

AUDIT & STANDARDS COMMITTEE

Brighton & Hove City Council

Subject: Member Complaints Update
Date of Meeting: 23 September 2014
Report of: Monitoring Officer
Contact Officer: Name: **Brian Foley** Tel: **293109**
E-mail: brian.foley@brighton-hove.gov.uk
Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 This paper updates the Audit and Standards Committee on complaints we have received about Member conduct following the last report to Audit and Standards Committee on 24 June 2014.

2. RECOMMENDATION:

- 2.1 That the Committee note the report.

3. RELEVANT BACKGROUND INFORMATION

- 3.1 The current status of complaints about Member conduct is:

3.1.1 Active complaints

- a. Many members of the public complained about a tweet relating to Armed Forces Day written by an elected Member. They described the tweet as being offensive and showing a lack of judgment and understanding. This complaint is the subject of an investigation report that will be considered by a Hearing Panel of the Standards Committee.
- b. Members of the Local Muslim Community complained about a tweet written by an elected Member which they say was deeply distasteful, hurtful and unbecoming of a Brighton and Hove City Councillor. The complainants said it did more to divide communities than bring people together. This complaint is the subject of an investigation report that will be considered by a Hearing Panel of the Standards Committee.
- c. A member of the public complained that in making an objection to a Planning Application a Parish Councillor knowingly gave false information to a planning officer and failed to declare a personal

relationship. This complaint is the subject of an investigation report that will be considered by a Hearing Panel of the Standards Committee.

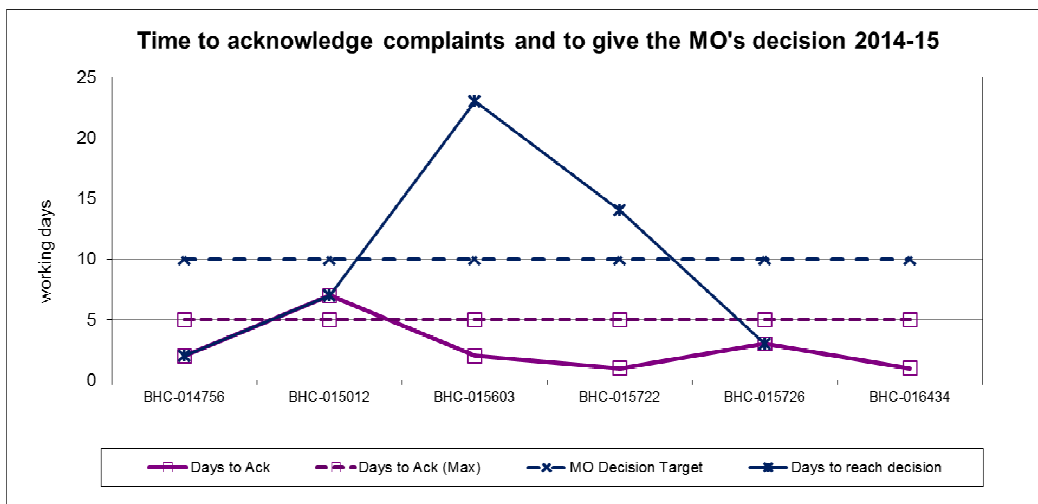
3.1.2 Closed complaints:

- a. An elected Member complained about a tweet that another member sent during a Council meeting. The Member found the tweet deeply offensive. At the end of the Council meeting the member who sent the tweet apologised to the member who had been offended but the apology was not taken as being sincere. The Monitoring Officer referred the matter for investigation. During the process of investigation an attempt was made to resolve the matter informally. The member complained about agreed to offer a further apology in public and it was agreed this should happen at the next Full Council. The apology was given in public at the last Council meeting and was duly accepted.
- b. A complaint was received from a member of the public that an elected Member actively discriminated against a minority of Brighton residents by offering support to a proposed motion to declare the city an area which would boycott Israeli goods and services. After consulting with an Independent Person the Monitoring Officer concluded that a Member is entitled to their opinion on whether to support such a motion and this could not represent a potential breach of the Code of Conduct. Therefore no action has been taken in respect of this complaint.

3.2 The Council's performance in dealing with individual complaints during 2014-15 is shown in the chart below.

3.2.1 Complaints about Member conduct should be acknowledged as soon as possible and within a maximum of 5 working days. This has been achieved in five out of six instances.

3.2.2 Complainants will where possible be informed within 10 working days how the matter will be dealt with. On two occasions there was delay in whilst additional background information was sought.



4. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 4.1 The costs of complaints in terms of administration and compensation awards (where appropriate) are met within the allocated budget.

Finance Officer Consulted: James Hengeveld Date: 12/09/14

Legal Implications:

- 4.2 The Council's arrangements under which complaints about Member conduct are investigated and decided comply with the relevant provisions of the Localism Act 2011.

Lawyer Consulted: Oliver Dixon Date: 10/09/14

Equalities Implications:

- 4.3 There are no Equalities implications

Sustainability Implications:

- 4.4 There are no Sustainability implications

Crime & Disorder Implications:

- 4.5 There are no Crime and Disorder implications

Risk and Opportunity Management Implications:

- 4.6 There are no Risk and Opportunity Management implications

Corporate / Citywide Implications:

- 4.7 There are no Corporate or Citywide implications

SUPPORTING DOCUMENTATION

Appendices:

1. None

Documents in Members' Rooms

1. None

Background Documents

1. None