

Standards Committee



16 March 2022

Title	Update on Member Complaints
Purpose of the report	To note
Report Author	Victoria Statham, Monitoring Officer
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	Not applicable
Corporate Priority	This item is not in the current list of Corporate Priorities.
Recommendations	Committee is asked to note the report.
Reason for Recommendation	Not applicable

1. Summary of the report

- 1.1 This report seeks to update the Committee on those member complaints which have been dealt with since the last update provided in October 2021.

2. Key issues

- 2.1 The Council's Arrangements for dealing with complaints under the Member Code of Conduct requires that the Monitoring Officer report to the Committee on those complaints which:
- The Monitoring Officer has rejected
 - Have been referred to the Assessment or Hearing Panels

3. Complaints rejected by Monitoring Officer

- 3.1 As part of the Arrangements, the Monitoring Officer has the power to strike out complaints which are vexatious, frivolous, or politically motivated.

¹'The Monitoring Officer has power to reject complaints which are vexatious, frivolous or malicious or which are politically motivated or in some other way an abuse of process. Where the Monitoring Officer has taken a decision that a complaint falls into one of these categories, he will inform the complainant of his decision and the reasons for that decision. There is no appeal from this decision, but the Monitoring Officer will report all such decisions to the next meeting of the Standards Committee who are entitled to refer the matter for investigation if they feel that the Monitoring Officer has acted incorrectly.'

¹Principles of the Arrangements para 4(e) and (f) and also paragraph 25

- 3.2 At the time of the previous update in October 2021 (Appendix 1, paragraph 1.2), three complaints received from councillors were in process of being considered by the Monitoring Officer. All three were dismissed after consultation with the Independent Person.
- 3.3 An anonymised summary of the three complaints which the Monitoring Officer rejected as politically motivated, is attached at Appendix 2.
- 3.4 There have been two further complaints since my last report, both of which have only just been received so they are at the beginning of the process.
- 4. Complaints referred to Assessment or Hearing Panels**
- 4.1 The previous update reported that one complaint by a councillor was scheduled for consideration by an Assessment Panel (paragraph 1.3). That complaint was referred for further investigation resulting in a total of 4 complaints undergoing investigation.
- 4.2 One of those investigations has now concluded and after consulting with the Independent Person the matter is proceeding to a Hearings Panel on 23 March 2022.
- 4.3 An anonymised summary of those complaints which were referred for investigation is attached at Appendix 3.
- 5. Recommendation**
- 5.1 The Committee is asked to note this report.
- 6. Contact**
- 6.1 Victoria Statham v.statham@spelthorne.gov.uk

Background papers: There are none.

Appendices:

Appendix 1 – Report to Standards Committee 20 October 2021

Appendix 2 – Complaints rejected by the Monitoring Officer

Appendix 3 – Complaints under investigation