

A Review of the Complaints Received Under the Members' Code of Conduct

To: Constitution and Ethics Committee

Meeting Date: 13 September 2023

From: Monitoring Officer

Outcome: To brief the Constitution and Ethics Committee on the number and nature of the complaints received about Members under the Code of Conduct from 20 June 2023 to date, along with details of other complaints which are in process or have been concluded.

Recommendation: The Constitution and Ethics Committee is recommended to:

Note the contents of the report.

Officer Contact;

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1. Background

- 1.1 The Localism Act (“the Act”) places a statutory duty on the Council to promote and maintain high standards of conduct amongst its Members and co-opted Members. This includes the obligation on the 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 2 (Members of the Council) in the Council’s Constitution, and by Part 5.1 (Members’ Code of Conduct). The Constitution and Ethics Committee’s terms of reference give it authority to monitor the operation of the Code of Conduct and the complaints received under it.
- 1.3 This report serves to provide the Constitution and Ethics Committee with an overview of the complaints received under the Code of Conduct since the last update on 20th June 2023.

2. Overview of Complaints

2.1 Ongoing Complaints

- 2.1.1 There are no ongoing complaints. The publication of details of complaints only takes place after conclusion of the complaint and only if a breach of the code has been established. The purpose of this restriction is to reduce speculation on limited information, to ensure there is no compromise of any assessment or investigation, and to uphold the requirements of the Data Protection Act 2018 and UK General Data Protection Regulation (GDPR).
- 2.1.2 Since the time of last reporting, there have been 26 new complaints which have been resolved. These all related to one incident.

2.2 Concluded Complaints

- 2.2.1 The following complaints have been concluded since the time of last reporting:
 - CONDCOMP/CCC29. A complaint was received from a member of the public on 4 April 2023 which concerned comments the Subject Member had made on social media. This complaint is linked with CONDCOMP/CC/30. The complaint was considered by the Deputy Monitoring Officer and a ‘no breach’ finding was issued on 15 June 2023.
 - CONDCOMP/CCC30. A complaint was received from a member of the public on 4 April 2023 and concerned comments the Subject Member had made on social media. This complaint is linked with CONDCOMP/CCC/29. The complaint was considered by the Deputy Monitoring Officer and a ‘no breach’ finding was issued on 15 June 2023.
 - CoCo/2023/04 (a) and (b). A complaint was received by a member of the public on 28 May 2023 which raised concerns about whether the Subject Member’s views were predetermined by not considering new facts/evidence presented and making false and misleading statements. The complaint was considered by the Monitoring Officer and a ‘no breach’ finding was issued on 4 July 2023.

- CoCo/2023/05 (a) and (b). A complaint was received by a member of the public on 5 June 2023 which raised concerns about whether the Subject Member's views were predetermined by not considering new facts/evidence presented and making false and misleading statements. The complaint was considered by the Monitoring Officer and a 'no breach' finding was issued on 4 July 2023.
- CoCo/2023/06 (a) and (b). A complaint was received by a member of the public on 6 June 2023 which raised concerns about whether the Subject Member's views were predetermined by not considering new facts/evidence presented and making false and misleading statements. The complaint was considered by the Monitoring Officer and a 'no breach' finding was issued on 4 July 2023.
- CoCo/2023/07 (a) and (b). A complaint was received by a member of the public on 6 June 2023 which raised concerns about whether the Subject Member's views were predetermined by not considering new facts/evidence presented and making false and misleading statements. The complaint was considered by the Monitoring Officer and a 'no breach' finding was issued on 4 July 2023.
- CoCo/2023/08 (a) and (b). A complaint was received by a member of the public on 7 June 2023 which raised concerns about whether the Subject Member's views were predetermined by not considering new facts/evidence presented and making false and misleading statements. The complaint was considered by the Monitoring Officer and a 'no breach' finding was issued on 4 July 2023.
- CoCo/2023/09 (a) and (b). A complaint was received by a member of the public on 7 June 2023 which raised concerns about whether the Subject Member's views were predetermined by not considering new facts/evidence presented and making false and misleading statements. The complaint was considered by the Monitoring Officer and a 'no breach' finding was issued on 4 July 2023.
- CoCo/2023/10 (a) and (b). A complaint was received by a member of the public on 7 June 2023 which raised concerns about whether the Subject Member's views were predetermined by not considering new facts/evidence presented and making false and misleading statements. The complaint was considered by the Monitoring Officer and a 'no breach' finding was issued on 4 July 2023.
- CoCo/2023/11 (a) and (b). A complaint was received by a member of the public on 8 June 2023 which raised concerns about whether the Subject Member's views were predetermined by not considering new facts/evidence presented and making false and misleading statements. The complaint was considered by the Monitoring Officer and a 'no breach' finding was issued on 4 July 2023.
- CoCo/2023/12 (a) and (b). A complaint was received by a member of the public on 8 June 2023 which raised concerns about whether the Subject Member's views were predetermined by not considering new facts/evidence presented and making false and misleading statements. The complaint was considered by the Monitoring Officer and a 'no breach' finding was issued on 4 July 2023.
- CoCo/2023/13 (a) and (b). A complaint was received by a member of the public on 8 June 2023 which raised concerns about whether the Subject Member's views were

predetermined by not considering new facts/evidence presented and making false and misleading statements. The complaint was considered by the Monitoring Officer and a 'no breach' finding was issued on 4 July 2023.

- CoCo/2023/14 (a) and (b). A complaint was received by a member of the public on 8 June 2023 which raised concerns about whether the Subject Member's views were predetermined by not considering new facts/evidence presented and making false and misleading statements. The complaint was considered by the Monitoring Officer and a 'no breach' finding was issued on 4 July 2023.
- CoCo/2023/15 (a) and (b). A complaint was received by a member of the public on 11 June 2023 which raised concerns about whether the Subject Member's views were predetermined by not considering new facts/evidence presented and making false and misleading statements. The complaint was considered by the Monitoring Officer and a 'no breach' finding was issued on 4 July 2023.
- CoCo/2023/16 (a) and (b). A complaint was received by a member of the public on 22 June 2023 which raised concerns about whether the Subject Member's views were predetermined by not considering new facts/evidence presented and making false and misleading statements. The complaint was considered by the Monitoring Officer and a 'no breach' finding was issued on 4 July 2023.

3. Source Documents

- 3.1 The Council's Code of Conduct, information about how to make a conduct complaint, and the process that will be followed can be found via the following link:

[Complain about a councillor or co-opted member - Cambridgeshire County Council](#)