

Standards Committee



16 February 2023

Title	Update on Member Complaints
Purpose of the report	To note
Report Author	Farida Hussain, 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 complaints against members which have been dealt with since the last update provided to this Committee in June 2022.

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 Standards Committee on those complaints which:

- a. The Monitoring Officer has rejected
- b. Have been referred to the Assessment or Hearing Panels

- 2.2 The following table summarises the number of new complaints about councillors that have been received since June 2022:

	Number submitted	Rejected	Closed	Referred for investigation	'Live'
Complaints made by staff	1	-	-	1	-
Complaints by Public	3	-	2	-	1
Complaints by Councillors	3	-	1	-	2
Total	7	-	3	1	3

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.

'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.'

- 3.2 None of the new complaints received have been rejected by the Monitoring Officer.

4. Complaints dealt with informally by Monitoring Officer

- 4.1 The '[Arrangements](#)' include provision for the Monitoring Officer to consider informal resolution at any stage in the process for dealing with a complaint, subject to meeting the criteria in Annex C to Appendix 2 of the Arrangements.
- 4.2 Two of the complaints received since the last update have been closed following agreement by both parties to an informal resolution.

5. Complaints referred to Assessment Sub-Committee

- 5.1 At the time of the previous update there were 5 'live' complaints. One was closed due to a lack of evidence. The outcomes of the other 4 shown in the attached Appendix 2.

6. Complaints referred to Hearing Sub-Committee

- 6.1 Since the previous update, 3 complaints have been referred by Assessment Sub-Committees for Independent investigation and these are underway. These may be dealt with informally or considered by Hearing Panels in due course.
- 6.2 The Monitoring Officer will report on the outcome of any Hearing Panels in a future report to this Committee.

7. Recommendation

- 7.1 The Committee is asked to note this report.

8. Contact

- 8.1 Farida Hussain, f.hussain@spelthorne.gov.uk

Background papers: There are none.

Appendices:

Appendix 1 – Report to Standards Committee June 2022

Appendix 2 – Complaints