

7. CRITERIA FOR ASSESSING CODE OF CONDUCT COMPLAINTS

REPORT OF: Tom Clark
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Wards Affected: All
Key Decision: No
Report to: Standards Committee
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Purpose of the Report

1. To consider the criteria for consideration of Code of Conduct complaints.

Summary

2. The present criteria are at the appendix to this report. Committee is asked to review the criteria in the light of a number of complaints with a personal dispute background and in relation to decisions parish councils are taking on Neighbourhood Plans.

Recommendations

3. **Members are asked to review the appendix outlining the present criteria for considering Code of Conduct complaints and suggest any changes.**
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Background

4. The appendix sets out the assessment criteria that have been used for the past 4 years in assessing Code of Conduct complaints.
5. There have been very few Code of Conduct complaints in that time against District Councillors.
6. There has been a recent surge of complaints relating to dissatisfaction with the way parish councils are preparing their Neighbourhood Plans. These complaints are with the Parish Council and not with individual councils.
7. The Council has also been dealing with a number of complaints from one individual against a particular parish councillor which originate from a dispute that had nothing to do with the parish council. While there have been failures by the parish councillor to complete the declaration of interest form correctly these failures have had no impact on the workings of the parish council.
8. Dealing with these complaints has been time consuming for your Monitoring Officer and the independent persons, with the Standards Committee itself looking at some of the complaints based on the number received.

9. The Standards Committee is there to promote ethical conduct. There is always a danger that people will seek to use the Code of Conduct to put pressure on elected members to take decisions that suit a pressure group rather than for the overall benefit of the community.
10. Members are asked to consider the criteria used to assess complaints and suggest any changes that may discourage illegitimate personal complaints and discourage complaints being made to advocate a different view from that being pursued by the parish council.

Financial Implications

11. The District Council picks up the cost of operating the Standards Committee and any independent investigations that take place.

Risk Management Implications

12. A series of Code of Conduct complaints against a parish council and its councillors is unsettling for the work of that parish council.

Equality and customer service implications

13. Complaints should be made in writing and assistance is given where necessary.

Other Material Implications

14. Any change in the criteria will be published on the website in the hope that people become more aware of the limited scope of the Standards Committee under the Localism Act 2011.