



Governance, Audit, Risk Management and Standards Committee

Title	Member Complaints 2022/2023
Date of meeting	16 th October 2023
Report of	Monitoring Officer
Wards	All
Status	Public
Urgent	No
Appendices	None
Officer Contact Details	Jessica Farmer Jessica.farmer@harrow.gov.uk

Summary

A report outlining member complaints received in 2022/ 2023 and any trends

Recommendations

1. That the committee note the member complaints received.

1. Reasons for the Recommendations

- 1.1 It is important that member have an overview of complaints received and any trends. The Procedure for dealing with Member Complaints requires that the Monitoring Officer submits a report to the Committee at annual intervals to inform the Committee about complaints which have been received and not investigated and complaints which have been investigated.
- 1.2 The recommendations enable the council to:

- Comply with the constitutional requirement to report to the Committee.
- Ensure that the Council discharges its duty to: promote and maintain high standards of conduct for Members; review the application of the Code of Conduct for Members' to Member complaints; and maintain an overview on ethical standards in general across the authority.

1.3 Four complaints were dealt with during this period, this compares to ten complaints for the previous year. Historically in years with elections there tend to be more complaints. One of the complaints the complainant did not provide any details. In one case the resident did not respond to further enquiries and in three cases no evidence was found of a breach.

1.4 One of the complaints was about a failure to disclose interests. It is councillors' responsibility to ensure that their register is up to date. After the May election all councillors were offered assistance with completing their registers. The Monitoring Officer has also trained members on two occasions since May 2022 on the code of conduct and register of interests. Members are reminded regularly to update their register. Any dispensations that are granted are now made clear on the register so that the public can see this.

For the period April 2022-March 2023

Complaint	Provisions of Code	Decision
1	Failure to declare an interest	No evidence found no breach.
2	Resident did not provide these details	Resident did not respond to further inquiries
3	Not responding to correspondence	The member asked officers to deal with the matter, no evidence found of a breach of the code.
4	Failure to declare interests	No evidence found no breach.

2. Alternative Options Considered and Not Recommended

None

3. Post Decision Implementation

3.1 Not applicable.

4. Corporate Priorities, Performance and Other Considerations

Corporate Plan

4.1 Not applicable.

Corporate Performance / Outcome Measures

4.2 Barnet Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards.

Sustainability

4.3 Not applicable.

Corporate Parenting

4.4 No implications identified in the context of the report.

Risk Management

4.5 It is important that the Council discharges its duty to: promote and maintain high standards of conduct for Members; review the application of the Code of Conduct for Members' to Member complaints; and maintain an overview on ethical standards in general across the authority.

Insight

4.6 Not applicable

Social Value

4.7 Not applicable.

5. Resource Implications (Finance and Value for Money, Procurement, Staffing, IT and Property)

5.1 None, the complaints and training are resourced within the existing budget.

6. Legal Implications and Constitution References

6.1 Members' Code of Conduct – Procedure for dealing with Complaints, Section 4 D 1 paragraph 9.1 of the constitution – reads: "The Monitoring Officer will submit a report to the GARMS Committee at annual intervals to inform the Committee about complaints which have been received during the year."

6.1 The Council's arrangements under which complaints about Member conduct are investigated and decided comply with the relevant provisions of the Localism Act 2011. All complaints are dealt with in consultation with one of the council's Independent Persons that the council has to appoint under the Localism Act.

7. Consultation

7.1 When dealing with complaints the Monitoring Officer consults the Member complained about and the Independent Person.

8. Equalities and Diversity

8.1 It is a breach of the Member Code of Conduct to discriminate against people on the grounds of any of the protected characteristics in the Equality Act. Members have been provided with training in this area.

9. Background Papers

9.1 None.