

Agenda Item 7.

TITLE Update on Complaints and Feedback

FOR CONSIDERATION BY Standards Committee on 1 July 2020

WARD (All Wards);

DIRECTOR Director of Corporate Services - Graham Ebers

OUTCOME / BENEFITS TO THE COMMUNITY

To inform and feedback results of the Member Complaints process.

RECOMMENDATION

To note the report and consider any issues arising.

SUMMARY OF REPORT

Since the last report on Complaints to the Committee on 2 March 2020 there have been three new complaints received.

Appendix A provides a summary of the complaints and the latest position on each.

A verbal update will be given at the meeting on any specific patterns/trends or other matters that the Committee may need to consider.

Also, the Committee is asked to consider any broader training issues that arise from these complaints.

Background

Under Section 9.1.13.5 of the Council's Constitution, the Monitoring Officer provides a report to the Standards Committee, on a quarterly basis, which contains the following: the number and nature of complaints received; progress on any investigations and associated costs; and identify areas where training or other action might avoid further complaints. However, the name(s) of the Member(s) will not be disclosed.

Since the last report to the Committee on 2 March 2020, there have been three new Code of Conduct complaints received.

Under the Council's adopted policy for the consideration of Code of Conduct Complaints, the Monitoring has delegated authority to decide whether the complaint:

- can be resolved informally i.e. by mediation with the two parties before making a decision on whether the complaint merits formal investigation;
- requires investigation;
- should be referred to the Standards Committee;
- no further action should be taken.

Analysis of Issues

The latest position on existing complaints is shown at Appendix A.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces severe financial challenges over the coming years as a result of the austerity measures implemented by the Government and subsequent reductions to public sector funding. It is estimated that Wokingham Borough Council will be required to make budget reductions in excess of £20m over the next three years and all Executive decisions should be made in this context.

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	£0	Yes	Revenue
Next Financial Year (Year 2)	£0	Yes	Revenue
Following Financial Year (Year 3)	£0	Yes	Revenue

Other financial information relevant to the Recommendation/Decision

None

Cross-Council Implications

The work and conduct of Members impacts on all aspects of the Council's services.

Public Sector Equality Duty
The Code of Conduct requires Members to act in accordance with the Council's duties under the Equality Act 2010, to eliminate discrimination and foster good relations with and between residents with protected characteristics.

Reasons for considering the report in Part 2
Not applicable

List of Background Papers
None

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Code of Conduct Complaints

Date Received	Subject Member	Summary of Complaint	Progress/Conclusion	Date Concluded
26/11/19	WBC Member	Complaint received from member of the public about the chairing of a WBC meeting. The complaint alleged that the chair had shown bias in the way a public meeting had been conducted.	The Monitoring Officer made an initial evaluation of the complaint which did not show any evidence of misconduct. Following consultation with the Chairman and Independent Person it was agreed unanimously to take no further action.	3/3/2020
17/2/2020	WBC Member	Complaint received from member of the public about bullying and harrassment.	The Monitoring Officer made an initial evaluation of the complaint and in consultation with the Chairman and Independent Person it was agreed to commission an investigation into the allegation. The independent investigator produced a comprehensive report that concluded that there was no evidence to support the allegation that the Councillors' conduct was bullying or intimidatory and therefore there was no finding of a breach of the Code of Conduct. Following receipt of the report, the Monitoring Officer consulted with the Chairman and Independent Person and it was agreed unanimously to take no further action.	22/5/2020
27/2/2020	WBC Member	Complaint received from a councillor relating to the failure to declare an interest on the register of interests.	Councillor was found to be in breach of the Code of Conduct. The Councillor concerned has updated the register. A formal decision notice was published on the Council's website on 11 March 2020 and reported to Council on 16 June 2020.	16/6/2020
4/3/2020	WBC Member	Complaint received from member of the public about the manner in which the Councillor concerned dealt with a service request in July 2019.	The Monitoring Officer has made initial evaluation of the complaint prior to consulting with the Chairman and Independent Person – a verbal update will be provided to the Committee.	Ongoing

Code of Conduct Complaints

Date Received	Subject Member	Summary of Complaint	Progress/Conclusion	Date Concluded
5/3/2020	Town & Parish Member	Complaint received from a Town & Parish clerk about bullying and disrespect to other Members and officers, and a potential breach of that Councils' equality duties.	The Monitoring Officer has made an initial evaluation of the complaint prior to consulting with the Chairman and Independent Person. Further information has been requested from the Councillor concerned.	Ongoing
4/6/2020	Two WBC Members	Complaint received from a member of the public that alleges two councillors were not adhering to social distancing rules. However, the complainant is unclear as to which part(s) of the Code of Conduct may have been breached.	The Monitoring Officer has made initial evaluation of the complaint prior to consulting with the Chairman and Independent Person – a verbal update will be provided to the Committee.	Ongoing

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