

COMPLAINTS UPDATE - OCTOBER 2019 – OCTOBER 2021

Reference	Subject Member	Complainant	Nature of Complaint	Route	Outcome	Turnaround (working days)	Reparation/ Lessons
2019							
15/2019	Cllr 1	Public	Cllr attended public rally and expressed discriminatory views	S.A.B.	No breach – (i) Cllr not acting in “official capacity” when attending, and (ii) Cllr cannot be guilty-by-association just by being in the same space as someone displaying extreme views	19 weeks	Cllrs should be extra careful when posting social media to check content of photos etc.
20/2019	Cllr 2	Public	Constituent angry that Cllr had referred him to the police, on the grounds of concerns about Cllr’s own safety.	MO/IP & Review	No breach – Cllr acting as a private individual when referring her safety concerns to the Police. Constituent had two other Ward Cllrs to turn to if support needed	10	
22/2019	Cllrs 3, 4, 5	LCC employee	Conduct of members at a Ward meeting – alleged disrespect to officer attending	MO/IP	No breach	12	Cllrs should be clearer when setting up the agenda as to the precise focus of the officer participation
2020							
04/2020	Cllr 6	Public	Cllr unhelpful during Ward surgery and breached confidence by opening meeting room door under pretence of needing air	MO/IP & Review	No breach Constituent had received lots of support with his issue but refused to acknowledge this, plus was getting agitated and accusatory	9	

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15/2020	Cllr 7	Public	Lack of response from Cllr over issues raised over period of 2 years	MO	No breach. Cllr has been diligent in answering repeated questions from the complainant over many months.	20 days	Cllrs are not responsible for answering detailed challenges on operational Schemes (such as Residents Parking Scheme) and other processes exist for this
2021							
01/2021	Cllr 8	Public	Derogatory comments at Planning Meeting – quoted in press	MO/IP	No breach	17	Cllrs are entitled to hold views, even strong views, and to articulate them publicly. The Cllr drew a careful distinction between critiquing the application, versus critiquing the applicant
05/2021	Cllr 9	Public	Ward Cllr unhelpful on Housing issues and in pursuing matters with the Housing Ombudsman	MO/IP	No breach. Complainant was clearly already dealing with another of the Ward Cllrs who had taken the lead.	29	
06/2021	Cllr 10	Public	Comments tweeted by Cllr are anti-Semitic and neither impartial nor objective	MO	No breach.	2	Criticising a Government's actions is not criticism of a religion or race. Councillors do not need to be impartial. They are entitled to express views, even condemnation.

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07/2021	Cllr 11	Cllr 12	Cllr 12 is alleged to have inappropriately interfered in Ward issues (where they live) but where Cllr 12 is the Ward Member	MO/IP	Code of Conduct does not apply to party political matters	7	Cllrs are also private citizens and have a right to raise matters in their community but must be careful to distinguish their roles/identities in such situations.
09/2021	Cllr 13	Public (stakeholder)	Cllr rude/discourteous during virtual meeting	MO/IP	Recommended informal resolution where code engaged but not breached	29	Cllr 14 agreed to contact complainant and repair relationship damage caused by misunderstanding
10/2021	Cllrs 14 & 15	Public	Lack of response or acknowledgements to concerns raised	MO	Cllr15 unintentionally failed to deal with the matter – thought had pursued but confused it with another case. Cllr 16 did not pursue as Ward Cllrs share-out casework	18	Cllr 15 apologised and is happy to take-up the matter Clear communication between Ward Cllrs is essential so that lacunas don't arise

NB

The Monitoring Officer continues to receive other complaints which fall outside the formal regime but are nonetheless worthy of note:

1. **Vague complaints – the M.O. always writes back to prospective complainants to explain the rules for lodging a complaint and to invite more clarity/detail. If no response is received the complaint fails to proceed.**
2. **Lockdown complaints – a number of complaints were received in 2020 about alleged breaches of lockdown rules by Elected Members (including a self-referral from a Councillor). These were acknowledged but fell outside the regime. The Code of Conduct is not designed as an all-encompassing Code of behaviour, but rather one which upholds principles of expected behaviour whilst engaging in public life.**
3. **Party Political complaints – these are outside of the Code of Conduct because party political activity is distinct from “the business of the Authority”.**

4. **Social Media activity – remains outside of the Code of Conduct, though is constantly reviewed, both in principle (should it be included?) and in practice (was the particular posting undertaken in an official capacity?)**