

**North East Derbyshire District Council**

**Standards Committee**

**13 July 2022**

**Complaint Update Report**

**Report of the Assistant Director of Governance and Monitoring Officer**

Classification: This report is public.

Report By: Sarah Sternberg, Assistant Director of Governance and Monitoring Officer, [sarah.sternberg@ne-derbyshire.gov.uk](mailto:sarah.sternberg@ne-derbyshire.gov.uk)

Contact Officer: Asher Bond, Governance Officer – [asher.bond@ne-derbyshire.gov.uk](mailto:asher.bond@ne-derbyshire.gov.uk)

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**PURPOSE / SUMMARY**

To provide Standards Committee with an update on the number of complaints that have been received and what action has been taken on these within Quarter One of the financial year 2021/22

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**RECOMMENDATIONS**

That the Standards Committee notes the complaints update.

**IMPLICATIONS**

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**Finance and Risk:** Yes  No

**Details:**

On Behalf of the Section 151 Officer

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**Legal (including Data Protection):** Yes  No

**Details:**

On Behalf of the Solicitor to the Council

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**Staffing:** Yes  No

**Details:**

On behalf of the Head of Paid Service

**DECISION INFORMATION**

<b>Decision Information</b>	
<b>Is the decision a Key Decision?</b> A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:  <b>NEDDC:</b> <b>Revenue - £100,000</b> <input type="checkbox"/> <b>Capital - £250,000</b> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
<b>Is the decision subject to Call-In?</b> (Only Key Decisions are subject to Call-In)	No
<b>District Wards Significantly Affected</b>	None
<b>Consultation:</b> <b>Leader / Deputy Leader</b> <input type="checkbox"/> <b>Cabinet</b> <input type="checkbox"/> <b>SMT</b> <input type="checkbox"/> <b>Relevant Service Manager</b> <input type="checkbox"/> <b>Members</b> <input type="checkbox"/> <b>Public</b> <input type="checkbox"/> <b>Other</b> <input type="checkbox"/>	No

**Links to Council Plan (NED) priorities, including Climate Change, Equalities, and Economics and Health implications.**

**REPORT DETAILS**

**1 Background** *(reasons for bringing the report)*

- 1.1 Under Section 28 (6) and (7) of the Localism Act 2011, the Council must have in place “arrangements” under which allegations that a member or co-opted member of the Council or parish or town council within its area has failed to comply with that Authority’s Code of Conduct can be investigation and decisions made on such allegations.
- 1.2 The Council has adopted a Code of Conduct for Members. Each parish or town council is also required to adopt a Code of Conduct.

- 1.3 The Monitoring Officer is a senior officer of the Authority who has the statutory responsibility for administering the system in respect of complaints of member misconduct.
- 1.4 Standards Committee is to receive regular reports from the Monitoring Officer on the number of complaints against members, how they are progressing, what decisions have been made and what action taken.

**2. Details of Proposal or Information**

- 2.1 In Quarter one of the financial year 2022/23, four complaints had been closed and one remained open.
- 2.2 Of the four, three were not found to have breached the Code of Conduct.
- 2.3 One complaint was found to have breached the Code of Conduct within the areas of dealing with people appropriately and remaining objective. The reasons for this decision are contained with appendix 1 of the report.

**3 Reasons for Recommendation**

- 3.1 Under the North East Derbyshire District Council’s Constitution It is a function of the Standards Committee to receive regular update reports from the Monitoring Officer on the number of complaints received against members, how they are progressing, what decisions have been made and what actions taken.

**4 Alternative Options and Reasons for Rejection**

- 4.1 There are no alternative options to consider as part of this report.

**DOCUMENT INFORMATION**

Appendix No	Title
1	Complaint Update Report
<b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet you must provide copies of the background papers)	