

REPORT TO AUDIT AND STANDARDS COMMITTEE



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| DATE | 16th January 2023 |
| PORTFOLIO | Resources and Performance Management |
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Member Complaints Statistics 2022/23 Municipal Year – Interim Report

PURPOSE

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| 1. | To provide an interim update to the Council's Audit and Standards Committee regarding complaints made about the conduct of Members during the 2022/23 Municipal Year. |
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RECOMMENDATION

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| 2. | It is recommended that the Audit and Standards Committee note the report. |
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REASONS FOR RECOMMENDATION

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| 3. | It is important that the Committee is regularly appraised of the complaints made against elected Members of Burnley Borough Council as it has the responsibility to promote and maintain high standards of conduct of elected Members. It is also important for the Committee to be appraised of the conduct of Parish and Town Council Members as the Monitoring Officer of the Borough Council is also responsible for overseeing their conduct. |
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SUMMARY OF KEY POINTS

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| 4. | Complaints regarding the conduct of Members of Burnley Borough Council as well as the Parish and Town Councils in the Borough of Burnley are submitted to and considered by the Borough Council's Monitoring Officer. Following consultation with the Independent Person, the Monitoring Officer decides whether the complaint should be investigated, dealt with informally or rejected. |
| 5. | So far, during this municipal year, the council's Monitoring Officer has received thirteen complaints regarding the conduct of Members of the Borough Council and Parish Members. No complaints have been received regarding Members of the Town Council during this Municipal Year. |
| 6. | A summary of the actions taken by the Monitoring Officer in relation to those complaints is set out below: <ul style="list-style-type: none"> 5 complaints were received regarding Parish Councillors of Briercliffe Parish Council that were resolved informally by the Monitoring Officer following consultation with the Independent Person. 1 of the complaints was referred to mediation as this was considered the most appropriate response by the Monitoring Officer following consultation with the Independent Person. |

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| | <ul style="list-style-type: none"> • 1 complaint was received regarding a Borough Councillor that was resolved informally. • 1 complaint was received regarding a Borough Councillor which proceeded to investigation but was withdrawn by the complainant before the investigation was concluded. • 1 complaint was rejected against an elected Member of the Borough Council by the Monitoring Officer following consultation with the Independent Person in relation to the conduct of an elected Member as it was clear that the elected Member was not acting in an official capacity when the alleged conduct occurred. • 1 complaint was rejected against an elected Member of the Borough Council by the Monitoring Officer following consultation with the Independent Person as there wasn't a reasonable belief that an investigation was necessary following the Complaint Initial Assessment. • 1 complaint was received regarding the conduct of a Borough Councillor which is currently being investigated. • 1 complaint of pre-determination was received regarding a Borough Councillor which was rejected after consultation with the Independent Person as the matter had not been determined by the Development Control Committee and therefore there was no breach at the time the complaint was received. • 1 complaint has been received regarding a Borough Councillor but it cannot be looked into further as insufficient details have been provided. The MO has written to the complainant requesting further details. • Complaints have been received regarding several Members of a Parish Council in relation to an incident that took place last year. The MO has written to the Parish Clerk to consider next steps. |
| 7. | By contrast 6 complaints were received regarding the conduct of Borough Councillors in 2021/22. No complaints were received regarding Parish and Town Councillors. |

| FINANCIAL IMPLICATIONS AND BUDGET PROVISION | |
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| 8. | None arising directly from this report. |

| POLICY IMPLICATIONS | |
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| 9. | Not applicable. |

| DETAILS OF CONSULTATION | |
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| 10. | Not applicable. |