

West Suffolk Standards Committee Update Report

Report number:	STC/WS/22/002
Report to and date(s):	West Suffolk Standards Committee 28 November 2022
Cabinet Member:	Carol Bull Portfolio Holder for Governance Tel: 01953 681513 Email: carol.bull@westsuffolk.gov.uk
Lead Officer:	Teresa Halliday Monitoring Officer Tel: 01284 757144 Email: teresa.halliday@westsuffolk.gov.uk

Wards impacted: **All Wards**

Recommendation: **It is recommended that the Standards Committee reviews the report and notes the contents.**

1. Context to this report

- 1.1 This report updates the Committee in relation to complaints and other matters.
- 1.2 This report also provides information on the new Independent Persons appointed by Council on the 27 September 2022.

2. Proposals within this report

- 2.1 The number of complaints considered in 2021/22 and 2022/23 to date compared to prior years is as follows:

Year	Complaints About:	Outcome – no breach	Outcome – breach	Cllr Resigned	Open case	Total
2022/23 (Nov)	Parish	4	0	0	2	6
	District	2	1	0	1	4
		6	1	0	3	10
2021/22	Parish	3	1	0	0	4
	District	3	0	0	0	3
		6	1	0	0	7
2020/21	Parish	14	4	1	4	14
	District	3	0	1	0	4
		17	4	2	0	23
Total		16	5	1	0	21

- 2.2 Of the seven complaints received in 2021/22 three did not pass the initial assessment stage and one Member was found not to be acting in capacity as a Member of the council at the time of the alleged complaint. Of the 6 complaints received to date in 2022/23, three did not pass the initial assessment stage and one Member was found not to have been acting in capacity as a Member of the council at the time of the alleged complaint.

3. Independent Persons

- 3.1 Section 28.7 of the Localism Act 2011 (the Act) places a duty on local authorities to appoint at least one Independent Person. The Council has, historically, appointed two Independent Persons but this arrangement expired at the end of September 2022 and they both declined an invitation to continue.
- 3.2 Since 2012, Suffolk County Council, Babergh District Council, Mid Suffolk District Council and Ipswich Borough Council have formed a consortium and jointly recruited and appointed a pool of Independent Persons. The intention of the pool is so that each of the four authorities involved could then call on a number of different people to carry out the role, providing resilience, flexibility and a timely response. Further, there has been less scope for any conflict of interest and the individuals have been able to maintain their independence should there be repeated complaints involving the same individual or around a similar subject.
- 3.3 This consortium arrangement also ended at the end of September 2022 so it seemed an appropriate time for this Council to join the consortium and then select from the pool when considering a complaint.
- 3.4 The Monitoring Officer was involved in the recruitment process throughout and five Independent Persons were appointed. A short introductory biography of each Independent Person is attached to this report at Appendix A.
- 3.5 Each Independent Person will receive an annual allowance of £300 which is split equally between the five recruiting Councils. The Council may also pay a discretionary fee of £50 to an Independent Person dealing with a particularly complex or lengthy complaint.
- 3.6 The Independent Person will be selected from the pool at random but the Monitoring Officer will take steps to ensure to use a different person to that previously engaged to consider a complaint. The subject of a complaint will be offered the contact details of an Independent Person if they wish to discuss any affect the complaint is having on their wellbeing. They will be offered the details of a different Independent Person to the one who will be asked to provide a view on the complaint.
- 3.7 The appointed Independent Persons received training on the new Model Code of Conduct on the 26 October 2022 and the Monitoring Officer will work closely with them over the next few months to ensure they are confident with the application of the new Code when considering complaints.

3.8 It is intended for the Monitoring Officers for the consortium to meet with the Independent Persons throughout the year to discuss any matters of interest (such matters to be anonymised) and to identify any ongoing training needs.

4. Appendices referenced in this report

7.1 Appendix A: Biography for each Independent Person within the pool

For internal use only

All report authors must complete the template below, indicating which meetings are considering the report (including dates of internal sign off meetings such as LT, JCP and any working groups) and which people have been consulted on the content of the report as appropriate.

Meeting	Date
Authorisation level or impacted services	Name of relevant individual
Has the portfolio holder signed off the report?	
Has the assistant director signed off the report?	
Is the communications team aware of and signed off the report?	
Is the democratic services team aware of and signed off the report?	
If the report has financial implications, has the finance team signed off the report?	
If the report has policy, equality or public consultation implications, has the policy team signed off the report?	
If the report relates to a project , has the project sponsor signed off the report?	
If the report has legal implications, has the legal team signed off the report?	
If the report has crime and disorder implications, has the families and communities team signed off the report?	
If the report will entail changes to the way we process personal data , has the data protection officer signed off the report?	
If the report has environmental or sustainability implications, has the	

environmental health team signed off the report?	
If the report has staffing implications has the HR team signed off the report?	
If the report will require additional IT resources or system changes, has the ICT team signed off the report?	
Are there others who have been consulted on the report – for example, if the report impacts on local businesses, has the growth team reviewed? If it impacts on community groups, has the families and communities team reviewed it?	