

A REVIEW OF THE COMPLAINTS RECEIVED UNDER THE MEMBERS' CODE OF CONDUCT TO 6 NOVEMBER 2015

To: Constitution & Ethics Committee

Meeting Date: 19 November 2015

**From: LGSS Director of Law, Property & Governance and
Monitoring Officer**

Electoral division(s): All

Forward Plan ref: N/A **Key decision: No**

**Purpose: To brief the Constitution and Ethics Committee on the
number and nature of the complaints received about
Members under the Code of Conduct from 11 June 2015 to
6 November 2015.**

**Recommendation: It is recommended that the Constitution & Ethics
Committee note the contents of this report.**

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1. INTRODUCTION

- 1.1. The Localism Act (“the Act”) places a statutory duty on the County Council to promote and maintain high standards of conduct amongst its Members and co-opted Members. This includes the obligation on the County Council to have in place a Code of Conduct setting out the standard of conduct expected of Members when acting in their capacity as County Councillors.
- 1.2. The requirements of the Act are supported by Article 9 of the Constitution which also requires the Constitution & Ethics Committee to monitor the operation of the Code of Conduct and the complaints received under it.
- 1.3. This report serves to provide the Constitution & Ethics Committee with an overview of the complaints received under the Code of Conduct from 3 March 2015 to 11 June 2015.

2. OVERVIEW OF COMPLAINTS

- 2.1. Between 11 June 2015 and 6 November 2015, one new complaint against a Member was received by the Monitoring Officer. Following an initial consideration of this complaint, the Monitoring Officer and Independent Person concluded that there had been no breach of the Members’ Code of Conduct in respect of that complaint. Details of this complaint are set out in Appendix 1.

Source Documents	Location
Decision notice – Complaint against Cllr Count	Held by legal services, Shire Hall (Ref: (C) M-021445)

APPENDIX 1

Report to the Constitution & Ethics Committee

Overview of complaints made against Members

11 June 2015 and 6 November 2015

Complaint against:	Cllr Steve Count
Date of Complaint:	7 September 2015
Complainant:	Mr Clive Lemmon
Allegation:	Cllr Count breached the Code of Conduct in allegedly incorrectly accusing Mr Lemmon of circulating material to the press and therefore had acted in a way that was defamatory. The Complainant is the Town Clerk of March Town Council.
Current Status:	Decided
Outcome:	The Independent Person concluded that there had been no breach of the Code of Conduct by Cllr Counts. The tenor of the communications from Cllr Count, whilst emphatic, could not reasonably be described as offensive or defamatory.
Date of final decision:	18 September 2015