



Standards Committee

Update on Cases of Members' Complaints

Date: 5 July 2022

Key decision: No

Class: Part 1

Ward(s) affected: n/a

Outline and recommendations

Members are asked to note update on cases of Members' complaints

1. Summary

This report provides the Committee with an update on the cases of Member complaints in June 2022.

2. Recommendations

The Committee is asked to note the contents of this report.

3. Status of Cases as of June 2022

3.1 Case A

On 29 June 2021, the Monitoring Officer received a letter from the Chair of the Standards Committee. The resident had written to the Chair regarding a councillor's remarks on social media. The Monitoring Officer acknowledged the complaint and asked for a completed Ethics form.

On 5 August 2021, the resident emailed a completed ethics form to the Monitoring Officer alleging that the councillor defended anti-Semitism and Islamophobia hate speech. The then Monitoring Officer wrote to the councillor to get their preliminary comments and decided that an Independent Person needs to be consulted and advised the resident of this on 14 September 2021. After consulting with the Independent Person the then Monitoring Officer decided that this complaint required a formal investigation.

The Monitoring Officer contacted Bevan Brittan LLP and appointed them in November 2021 to carry out an investigation. The current Monitoring Officer joined us the same month.

Bevan Brittan LLP has provided a final investigation report determining that no breach took place.

The Monitoring Officer will be bring a report on this matter to a future meeting of the sub-committee of the Standards Committee.

3.2 Case B

On 1 November 2021, a complaint was received by the Monitoring Officer against a group of councillors for their lack of care in the community in relation to the resident's allegation that she is being harassed and threatened by a neighbour. The resident's complaint was acknowledged on 2 November 2021 and assigned to the Deputy Monitoring Officer (DMO). The DMO wrote to the resident asking for more information and offered to speak on the phone. The DMO also urged the resident to contact the police over the concerns for her safety.

No response was received and this matter is closed.

3.3 Case C

On 2 November 2021, a complaint was received by the Monitoring Officer alleging poor service from their ward councillors but no further details were provided. The resident's email was acknowledged and the resident was asked to fill out an ethics complaint form in order to provide more details to allow the Monitoring Officer to consider the complaint.

No response was received and this matter is closed.

3.4 Case D

On 25 November 2021, a complaint was received by the Monitoring Officer regarding a councillor's failure to respond to or resolve the issues raised by the resident. This resident has a SPOC (Single Point of Contact) so all contact with this resident has to go through the Corporate Complaints Team. The resident's email was acknowledged and a completed ethics complaint form was asked for.

The resident sent a completed ethics complaint form on 4 February 2022 and the complaint was considered based on the details provided by the resident.

The Monitoring Officer decided that the investigation of this complaint was not in the public interest and that the complaint wasn't serious enough to warrant an investigation. Therefore, **this complaint was closed.**

3.5 Case E

On 5 December 2021, a complaint was received by the Monitoring Officer regarding a councillor's conduct. The resident's email was acknowledged and the resident was asked to fill out an ethics complaint form in order to provide more details to allow the Monitoring Officer to consider the complaint.

The resident sent a completed ethics complaint form on 13 February 2022. The resident alleged that the councillor did not have her permission to share

information relating to her with council officers. The complaint was considered based on the details provided by the resident.

The Monitoring Officer decided that the investigation of this complaint was not in the public interest and also noted that guidance issued by the Office of the Information Commissioner is clear that there is implied consent to the sharing of data that is reasonably necessary to pursue the matter raised. Therefore, **this complaint was closed.**

3.6 Case F

On 25 January 2022, a complaint was received by the Monitoring Officer via the Mayor's Office regarding the conduct of Ward councillors. The resident's email was acknowledged and the resident was asked to fill out an ethics complaint form in order to provide more details to allow the Monitoring Officer to consider the complaint.

No response was received and this matter is closed.

3.7 Case G

On 16 February 2022, a complaint was received by the Monitoring Officer from a councillor about another councillor acting unlawfully.

The Monitoring Officer responded to the councillor on 1 March 2022 asking for some clarification and confirmation on the information provided.

After considering the complaint, the Monitoring Officer decided that the investigation of this complaint was not in the public interest and that the complaint wasn't serious enough to warrant an investigation. Therefore, **this complaint was closed.**

3.8 Case H

On 4th of March, a complaint was received by the Monitoring Officer from a resident regarding a councillor's conduct. The resident alleged that the councillor's remarks at a planning appeal were disgraceful.

The Monitoring Officer's office acknowledged the complaint and asked for a completed Ethics form.

No response was received and this matter is closed.

3.9 Case I

On 15th June, a complaint was received by the Monitoring Officer from a resident regarding a councillor's conduct. The resident alleged that the councillor's communication standard was not professional.

The Monitoring Officer's office has acknowledged the complaint and asked for a completed Ethics form.

4. Financial Implications

There are no specific financial implications arising from this report.

5. Legal Implications

The promotion of the Code of Conduct is consistent with the Council's duty under Section 27 Localism Act 2011 to promote the highest standards of conduct by its members.

6. Crime and Disorder

There are no specific crime and disorder implications arising from this report.

7. Environmental Implications

There are no specific environmental implications arising from this report.

8. Conclusion

Members are asked to note the contents of this report.

For further information about this report please contact:

Jeremy Chambers,
Director of Law, Governance & Elections
Monitoring Officer

jeremy.chambers@lewisham.gov.uk