

Appendix B

Summary of Complaints Upheld by the LGSCO

Complaint 19 019 143 – 15/7/2021

Complaint about the handling of a member and officer conduct complaint in 2018.

- Mr X made allegations of misconduct by two councillors at a planning committee meeting, plus other concerns about the planning committee meeting and the officer report.
- FBC explained complaints about councillor's had to be considered by monitoring officer and sent link to the procedure.
- The Council stated that the complaint investigating officer had discussed with the monitoring officer, whose opinion was that the two councillors had not acted in breach of the members' code of conduct.
- As a result of this, Mr X did not make a formal complaint to the monitoring officer, despite being given the link to the procedure.
- It later became clear that the statement that the complaint investigating officer had spoken to the monitoring officer was inaccurate and that the monitoring officer had not expressed the opinion that the two councillors had not acted in breach of the members' code of practice.
- There was fault by the Council because its monitoring officer did not investigate the complaint and included inaccurate information in its complaint response to Mr X.
- The Council agreed to review its procedures and apologise to Mr X for service failure.

Complaint 20 011 159 – 8/12/2021

Complaint that the Council made a refund of business rates on a rented unit to the landlord, even though Mr X is the registered rate payer.

- Mr X had a tenancy agreement for Units A and B on the same business centre. Rent payments are inclusive of business rates and other utility costs, but Mr X remained liable party.
- Refund of business rates was part of COVID-19 response. The refund for Unit A was paid direct to Mr X along with another payment due (for convenience). Refund for Unit B was credited back to the account it was paid from.
- The Council acknowledged it should have contacted Mr X before paying the refund to the landlord's bank account even though this was the account from which the business rates were paid.
- The Council has now made a repayment to Mr X and sought to recover money from the management company (landlord).