



## **Standards Committee**

**Monday, 14 November 2022**

**Cases and Work Update 2022-23**

### **Report of the Monitoring Officer**

#### **1. Purpose of report**

- 1.1. This report provides the Standards Committee with information relating to complaints received since the last Standards Committee on 21 February 2022. It also outlines areas in which training or education have been identified which could assist Councillors' understanding of the standards regime's requirements and the actions proposed to meet these training needs.

#### **2. Recommendation**

It is RECOMMENDED that the Committee receive and note the report.

#### **3. Reasons for Recommendation**

To advise members of the committee of complaints received by the Monitoring Officer and to demonstrate good governance.

#### **4. Supporting Information**

- 4.1. Since implementation of the current Standards regime in June 2012, there have been a total of 108 cases (including the cases mentioned herein). Details of these cases have been periodically reported to the Committee, with the last report in February 2022. A summary of complaints is provided at Appendix A.
- 4.2. Since the date of the last meeting, four Code of Conduct complaints have been received by the Monitoring Officer.
- 4.3. The table at Appendix A confirms the date of the complaint, if it related to a Borough, Parish or Town Councillor, if the complaint was made by a member of the public, another Borough, Parish or Town Councillor, the nature of the complaint and the action taken to address the complaint.
- 4.4. The table also confirms which cases have been discussed with the Independent Persons. The Independent Persons are appointed by a positive vote from a majority of all the members of Council. There are a number of statutory restrictions on eligibility for this role to ensure that the post-holder has no close associations with the Council and is therefore truly independent. They are not a member of the Standards Committee, but they must be consulted by the Monitoring Officer prior to any decisions or findings on

alleged breaches of the Code and may be consulted at other stages of the complaints process.

- 4.5. Where complaints were not accepted under the Code, the details have not been included as to do so would be misleading; and could be seen to misrepresent the nature of complaints received.

## **5. Other work**

- 5.1. During the year, the Monitoring Officer has been available to provide support on questions raised by Councillors and Parish and Town Councillors.
- 5.2. The Member Development Group continues to develop the Councillors training programme, the Monitoring Officer is available to support the Group.
- 5.3. Standards of Conduct training has been arranged for the 21 November for all Councillors, with the intention that this will also be rolled out to Parish and Town Councillors. This training will cover why conduct and standards matter in local government, what the new Code of Conduct covers and should ensure that all Councillors are confident about how the Code applies to them.

## **6. Risks and Uncertainties**

None identified

## **7. Implications**

### **7.1. Financial Implications**

There are no direct financial implications. The Independent Person roles are funded through existing budgets.

### **7.2. Legal Implications**

There are no specific legal implications.

### **7.3. Equalities Implications**

All complaints are considered with reference to the Council's Equality Scheme.

### **7.4. Section 17 of the Crime and Disorder Act 1998 Implications**

There are no Section 17 implications.

## 8. Link to Corporate Priorities

Quality of Life	Delivery of an effective Standards regime supports the Council's priority of 'quality of life'
Efficient Services	The recommendations in this report do not impact on or contribute to the Council's Efficient Services priority.
Sustainable Growth	The recommendations in this report do not impact on or contribute to the Council's Sustainable Growth priority.
The Environment	The recommendations in this report do not impact on or contribute to the Council's Environment priority.

## 9. Recommendation

It is RECOMMENDED that the Committee receive and note the report.

<b>For more information contact:</b>	Gemma Dennis Monitoring Officer  gdennis@rushcliffe.gov.uk
<b>Background papers available for Inspection:</b>	None
<b>List of appendices:</b>	<b>Appendix A</b> – Code complaints

## Appendix A

### Update on cases prior to 26 November 2018

Case Ref	Date received	RBC/Parish Council	Complainant	Independent Person consulted	Decision and date
	02/10/2018	Keyworth Parish Council	Parish Councillor	Yes	Investigation report received, MO and IP reviewing resolution with Subject Member.
	25/10/2018	Borough Council and Bingham Town Council	Borough/Town Councillor	Yes	Complaint review, no formal action.
	23/10/2018	Gotham Parish Council	Members of the public (three complainants)	Yes	Complaint review, no action.
	05/11/2018	Borough Council and Bingham Town Council	Borough /Town Councillor/ County Councillor	Yes	Complaint review, no formal action.

### Summary of new cases from report to committee 26 November 2018

Case Ref	Date received	RBC/Parish Council	Complainant	Independent Person consulted	Decision and date
	07/11/2018	RBC	Member of the Public	Yes	Complaint review, no action.
	15/11/2018	Borough Council and Bingham Town Council	Town Councillor	No	Complaint review, no action.
	14/11/2018	Bingham Town Council	Borough /Town Councillor	No	Complaint review, no action.

Case Ref	Date received	RBC/Parish Council	Complainant	Independent Person consulted	Decision and date
	03.12.2018	Wysall and Thorpe in the Glebe PC	Member of the public	Yes	Complaint review, no action.
	18.12.2018 (linked complaint received 13.11.18)	Bingham Town Council x 3	Member of the public	Yes	1 x Complaint: no action, 1x Complaint, local resolution (apology) 1x Complaint referred for formal investigation.
	21.01.2019	Newton PC	Parish Councillor	Yes	Complaint withdrawn

#### Summary of new cases from report to committee 12 March 2019

Case Ref	Date received	RBC/Parish Council	Complainant	Independent Person consulted	Decision and date
	25.03.2019	Borough Council and Bingham Town Council	Town Council Employee	Yes	Referred for formal investigation
	11.03.2019	Borough Council	Borough Councillor	No	Complaint not accepted under code

#### Summary of new cases from report to committee 1 July 2019

Case Ref	Date Received	RBC/Parish	Complainant	Nature of Complaint	Independent Person Consulted	Decision and Date
	25.03.2019	Borough Council and Bingham	Town Council Employee		Yes	Local resolution accepted

		Town Council				
	06.06.2019	Borough Council and Bingham Town Council	Member of the public	N/A	Yes	Complaint not accepted under code
	20.06.2019	Cotgrave Parish Council	Member of public	N/A	Yes	Complaint not accepted under code
	23.06.2019	Borough Council and Bingham Town Council	Town Council Employee	N/A	Yes	Complaint not accepted under code
	01.07.2019	Tollerton Parish Council	Member of public	N/A	Yes	Complaint not accepted under code
	04.07.2019	Bradmore Parish Council	Member of public	N/A	Yes	Complaint not accepted under code
	15.07.2019	Borough Council and Bingham Town Council	Town Councillor	Confidential procedural matters	Yes	On hold pending internal determination of issue giving rise to complaint
	04.07.2019	Borough Council and Bingham Town Council	Town Councillor	N/A	Yes	Complaint not accepted under code

### Summary of new cases from report to Committee 23 September 2019

Case Ref	Date Received	RBC/Parish	Complainant	Nature of Complaint	Independent Person Consulted	Decision
	18.11.2019	Sutton Bonington Parish	Member of the public	N/A	No	Complaint not accepted

		Council				under code
601	03.06.2020	Bingham Town Council	Member of the public	Meeting procedures	Yes	Complaint not accepted under the code
603	03.06.2020	Bingham Town Council	Member of the public	Meeting procedures	Yes	Complaint not accepted under the code
604	09.06.2020	Bingham Town Council	Member of the public	Meeting procedures	Yes	Complaint not accepted under the code
605	10.06.2020	Bingham Town Council	Member of the public	Meeting procedures	Yes	Complaint not accepted under the code
614	18.06.2020	Orston Parish Council	Member of the public	Inappropriate use of social media	Yes	Subject member resigned therefore complaint not proceeded with
615	17.06.2020	Bingham Town Council	Member of the public	Meeting procedures	Yes	Complaint not accepted under the code
616	18.06.2020	Orston Parish Council	Member of the public	Inappropriate use of social media	Yes	Subject member resigned therefore complaint not proceeded with
621	18.06.2020	Bingham Town Council	Member of the public	Meeting procedures	Yes	Complaint not accepted

						under the code
625	18.06.2020	Bingham Town Council	Member of the public	Meeting procedures	Yes	Complaint not accepted under the code
628		Rushcliffe Borough Councillor	Member of the public	Councillor comment on planning application	No	Complaint not accepted under the code



<b>Case Ref</b>	<b>Date Received</b>	<b>RBC/Parish</b>	<b>Complainant</b>	<b>Nature of Complaint</b>	<b>Independent Person Consulted</b>	<b>Decision</b>
633	24.06.2020	Bingham Town Council	Town Councillor	Meeting procedures	Yes	Complaint not accepted under the code
637	29.06.2020	Bingham Town Council	Member of the public	Meeting procedures	No (given nature of complaint independent persons views sought previously)	Complaint not accepted under the code
664	28.07.2020	Bingham Town Council	Member of the public	Meeting procedures	No (given nature of complaint independent persons views sought previously)	Complaint not accepted under the code
665	31.07.2020	Bingham Town Council	Member of the public	Meeting procedures	No (given nature of complaint independent persons views sought previously)	Complaint not accepted under the code
666	05.08.2020	Bingham Town Council	Member of the public	Meeting procedures	No (given nature of complaint independent persons views sought previously)	Complaint not accepted under the code
670	10.08.2020	Rushcliffe Borough Councillor	Member of the public	Planning Application		Complaint under review

### Summary of new cases from report to Committee 28 September 2020

Case Ref	Date Received	RBC/Parish	Complainant	Nature of Complaint	Independent Person Consulted	Decision
695	28.09.2020	Rushcliffe Borough Councillor	Rushcliffe Borough Councillor/Town Councillor	Inappropriate comments during a Council meeting	Yes	Complaint not accepted under the code
706	25.10.2020	Bingham Town Council	Member of the Public	Application of dispensations	Yes	Complaint referred for formal investigation
707	26.10.2020	Bingham Town Council	Member of the Public	Decision making	Yes	Complaint not accepted under the code
735	13.11.2020	Bingham Town Council	Member of the Public	Bullying and harassment	Yes	Complaint not accepted under the code
760	4.12.2020	Bingham Town Council	Member of the Public	Breach of code of conduct in relation to objectivity, openness, accountability, honesty and leadership: public speaking at Town	Yes	Complaint not accepted under the code

				Council meetings, referral to matters to confidential business		
769	17.12.2020	Bingham Town Council	Town Councillor	Application of employment procedures	Yes	Complaint referred for formal investigation
770	20.12.2020	Bingham Town Council	Town Councillor	Application of employment procedures	Yes	Complaint referred for formal investigation
771	1.1.2021	Bingham Town Council	Town Council employee	Application of employment procedures	Yes	Complaint referred for formal investigation

773	22.12.2020	Bingham Town Council	Member of the public	Application of dispensations	Yes	Complaint referred for formal investigation
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#### Summary of new cases from report to Committee 22 February 2021

Case Ref	Date Received	RBC/Parish	Complainant	Nature of Complaint	Independent Person Consulted	Decision
811	09.03.2021	Bingham Town Council	Town Councillor	Inappropriate social media post	Yes	Complaint not accepted under the code
832	30.03.2021	Rushcliffe Borough Councillor	Parish Councillor	Inappropriate behaviour at Parish Council meeting	Yes	Complaint under review
891	16.06.2021	Bradmore Parish Council	Member of the public	Declaration of interest	Yes	Complaint not accepted under the code

#### Summary of new cases from report to Committee 4 October 2021

Case Ref	Date Received	RBC/Parish	Complainant	Nature of Complaint	Independent Person Consulted	Decision
1054	04.10.2021	Rushcliffe Borough Councillor x 2	Member of the public	Inappropriate behaviour at a Council meeting	Yes	Complaint not accepted under the code

1101	25.11.2021	Bingham Town Council	Member of the public	Inappropriate behaviour at Parish Council meeting	Yes	Complaint not accepted under the code
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**Summary of new cases received since previous meeting of 21 February 2022**

<b>Case Ref</b>	<b>Date Received</b>	<b>RBC/Parish</b>	<b>Complainant</b>	<b>Nature of Complaint</b>	<b>Independent Person Consulted</b>	<b>Decision</b>
1229	26.6.22	RBC	Member of the public	Cllr conduct in connection with a planning application	Yes	Complaint not accepted under the code
1230	6.7.22	Bingham Town Council	Member of the public	Inappropriate behaviour at Parish Council meeting	Yes	Complaint not accepted under the code
1254	5.10.22	Holme Pierrepont and Gamston Parish Council	Member of RBC staff	Inappropriate behaviour at a Council training event	Yes	Initial fact finding by MO in progress
1259	18.10.22	RBC	Member of the public	Cllr conduct in connection with a planning application	Yes	Initial fact finding by MO in progress