

**SOLIHULL METROPOLITAN BOROUGH COUNCIL  
STANDARDS COMMITTEE**

**LOCAL ASSESSMENT OF COMPLAINTS**

**1 April 2011 to 31 October 2011**

**1. Number of Complaints**

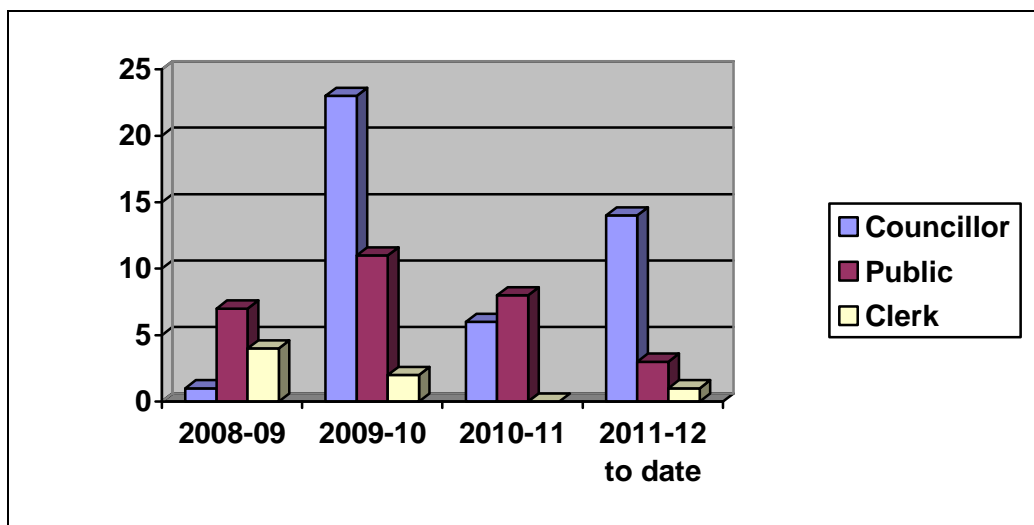
During the period from 1<sup>st</sup> April 2011 to 31<sup>st</sup> October 2011 the Monitoring Officer has received 18 new cases for local assessment.

In 5 cases a single complaint includes allegations about two or more Councillors and this amounts to 27 separate complaints about individual Councillors.

**2. Source of Complaints**

The highest number of cases relates to complaints made by Councillors against other Councillors. One complaint has been received from a Parish Clerk and 3 from members of the public.

The chart below shows a breakdown of the source of complaints.

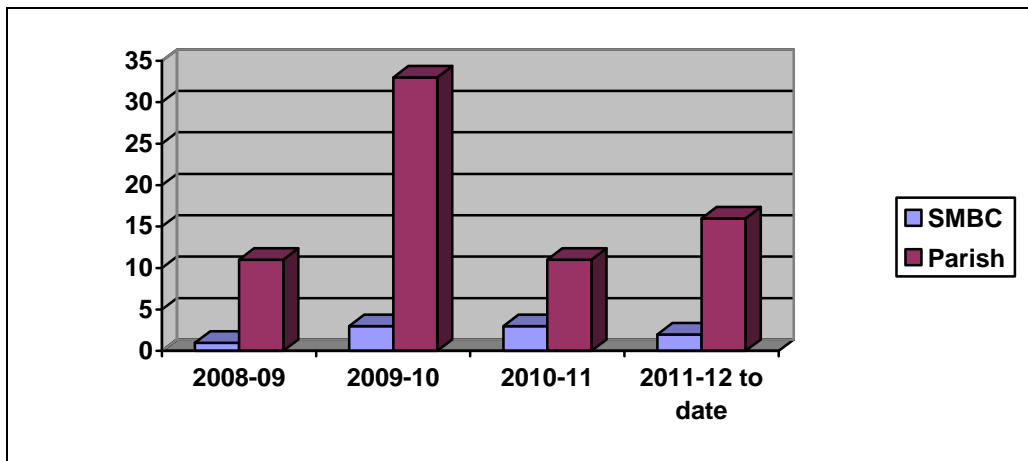


**3. Split of Cases by Authority**

Of the 18 cases received so far this year, two complaints related to Borough Councillors (one naming two Councillors and one naming one Councillor). 16 complaints have been received so far this year about parish/town councillors.

15 of the complaints about parish councillors received so far in 2011-12 relate to members of a single Parish Council.

### Split of Cases by Authority

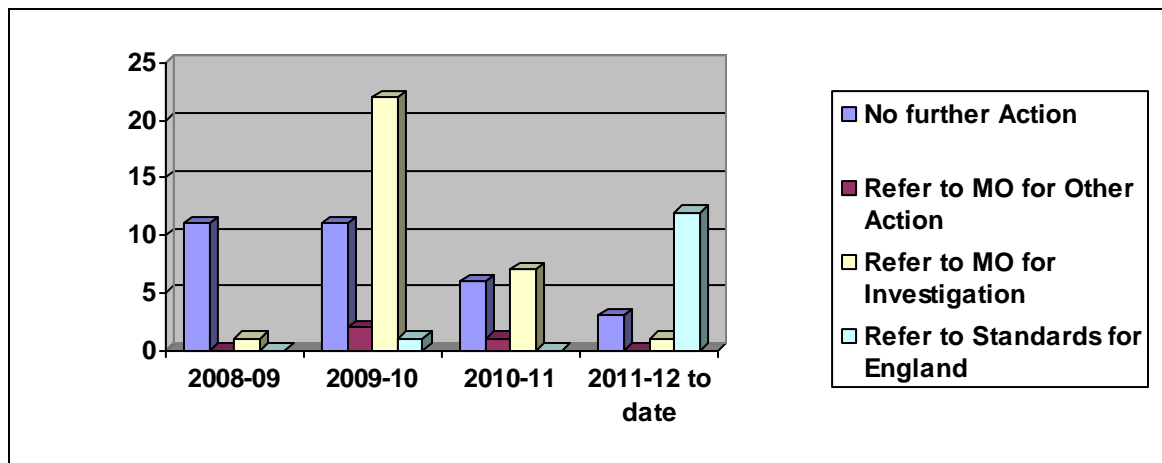


#### 4. Initial Assessment Decisions

During the last 6 months one case has been referred to the Monitoring Officer for investigation following initial consideration by the Local Assessment Sub-Committee. The Sub-Committee agreed to take no further action on 3 cases.

12 cases have been referred to Standards for England for determination. Standards for England have opened investigations into 3 of the cases referred to them, and decided to take no further action on the other 9 cases.

Two cases are still awaiting determination by the Local Assessment Sub-Committee.



The Local Assessment Sub-Committee has met on 8 occasions so far this year, compared to 9 Local Assessment Sub-Committee meetings and 1 Review Sub-Committee meeting in 2010-11.

#### 5. Timeliness of Decisions

Standards for England guidance indicates that it should take on average 20 working days from receipt of a complaint to a referral decision being made.

The average time taken for the cases to be put before the Local Assessment Sub-Committee is:

2008 - 09	20.2 working days
2009 - 10	21.15 working days
2010 - 11	18.78 working days
2011 - 12	9.6 working days

Two cases so far this year have exceeded the 20 days target and 15 have been considered by the Local Assessment Sub-Committee in 20 days or less.

## **6. Review Requests**

There have been no requests for a review of the Local Assessment Sub-Committee's decision so far this year, compared with 7% of cases last year, 14% in 2009-10 and 25% in 2008 – 09.

## **7. Investigations Completed**

Investigations in to 7 complaints have been completed so far in 2011-12.

The 7 complaints related to two sets of incidents and therefore, where the complaints were linked, the investigations were combined to produce a single investigation report. This resulted in one combined investigation into 5 complaints and one combined investigation into 2 complaints.

Both investigations concluded that the Code of Conduct had been breached.

One of the investigation reports (into 5 complaints) has been referred by the Hearings Consideration Panel to the First Tier Tribunal for a Hearing and this is provisionally scheduled for hearing in December 2011.

## **8. Hearings**

One case has been the subject of a Hearing during the last 6 months, compared to one in 2010-11 and two in 2009-10.

In 2009-10 one hearing found there had been no breach of the Code of Conduct and one found that the Code had been breached. In the case of the finding of a breach, the subject member appealed to the First Tier Tribunal and the finding was subsequently overturned.

In 2010-11 the hearing found that 2 parts of the Code of Conduct had been breached. An appeal has been lodged with the First Tier Tribunal against the outcome of the Hearing and this case is still pending.

The hearing in 2011-12 found that 2 parts of the Code of Conduct had been breached.