

REPORT TO: Civic Affairs Committee

9 September 2021

LEAD OFFICER: Monitoring Officer

Update on Code of Conduct Complaints

Executive Summary

1. To update the Civic Affairs Committee on complaints cases regarding alleged breaches of the Code of Conduct.

Recommendations

2. That the Civic Affairs Committee **note** the progress of any outstanding complaints and the conclusion of cases resolved since the last meeting.

Details

3. Progress since the last meeting in relation to Code of Conduct complaints is set out in the below table:

Matter Number	District/Parish Council	Allegation/complaint	Outcome
019181	Bassingbourn-cum-Kneesworth Parish Council	<p>Allegations from the complainants against a member of the Parish Council that their actions breached the Nolan principles and the following parts of their code;</p> <p>You must treat others with respect and promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of age, disability, gender reassignment, race, religion or belief, sex, sexual orientation,</p>	After consultation with the Deputy Independent Person it was determined that the complaint did not merit a formal investigation.

		<p>marriage or civil partnership, pregnancy and maternity; and</p> <p>You must promote and support high standards of conduct.</p>	
019182	Bassingbourn-cum-Kneesworth Parish Council	<p>Allegations from the complainant against 4 Councillors that;</p> <p>their actions breached the Nolan principles; and</p> <p>there was Maladministration; and</p> <p>They operated without authority; and</p> <p>Non adherence to published Complaints Procedures</p>	<p>After consultation with the Deputy Independent Person it was determined that the complaint does not merit a formal investigation as the Parish Councillors have not breached the Code.</p>
019324 & 019605	Bassingbourn-cum-Kneesworth Parish Council	<p>Allegations from the complainant against two members of the Parish Council that;</p> <p>their actions breached the Nolan principles and brought their office or Authority into disrepute; and</p> <p>there was Maladministration; and</p> <p>Their actions breach of the provisions of the Local Government act 1972.</p>	<p>After consultation with the Deputy Independent Person it was determined that the complaints do not merit a formal investigation as the Parish Councillors have not breached the Code.</p>
019425	SCDC	<p>Allegations from the complainant that the member failed to declare a conflict of interest.</p>	<p>After consultation with the Deputy Independent Person it was determined that the complaint does not merit a formal investigation as the Councillor has not breached the Code.</p>

019606	Longstanton Parish Council	Allegations from the complainant against two members of the Parish Council that their actions breached the Code of Conduct by causing intimidation and not observing the Nolan principles of objectivity or leadership.	After consultation with the Independent Person it was determined that the complaints do not merit a formal investigation as the Parish Councillors have not breached the Code.
019607	Stow-Cum-Quy Parish Council	<p>Allegations from the complainant against a member of the Parish Council that their actions breached the following parts of their code;</p> <p>2 He/she shall not act in a way which a reasonable person would regard as bullying or intimidatory.</p> <p>3 He/she shall not seek to improperly confer an advantage or disadvantage on any person.</p> <p>8. A member shall register with the Monitoring Officer any change to interests or new interests in Appendices A and B within 28 days of becoming aware of it.</p>	After consultation with the Independent Person it was determined that there had not been a breach of the code.
019921	Linton Parish Council	<p>Allegations from the complainant against a member of the Parish Council that their actions breached the following part of their code;</p> <p>You must respect others and not bully or threaten or attempt to bully or threaten any person</p>	After consultation with the Independent Person it was determined that the complaint related to matters that occurred when the Parish Councillor was not acting in their official capacity and therefore the Code was not engaged.
019778	SCDC	Allegations from the complainant that the member breached the	After consultation with the Independent Person it was determined that the

		<p>following parts of the code;</p> <p>3.2 respect others and not bully or threaten or attempt to bully or threaten any person</p> <p>3.4 not conduct yourself in a manner which is likely to bring the Authority into disrepute</p> <p>3.7 exercise your own independent judgement, taking decisions for good and substantial reasons by –</p> <p>3.7.2 paying due regard to the advice of Officers, and in particular to the advice of the statutory officers, namely the Head of Paid Service, the Chief Finance Officer and the Monitoring Officer</p>	complaint does not merit a formal investigation as the Councillor has not breached the Code.
020114	SCDC	This complaint relates to complaint 019778 above	Matter ongoing
020115	Fowlmere Parish Council	Allegations from the complainant against 6 Parish Councillors that their actions breached the Nolan principles bringing the Parish Council into disrepute.	Matter ongoing

Implications

- In the writing of this report, taking into account financial, legal, staffing, risk, equality and diversity, climate change, and any other key issues, there are no significant implications.

Background Papers

Constitution – Code of Conduct

Ethical Handbook - Code of Conduct Complaints Procedure

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