

MIDDLESBROUGH COUNCIL	
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Report of:	Director of Legal and Governance Services
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Relevant Executive Member:	Executive Member for Finance and Governance
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Submitted to:	Standards Committee
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Date:	8 July 2024
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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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Council Plan priority:	Delivering Best Value
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Key decision:	Not applicable
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Why:	Not applicable
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Subject to call in?:	Not applicable
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Why:	The Report is for information to the Standards Committee
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Proposed decision(s)	To provide information by way of a quarterly update to the Standards Committee
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Executive summary	<p>This report provides a quarterly update to the Standards Committee regarding previous years and the current years position concerning Code of Conduct Complaints, so that the Committee has assurance about practice and process and for the Committee to discuss areas of member development or improvements.</p>
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1. Purpose

To provide information only by way of a quarterly update to the Standards Committee regarding the previous years and the current position concerning Code of Conduct Complaints so that the committee has assurance about the practice and process. In addition that the Committee considers the information to discuss possible areas of member development and improvements.

2. Recommendations

That the Standards Committee notes the contents of this report, which will act as a basis for further discussion in the committee meeting.

3. Rationale for the recommended decision(s)

Not Applicable as no decision is being made

4. Background and relevant information

4.1 This report is provided to committee members to give an overview of the current, and recent position with 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/discontinued due to not re-elected	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	16	12	1	2	1
2021	33	13	20	7	5	19	2	1
2022	12	3	9	4	4	2	2	2
2023	59	10	49	9	30	14	6	0
2024 (to date)	11	4	7	0	3	0	0	0

4.2 There are no outstanding complains from 2020, 2021 and 2022.

4.4 There have been 59 complaints in 2023. Of those complaints 9 were withdrawn or discontinued, 30 were advised to be rejected based on the assessment criteria, 14 were resolved informally by way of advice and guidance and 6 are being investigated.

4.3 There have been 11 complaints so far in 2024. 3 Complaints have formally been rejected. Out of the remaining 8 Complaints, under the preliminary assessment criteria the Independent Person has advised 2 of the Complaints should be rejected and 4 should be accepted but resolved informally which are currently being considered by the Monitoring Officer. 2 complaints are currently being assessed by the Independent Person.

4.5 Although complaints are logged separately, the Statistics and information can show how separate complaints may relate to the same incident or subject matter, which has caused concern to a number of Councillors and / or members of the public.

4.6 The information from the complaints so far in 2024, save 2 all relate to the use of social media and five of the complaints relate to two members.

4.7 The information in 2023 regarding complaints that were not rejected or withdrawn (20 in total) shows some of the complaints can be grouped together. Of the 6 complaints that are being investigated, 5 relate to the same subject matter involving social media. Of the 14 complaints that were resolved informally, 2 relate to one incident involving social media, 4 are unrelated complaints of misuse of social media and 8 relate to one set of circumstances. Taking these groups together, the information generally shows the main recurring theme of the complaints is the misuse of social media with the remaining complaints involving conduct at meetings. The information also tends to show the complaints that were accepted and either resolved informally or further investigated had a higher proportion of member-on-member complaints when compared with the overall complaints received.

4.6. The statistics in 2022 show there were four complaints that were not rejected or withdrawn, 2 of the complaints proceeded to standards committee and related to the same subject matter. The remaining two complaints informally resolved were unrelated. In 2022 there appeared to be no pattern or common theme to those complaints.

4.7 Statistics and information for complaints not rejected or withdrawn in 2021 show of the 19 complaints resolved informally, 10 related to one set of circumstances involving social media, 5 referred to separate issues of misuse of social media and emails. The remaining 4 complaints involved unrelated subject matters.

4.8 Overall there appears to be a general prevalence of complaints relating to conduct on social media. This can be addressed by arranging discussion led workshops with members on appropriate conduct on social media in line with the Council's social media policy and code of conduct. The workshops can also address when members are reasonably considered to be acting in their capacity as councillor when using social media.

5. Other potential alternative(s) and why these have not been recommended

Not Applicable as no decision is being made

6. Impact(s) of the recommended decision(s)

6.1 *Financial (including procurement and Social Value)*

There is no financial input

6.2 Legal

Not applicable as the report is for information.

6.3 Risk

The report contributes to the Council demonstrating its approach to maintaining standards of behaviour and ethical governance.

6.4 Human Rights, Public Sector Equality Duty and Community Cohesion

There are no issues affecting human rights, the public sector equality duty or community cohesion.

6.5 Climate Change / Environmental

There is no impact on the Council’s climate change or environmental aspirations.

6.6 Children and Young People Cared for by the Authority and Care Leavers

There is no impact on children and young people cared for by the Authority and care leavers

6.7 Data Protection

There are no issues of data protection

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

The report is for information.

Action	Responsible Officer	Deadline

Appendices

Not Applicable

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Background papers

No background papers were used in the preparation of this report

Body	Report title	Date

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