbeing:	There are no direct health and wellbeing implications arising from this report.
Social Value	There are no direct social value implications arising from this report.

7. Appendices

None.

8. Background Papers

None.



Appendix A

Case Ref	Complainant	Code Provisions/ Ground for complaint	Date received and progress to date	Deadline Red: Amber: Green:	Outcome	Learning identified
1. MC/211021	Member of the public	It is alleged that the subject member has breached the code of conduct and misused their position as a Cllr. Potential breaches of the members code of conduct 2.1, 2.2, 2.3, 3.1, 5.1, 6.1	Complaint received 21/10/21. DMO seeking further information from complainant Information sought 4/11/21 2021, 29/11/21 and 18/1/22. No reply from complainant. Matter closed 25 January 2022	Green	Matter to be closed	
2. MC/22/10/21-a	Elected member	This complaint is against 2 elected members. It is alleged that the subject members have breached the code of conduct and their position as Cllrs Potential breaches of the members code of conduct 1.1,1.2, 3.1, 5.1	Complaint received 22/10/21. DMO assessing the complaint Matter referred for investigation 10/12/21 Investigation due to be completed 28/2/22	Green		



Case Ref	Complainant	Code Provisions/ Ground for complaint	Date received and progress to date	Deadline Red: Amber: Green:	Outcome	Learning identified
3. MC/221021-b	Elected member	This complaint is against 2 elected members. It is alleged that the subject members have breached the code of conduct and their position as Cllrs Potential breaches of the members code of conduct 1.1,1.2, 3.1, 5.1	Complaint received 22/10/21. DMO assessing the complaint Decision notice completed 10/12/21 NFA	Green	Matter closed	
4. MC/191121	Member of the public	It is alleged that the subject member has breached the code of conduct. Potential breaches of the members code of conduct 9.1	Complaint received 19/11/21 Decision notice issued by DMO 3/12/21 NFA	Green	Matter closed	
5. MC/171221	Member of the public	It is alleged that the subject member has breached the code of conduct Potential breaches of the members code of conduct 2.3, 5.1 and 6.1	Complaint received 17/12/21 Complainant provided further evidence 21/1/21 Decision notice on complaint to be completed 28/1/22	Green		

