



Meeting or Decision Maker:	Standards Committee
Date:	21 March 2019
Classification:	For General Release
Title:	Member Complaints – Annual Report
Report of:	Tasnim Shawkat, Monitoring Officer

1. Executive Summary

- 1.1 This report is the Annual report to the Committee setting out, in summary, details of three complaints against members of the Council, since the last report to the Committee.
- 1.2 The report also recommends a change to the Members Code of Conduct to provide greater clarity.

2. Recommendations

- 2.1 To note the outcomes of the Members complaint referred to in paragraph 3 of the report
- 2.2 To agree that the Members Code of Conduct be amended to provide greater clarity to paragraph 2.10 by adding the following:

“including, not acting in a manner which could be seen to bring the Council or the role of the Councillor into disrepute”.
- 2.3 To recommend to the General Purposes Committee the proposed amendment to paragraph 2.10 of the Code of Conduct, which will read as follows:

To promote and support high standards of conduct through leadership and by example, including not acting in a manner which could be seen to bring the Council or the role of the Councillor into disrepute.

3 Member complaints

- 3.1 Over the past twelve months the Monitoring Officer has received three complaints about Member conduct.

- 3.2 One of the complaints was service related and so was not pursued for investigation and was passed to City West Homes.
- 3.3 The other two complaints, although investigated, did not proceed to Standards Committee as one of the Members ceased to be a Councillor and the other resigned.
- 3.4 There was no pattern of vexatious complaints.
- 3.5 At its meeting on 25th October 2018, Cabinet considered an independent review of the City Council's planning function and agreed to restate to both Officers and Members their responsibilities set out in the Council's gifts and hospitality policies.
- 3.6 Ethical standards had been included in the Members' Development Programme, as part of a mandatory Code of Conduct session following the local elections in 2018. All re-elected councillors and newly elected Councillors have attended the mandatory session led by or on behalf of the Monitoring Officer.

4 Proposed change to the Members Code of Conduct

- 4.1 The Localism Act 2011 (the "Act") stated that relevant authorities must promote and maintain high standards of conduct by members and co-opted members of the authority. To discharge this duty Local Authorities had to adopt a code dealing with the conduct that is expected of members and co-opted members of the authority when they are acting in that capacity.
- 4.2 The Act states that the Code when viewed as a whole must be consistent with the following principles
 - (a) selflessness;
 - (b) integrity;
 - (c) objectivity;
 - (d) accountability;
 - (e) openness;
 - (f) honesty;
 - (g) leadership.
- 4.3 Paragraph 2 of the code sets out the standards of conduct/ behaviour Members must comply with. Paragraph 2.10 provides that:

To promote and support high standards of conduct through leadership and by example.

It is proposed paragraph 2.10 is amended, to read as follows

To promote and support high standards of conduct through leadership and by example, including not acting in a manner which could be seen to bring the Council or the role of the Councillor into disrepute.

- 4.4 Para 2.10 implies that by promoting and supporting high standards of conduct through leadership means that councillors should not bring their office or the Council into disrepute. However, making this explicit signals the importance from the Council's point of view the need for councillors take this into account at all times.

5 Financial Implications

- 5.1 There are no financial implications for this report.

6. Legal Implications

- 6.1 The Council and individual Members are required to promote and maintain high standards of ethical behaviour as is required under section 27 of the Localism Act 2011 ("the Act") Under section of the 28 of the Act, the Council must have in placed "arrangements " under which allegations that a member or co-opted member of the Council, or of a Committee of Sub-Committee of the Council, has failed to comply with Code of Conduct can be investigated and decisions made on such allegations.

If you have any queries about this report please contact:

**Reuben Segal, Acting Head of Committee and Governance Services,
Tel: 020 7641 3160
Email rsegal@westminster.gov.uk**