
LOCAL INVESTIGATIONS AND DETERMINATIONS – OCTOBER 2019 TO MARCH 2020 AND APRIL 2020 TO SEPTEMBER 2020

1 PURPOSE OF REPORT

- 1.1 The Standards Committee receives a summary of complaints and queries received in relation to Members' behaviour under the Code of Conduct.

2 SUMMARY

- 2.1 The Committee on 26 June 2018 resolved that a twice yearly report be made to the Committee detailing all complaints and queries that had been received by the Monitoring Officer, including those that were progressed to formal investigation and those that had been reported but resolved informally or where advice had been given to the complainant.
- 2.2 A summary of the matters received formally and informally between October 2019 to March 2020 and April 2020 to September 2020 is appended.
- 2.3 Due to the pandemic, the Standards Committee in March 2020 was cancelled and a copy of the table of investigations and determinations was circulated to Members.
- 2.4 An opportunity was provided to Members to ask questions or feed back on the table. Only one question was received in the office regarding why issues take so long to be resolved and if a Member was not re-elected then it would render the process valueless.
- 2.5 In response, the Monitoring Officer stated, "There is no prescribed time limit for investigation of complaints and it is in the interest of natural justice that the complaint is dealt with thoroughly and all parties are given the reasonable opportunity to respond. Each investigation is dealt with on its individual facts and circumstances. If a Member is not elected during a complaint against them then that complaint falls away under the legislation as they are no longer a Councillor, but the timing of the complaint and the results of the elections are not within the control of the MO."

3 EQUALITY AND DIVERSITY IMPLICATIONS

- 3.1 An Equality Impact Assessment has not been carried out as no decision is being made.

4 RECOMMENDATION

- 4.1 It is proposed that the Committee **RESOLVES**

That the summary of complaints and determinations for the period October 2019 to March 2020 and April 2020 to September 2020 be noted.



Angela Law

Assistant Director, Legal & Democratic (Monitoring Officer)

Background Papers:-

None.

For further information please contact Angela Law, Assistant Director, Legal & Democratic/Monitoring Officer on:-

Phone: 01702 318131

Email: angela.law@rochford.gov.uk

If you would like this report in large print, Braille or another language please contact 01702 318111.

**ROCHFORD DISTRICT COUNCIL STANDARDS COMMITTEE
STANDARDS COMPLAINTS AND QUERIES**

October 2019 – March 2020

No.	Complaint Reference	Date of Complaint and Complainant	Complaint Against District or Parish/Town Councillor	Relevant Section of the Code	Details	Outcome
1	SC0069	19/12/19	District	3(3)(d), 3(3)(e) and 5(a) of the Code of Conduct. (see statements)	Councillor conducted themselves in a manner that could reasonably be regarded as bringing the Council into disrepute and acted in a manner that could compromise the impartiality of officers.	Investigation completed. On the balance of probabilities, it is found there is insufficient evidence to support the complaint. No Further Action
2	SC0070	08/01/20	Parish/Town	3(1) You must treat others with respect. 3(3)(e) you must not conduct yourself in a manner which could reasonably be regarded as bringing your Authority into disrepute.	Chairman of meeting acting aggressively and swearing	Investigation completed. Councillor is found to be in breach of the code and has agreed to apologise to the complainant at the next public meeting.

3	SC0071	08/01/20	Parish/Town	3(1) You must treat others with respect. 3(3)(e) you must not conduct yourself in a manner which could reasonably be regarded as bringing your Authority into disrepute.	Chairman of meeting acting aggressively and swearing	Investigation completed. Councillor is found to be in breach of the code and has agreed to apologise to the complainant at the next public meeting.
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**ROCHFORD DISTRICT COUNCIL STANDARDS COMMITTEE
STANDARDS COMPLAINTS AND QUERIES**

April 2020 – September 2020

No.	Complaint Reference	Date of Complaint and Complainant	Complaint Against District/Parish Councillor	Relevant Section of the Code	Details	Outcome
1	SC0073	19 April 2020	District Councillor	3(3)(e) You must not conduct yourself in a manner which could be reasonably regarded as bringing your Authority into disrepute.	Alleged false information on social media	No breach – the comment does not amount to misconduct that brings the authority into disrepute. No further action.
2	SC0074	14 May 2020	District Councillor	3(3)(e) You must not conduct yourself in a manner which could be reasonably regarded as bringing your Authority into disrepute.	Complainant alleges incorrect statement made by Councillor at Full Council in response to a petition bringing the Council into disrepute.	No breach - insufficient evidence to support the complaint. No further action.

APPENDIX

No.	Complaint Reference	Date of Complaint and Complainant	Complaint Against District/Parish Councillor	Relevant Section of the Code	Details	Outcome
3	SC0075	22 May 2020	District Councillor	3. (1) You must treat others with respect. 3. (3) you must not:- (e.) Conduct yourself in a manner which could be reasonably regarded as bringing your Authority into disrepute.	At the remote meeting of Full Council the Member failed to abide by responsibilities.	Parts of complaint are without merit due to new emergency rules and regulations brought in due to the pandemic. The evidence does not support the allegations of breaches under the Code. No further action.
4	SC0076	27 May 2020	District Councillor	4. You must not ; disclose information given to you in confidence by anyone, or information, acquired by you which you believe, or ought reasonably to be aware, is of a	Breach of the Council's Code of Conduct by sending a copy of Exempt Minutes to a member of the public.	The Councillor has breached the code but swiftly acknowledged this and took action requested of him. He also apologised. The Councillor attended code of conduct training. No further action.

APPENDIX

No.	Complaint Reference	Date of Complaint and Complainant	Complaint Against District/Parish Councillor	Relevant Section of the Code	Details	Outcome
				confidential nature...		
5	SC0077	28 May 2020	District Councillor	3. (1) You must treat others with respect. 3. (3) you must not:- (e.) Conduct yourself in a manner which could be reasonably regarded as bringing your Authority into disrepute.	Speech made in public (via live stream) was incorrect and in doing so showed a disrespect to all members of the opposition and brought the Authority into disrepute.	Complainant's transcript of the complaint is incorrect. No further action.
6	SC0078	2 June 2020	District Councillor	3. (1) You must treat others with respect. 3. (3) you must not:- (e.) Conduct yourself in a manner which	Misrepresentation on social media	No breach - insufficient evidence to support the complaint. No further action.

APPENDIX

No.	Complaint Reference	Date of Complaint and Complainant	Complaint Against District/Parish Councillor	Relevant Section of the Code	Details	Outcome
				could be reasonably regarded as bringing your Authority into disrepute.		
7	SC0079	17 June 2020	District Councillor	3(3)(e) You must not conduct yourself in a manner which could be reasonably regarded as bringing your Authority into disrepute.	At the Committee meeting, it was alleged a Councillor was not qualified to sit and vote on the Committee did so as a Substitute Member and voted on decisions made. Chairman of committee failed to ensure standards met	No breach under the Code. No further action.