

Report of:	Director of Legal And Governance Services Executive Member for Finance and Governance
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Submitted to:	Standards Committee
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Date:	23 January 2023
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Title:	Quarterly update report to Standards Committee
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Report for:	Discussion
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Status:	Public
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Strategic priority:	Quality of service
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Key decision:	No
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Why:	Report is for information only
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Urgent:	No
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Why:	Not applicable
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Executive summary

This report provides a quarterly update to the Standards Committee in regards to the recent and current position concerning Code of Conduct Complaints so that the committee has assurance about the practice and process.

The report also updates the committee in regards to the Motion presented to full Council on Standards Hearing on Wednesday 30 November 2022 in regards to breaches of the Code of Conduct by Councillor McTigue.

Purpose

1. To provide information only by way of a quarterly update to the Standards Committee in regards to the recent and current position concerning Code of Conduct Complaints so that the committee has assurance about the practice and process.
2. To update the committee in regards to the Motion presented to full Council on Standards Hearing on Wednesday 30 November 2022 in regards to breaches of the Code of Conduct by Councillor McTigue.

Background and relevant information

3. This report is provided to committee members to give an overview of the current, and recent position in regards to the Code of Conduct complaints received.

Year (Jan-Dec)	Total complaints	Member on Member	Other on Member (ie member of public, officer)	No. withdrawn/ not progressed by complainant	No. rejected	No. resolved informally	No. to investigation	No. to standards Committee after investigation
2019	27	9	18	4	9	10	4	3
2020	31	4	27	17	13	1	2	1
2021	33	13	20	2	4	19	4	1
2022	12	3	9	2	3	2	0	0
2023 (to date)	8	0	9	0	0	0	0	0

4. There is 1 complaint from 2020, and 4 complaints from 2021, 5 ongoing from 2022 at various stages of the process which have not yet concluded. We are unable to give any specifics about those complaints at this time so as not to prejudice any outcomes, and/or create a conflict should any of those complaints need to come to Standards Committee at a future date.

This is an update the figures previously given whereby it has been clarified 2 of the 2021 complaints had been resolved previously as follows:

5. There have been 8 complaints submitted to date in 2023, which are currently being assessed.
6. Since the last quarterly update, 2 further complaint from 2022 has been resolved (included in the figures at para 4), the details of which are as below:
7. On 11th May 2022 the Standards Committee, in consultation with the Independent Person, ordered that sanctions were imposed on Councillor J McTigue as a result of a number of breaches of the Members Code of Conduct. An update in regards to those sanctions is provided as follows:
 - a. Councillor McTigue to provide a written apology to the Council employee who was the subject of the complaint, by 6 July 2022, with a copy provided to the Standards Committee. **UPDATE:** Not complied with. Cllr McTigue has refused to write the letter to date.

- b. Councillor McTigue to receive one-to-one training on the appropriate use of social media and the Member/Officer Protocol, to be provided by the relevant Council Officer(s), and this should be completed by 6 July 2022. **UPDATE:** Not complied with. Training was offered however Cllr McTigue refused to participate.
 - c. Councillor McTigue to be subject of a motion of public censure at the Council meeting scheduled for 6 July 2022. **UPDATE:** the motion was considered and passed by a vote on 30 November 2022 see below at 8.
 - d. Should sanctions 1 and 2 above not be completed within the stated timescale, Councillor McTigue would be subject to further public censure.
8. Following the previous committee meeting, it was ordered in consultation with the Independent Person via written correspondence, the following sanctions were imposed:
- a. Councillor McTigue to be removed from the role of Chair of the Economic Development, Environment and Infrastructure Scrutiny Panel. This sanction had immediate effect.
 - b. Councillor McTigue to be subject of a motion of public censure, proposed by Councillor Mawston, and seconded by Councillor M Storey, at the next ordinary Council meeting as follows:
 - i. It is to be noted that Cllr McTigue has been found to be in breach of the Code of Conduct and further has failed to comply with the sanctions that were imposed by the Standards Committee at the hearing on the 11th May 2022, namely:
 - 1. Councillor McTigue was to provide a written apology to the Council employee who was the subject of the complaint, by 6 July 2022, with a copy provided to the Standards Committee.
 - 2. Councillor McTigue to receive one-to-one training on the appropriate use of social media and the Member/Officer Protocol, to be provided by the relevant Council Officer(s), and this should be completed by 6 July 2022.

What decision(s) are being recommended?

9. To note the report

Rationale for the recommended decision(s)

10. N/A

Other potential decision(s) and why these have not been recommended

11. N/A

Impact(s) of the recommended decision(s)

Legal

12. There is no legal impact.

Strategic priorities and risks

13. Not applicable.

Human Rights, Equality and Data Protection

14. There are no issues of equality and diversity.

Financial

15. There is no financial impact.

Actions to be taken to implement the recommended decision(s)

16. To be determined dependent on recommendations of the committee.

Action	Responsible Officer	Deadline

Appendices

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Background papers

No background papers were used in the preparation of this report.

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