

**ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS**

<b>1.</b>	<b>Meeting:</b>	<b>Standards Committee</b>
<b>2.</b>	<b>Date:</b>	<b>11<sup>th</sup> December 2014</b>
<b>3.</b>	<b>Title:</b>	<b>Update from the Monitoring Officer on the Handling of Complaints</b>
<b>4.</b>	<b>Directorate:</b>	<b>Resources</b>

**5. Summary**

To update the Committee with regard to the handling of complaints of breaches of the Code of Conduct

**6. Recommendations**

That the Committee notes the steps that have been taken to resolve the complaints.

## 7. Proposals and Details

Since the previous Committee meeting the following steps have been taken to consider and respond to allegations that the Code of Conduct for Elected Member has been breached:-

1. A complaint that a member of the public has been assaulted by a Parish Councillor following the conclusion of an Annual Parish Meeting.

A Panel convened on the 20<sup>th</sup> November to hear the complaint. The case was adjourned following the consideration of a number of procedural issues. Officers are working to reschedule the adjourned hearing as soon as possible.

2. A complaint that a Parish Councillor had disclosed confidential information.

The Parish Councillor has been asked for formal comments with regard to this complaint. The Monitoring Officer will then resolve, with advice from the Independent Person, how this matter should proceed.

3. A complaint that a Borough Councillor had breached the Code of Conduct in a number of ways, including having committed misconduct in public office.

The complainants were asked for further details regarding their complaint and this information has not been received. Accordingly the Monitoring Officer proposes to close this file.

4. A complaint from a member of the public that a Parish Councillor had incorrectly taken the chair at a meeting incorrectly.

Following discussion with the Independent Person, this matter was not proceeded with as the Monitoring Officer took the view that the allegation did not reveal a breach of the Code of Conduct.

5. A complaint that a Parish Councillor had manipulated the start time of a meeting and used the member's position to confer an advantage.

The member concerned has provided written details in response to the allegation. The matter is being considered, with the Independent Person, Phil Beavers, to determine how the matter should proceed.

6. A complaint that a Parish Councillor has behaved offensively.

The Parish Councillor has been asked, for the second time, to provide a written response to enable the Monitoring Officer to consider this matter at a preliminary stage.

7. A complaint that a Borough councillor inappropriately failed to exercise his discretion at a meeting.

The Monitoring Officer considered that the complaint revealed no breach of the Code of Conduct and the matter has now been closed.

8. A complaint that a Borough Councillor has acted inappropriately with regard to a commercial concern.

This has been referred to the Independent Person, David Roper-Newman, for his consideration. The Independent Person has responded and her Monitoring Officer is making a further enquiry.

9. A complaint from a member of the public that two Parish Councillors had exhibited poor behaviour at a meeting.

Following discussion with Phil Beavers, Independent Person, this has been referred for informal resolution.

10. A complaint that a Parish Councillor has abused a process.

This has been referred to Phil Beavers, Independent person, for consideration

11. A complaint regarding the manner in which filming of a meeting was undertaken by a Parish Councillor.

The Monitoring Officer did not investigate the matter as it did not appear to be a breach of the Code of conduct, but did provide general advice to the Clerk of the Parish Council and the Councillor who had conducted the filming.

## **8. Finance**

None

## **9. Risks and Uncertainties**

None

## **10. Background Papers and Consultation**

Files held by the Monitoring Officer, which may contain exempt information.

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