

## DERBYSHIRE COUNTY COUNCIL

22<sup>nd</sup> October 2020

## GOVERNANCE, ETHICS AND STANDARDS COMMITTEE

## Report of the Director of Legal and Democratic Services

Complaints received against Councillors pursuant to the Code of Conduct for Elected Members for the period June 2019 to 30<sup>th</sup> June 2020.**1. Purpose of the Report**

To inform the Committee of complaints against Councillors received during the period of June 2019 to 30<sup>th</sup> June 2020.

**2. Information and Analysis**

The Council's Procedure for considering complaints that Councillors have breached the Code of Conduct (appendix 1) provides that the Monitoring Officer, in consultation as appropriate with one of the Independent persons from the Standards Committee, decides how complaints should be dealt with. Decisions are made as to whether or not complaints should be investigated and whether or not they should be referred on to the Standards Committee for consideration.

In order to support the Monitoring Officer with the management of complaints, the Committee is kept informed of complaints received against Councillors on an annual basis. The last report was presented to the Committee in June 2019.

During the period from 21<sup>st</sup> June 2019 to 30<sup>th</sup> June 2019, the following complaints were received and determined:

|    | Complaint received from | Substance of the Complaint   | Outcome    |
|----|-------------------------|--|------------|
| 1. | Member of the Public    | Had been spoken to in an unacceptable manner and contrary to the principles of the Code of Conduct for Elected members | Not upheld |
|    |                         |  |            |

|    |                      |  |  |
|----|----------------------|--|--|
| 3. | District Councillor  | Remarks/posts made on Facebook not in accordance with Code of Conduct                  | Not upheld as the posts were not made from a County Council perspective, but from a party political one.           |
| 4. | Member of the Public | Failure to respond to correspondence and complaints regarding conduct on social media. | The complaints were considered to be ineligible under the code following consultation with the Independent Member. |

One complaint submitted during this time period remains under consideration and details will be provided in the next annual report.

### 3. Legal Considerations

The Council is required to publish a Member Code of Conduct and a complaints procedure. In accordance with its terms of reference, the Governance, Ethics and Standards Committee supports the Monitoring Officer in taking any action required on the receipt, management and investigation of any Code of Conduct Complaint against an Elected Member.

As the Committee will appreciate, the details of the individual Councillors against whom the complaints were made cannot be disclosed since this would be in breach of data protection legislation.

### 4. Other considerations

In preparing this report the relevance of the following factors have also been considered: prevention of crime and disorder, equality and diversity, human resources, environmental, health, property and transport consideration.

### 5. Background Papers

Confidential files held by the Director of Legal and Democratic Services

**6. Officer's Recommendations**

The Committee is asked to note the contents of the report and to note that further reports will be presented on an annual basis.

**Simon Hobbs**

**Director of Legal and Democratic Services**