

This Report will be made public on 29 November 2022



Report Number **AuG/22/16**

To: Audit and Governance
Date: 7 December 2022
Status: Non – executive decision
Head of service: Amandeep Khroud – Assistant Director – Governance and Law

SUBJECT: QUARTERLY CODE OF CONDUCT COMPLAINTS UPDATE REPORT

SUMMARY: This report provides an update to the Committee on Member Code of Conduct complaints received during quarters 1 and 2 of 2022/23 (1 April to 30 September 2022).

RECOMMENDATIONS:

1. To receive and note report AuG/22/16.

1. INTRODUCTION

- 1.1 Section 27 of the Localism Act 2011 requires that relevant authorities have a statutory duty to promote and maintain high standards of conduct by Members and co-opted Members of the authority.
- 1.2 Authorities are required to adopt a Code dealing with the conduct that is expected of Members when they are acting in that capacity.
- 1.3 Section 28 of the Localism Act 2011 requires that Councils in England have in place arrangements under which allegations can be investigated and on which decisions on allegations can be made.
- 1.4 The terms of reference of the Audit and Governance Committee require the Committee to receive quarterly reports (or less frequently, if there are no complaints to report), from the Monitoring officer on the number and nature of complaints received, and action taken, as a result, in consultation with the Independent Person.

2. SUMMARY OF COMPLAINTS

- 2.1 For the period 1 April to 30 June 2022, there were a total of 2 complaints and for the period 1 July to 30 September 2022, there were a total of 3 complaints.

These can be categorised as follows:

	1 April to 30 June	1 July to 30 September
Complaints by members against members	0	0
Complaints by members of the public	2	3

2.2 Types of complaints

Whilst it is not possible to identify particular trends in the nature of the complaints made (and some complaints may include multiple complaints), the following broad types of complaint have been received:

	Q1	Q2
Public statements including social media / website / internet / email comment	0	1
Unacceptable Conduct at Council/Committee	1	1
Conflict of interest	0	0
Breach of Member/officer protocol	0	0
Breach of data protection rules	0	0
Other/miscellaneous	1	1

2.3 Investigation of complaints

The Monitoring Officer will initially consider the complaint and decide if formal investigation is required. Any formal investigation will be carried out by an independent person, who will then report to the Monitoring Officer. The Monitoring Officer will then report to the Audit and Governance if a breach of the Code of Conduct is found and will advise the committee as to whether further action is recommended.

For the complaints referred to above, 4 were not deemed to be breaches of the Code of Conduct, and 1 is still being considered by the Monitoring Officer. No investigations have been conducted.

3. RISK MANAGEMENT ISSUES

3.1 A summary of the perceived risks follows:

Perceived risk	Seriousness	Likelihood	Preventative action
None			

4. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

4.1 Legal Officer's Comments (AK)

No legal comments.

4.2 Finance Officer's Comments (CS)

There are no direct financial implications arising from this report.

4.3 Diversities and Equalities Implications

5. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

Councillors with any questions arising out of this report should contact the following officer prior to the meeting:

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The following background documents have been relied upon in the preparation of this report:

None