

LONDON BOROUGH OF CAMDEN	WARDS: All
REPORT TITLE Annual Monitoring of Misconduct Complaints Against Members 2022-23	
REPORT OF Borough Solicitor	
FOR SUBMISSION TO Standards Committee	DATE 26 June 2023
<p>SUMMARY OF REPORT</p> <p>This report provides an update on misconduct complaints against Members.</p> <p>Local Government Act 1972 – Access to Information</p> <p>No documents that require listing have been used in the preparation of this report.</p> <p>Contact Officer: Cheryl Hardman Principal Committee Officer Camden Town Hall Judd Street London WC1H 9JE 020 7974 1619 cheryl.hardman@camden.gov.uk</p>	
<p>RECOMMENDATIONS</p> <p>That Standards Committee notes and comment on the contents of the report.</p>	

Signed: 

Borough Solicitor

Date: 7 June 2023

1. Purpose of Report

- 1.1. Standards Committee is responsible for promoting and maintaining high standards of conduct by councillors. As part of this work, it is responsible for the local consideration, investigation and determination of complaints. This report provides information on misconduct complaints against Members since the last update on 29th June 2022.

2. Feedback from Recent Complaints

- 2.1. There are very few complaints made about Members in Camden, which is a positive indication of the conduct of Camden's councillors. The low number of complaints has remained steady over recent years. Since the last report to the Committee on complaints about Members on 29th June 2022, nine complaints have been received (an anonymised summary is included at Appendix A). This can be compared with data from recent annual reporting on complaints to Standards Committee (which have not always been submitted to a June meeting) as follows:

Date range	Number of complaints
29 th June 2022 – June 2023	9
29 th June 2021 – 29 th June 2022	9
3 rd February 2020 – 29 th June 2021	10

- 2.2. The Borough Solicitor and an Independent Person decided that none of the complaints required a formal investigation as the behaviour described in the complaints would not have constituted a breach of the Code of Conduct. It remains important that such complaints remain confidential so any comment on them needs to bear this in mind. No decisions by the Borough Solicitor not to investigate those complaints were successfully appealed at the Local Government Ombudsman.
- 2.3. There are no significant trends among the small number of complaints received.

3. Politically motivated complaints

- 3.1. It should be noted that Camden has traditionally avoided politically motivated complaints, which has continued to be the case and has contributed to the numbers remaining very low.

4. Independent Persons

- 4.1. Our Independent Persons, who were recently reappointed by Council for another year, continue to be extremely helpful both in constructively inputting into the Borough Solicitor's decisions as to whether or not to investigate a complaint, and generally by making themselves readily available and being quick to provide responses. This outside view is extremely important and helpful in coming to a sensible decision on the complaints that are received.

5. Finance Comments of the Executive Director Corporate Services

5.1. There are no financial impacts resulting from this report.

6. Legal Comments of the Borough Solicitor

6.1. This is a report of the Borough Solicitor and there are no other legal comments.

7. Environmental Implications

7.1. There are no environmental implications.

8. Appendices

Appendix A: Anonymised summary of complaints 2022/23

REPORT ENDS

Anonymised summary of complaints (2022/23)

Substance of complaints	Reason not to investigate
False claims about relationship between a tenants' organisation and Council. Lack of apology and the fact the Councillor would not take up the case.	There would have been no breach of the Code. Whether a councillor takes up a case is down to them. There is no obligation to take a matter up on behalf of a constituent.
Disrespectful attitude to a complainant in a public meeting.	The incident took place in what is a robust political environment. The councillor did not directly accuse complainant of anything. Robust challenge is part of the process.
Misusing position as a Councillor to place inappropriate pressure upon a third party to persuade them to take a particular course of action. Breach of the Code of Conduct in raising this issue at a council meeting.	There would have been no breach of the Code as there was no declarable interest. It is legitimate for councillors to lobby external organisations on local issues on behalf of constituents. It may be that being councillors gives them greater sway over third parties but that is positive for the democratic process.
Repeat of the above same facts.	As above.
Lack of response to complaints about staff.	Complainant on unreasonable behaviour list due to vexatious behaviour and offensive statements.
False allegations of collusion and poor conduct.	There would have been no breach of the Code on the basis of the complaint.
Council spend on private transportation	Complainant agreed to redirect complaint as a complaint against council as would not be breach of code by the councillor.
Same complaint	As above.
Misleading emails regarding service provision.	Cannot sensibly argue that correspondence suggests councillor intended to mislead. It quoted facts which could be easily checked and overall the intention was clear.