

CONSTITUTION AND ETHICS	AGENDA ITEM No. 8
21 NOVEMBER 2022	PUBLIC REPORT

Report of:	Fiona McMillan, Director of Legal and Governance (Monitoring Officer)	
Cabinet Member(s) responsible:	Councillor Coles, Cabinet Member for Finance and Corporate Governance	
Contact Officer(s):	Philippa Turvey, Democratic and Constitutional Services Manager Daniel Kalley – Senior Democratic Services Officer	01733 296334

CODE OF CONDUCT COMPLAINTS

RECOMMENDATIONS	
From: Monitoring Officer	Deadline date: N/A
<p>It is recommended that the Constitution and Ethics Committee:</p> <ol style="list-style-type: none"> Note the report on complaints received/being handled by the Monitoring Officer since the Committee's last meeting on 6th October 2022. 	

1. ORIGIN OF REPORT

- 1.1 This Report is submitted to the Constitution and Ethics Committee by the Council's Monitoring Officer.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The Constitution and Ethics Committee has the responsibility for promoting and maintaining high standards of conduct amongst members and co-opted members of the council including 'monitoring the operation of the Code of Conduct'. This also includes parish councillors.

To assist in the fulfilment of the above objective it has been agreed that a standing item is placed on the agenda for the committee notifying and updating it on complaints that have been made, how they are being handled and whether they have been resolved. The committee decided that these should be reported in an anonymous way until such time as a breach of the code of conduct is found as part of the complaints process.

This Report fulfils the requirements set out above.

- 2.2 This report is for the Constitution and Ethics Committee to consider under its Terms of Reference No. 2.7.2.2.

Authority to oversee and approve the operation of the Council's functions relating to the promotion and maintenance of high standards of conduct amongst members and co-opted members including:

- promoting and maintaining high standards of conduct by members and co-opted members;
- Assisting the members and co-opted members to observe the Code of Conduct;

- Advising the council on the adoption or revision of the Members Code of Conduct;
- Monitoring the operation of the Code of Conduct;
- Advising, training or arranging to train members and co-opted members on matters relating to the Code of Conduct.

3. **TIMESCALES**

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	
---	-----------	----------------------------------	--

4. **BACKGROUND AND KEY ISSUES**

4.1 **NEW COMPLAINTS**

City Councillors

Since the Committee's last report on 6th October 2022 there has been no new complaint received in relation to city councillors.

Parish Councillors

Since the Committee's last report on 6th October 2022 there has been no new complaints received in relation to Parish Councillors:

4.2 **ONGOING COMPLAINTS**

The following complaints remain active since the last meeting:

City Councillors

There are currently no ongoing complaints relating to city councillors.

Parish Councillors

There is one ongoing complaint in relation to parish councillors:

- CONDCOMP/PCC/32. This complaint was received on 19th August 2022 and concerns various allegations which are all connected to and under consideration by the Council's Complaints procedure. The Deputy Monitoring Officer has therefore written to the Complainant to request that they complete the complaint form and provide further information as to the nature of the allegations and which of the general obligations they consider have been breached. Further information has been provided and is currently being reviewed.

4.3 **CONCLUDED COMPLAINTS**

- There are no concluded complaints to report to this meeting.
-

5. **CONSULTATION**

- 5.1 The process for dealing with conduct complaints requires the Monitoring Officer to consult the Independent Person following an initial assessment and before any decisions are taken as to what if any further action is considered appropriate for example, the appointment of an investigator and, following receipt of the investigator's report, whether to refer the matter for a hearing.

6. CORPORATE PRIORITIES

- 6.1 This report supports the Councils Corporate Priorities, Sustainable Future City Council in that it promotes the behaviour of City and Parish Councillors to inspire honesty and integrity in the way Councillors present themselves to their constituents.

7. ANTICIPATED OUTCOMES OR IMPACT

- 7.1 By reporting the complaints that have been made the Committee can more effectively monitor the operation of the Code of Conduct.

8. REASON FOR THE RECOMMENDATION

- 8.1 Regular reporting of both quantities and substance of complaints will help the Committee gain a better understanding of the effectiveness of current procedures and how well the Code is being observed across both the council and parish councils in its area. This will inform future decisions about what training may be necessary to ensure the requirements of the code are being met.

9. ALTERNATIVE OPTIONS CONSIDERED

- 9.1 None

10. IMPLICATIONS

Financial Implications

- 10.1 None

Legal Implications

- 10.2 Under the Localism Act 2011 the council may set its own procedures in relation to the handling of complaints.

Equalities Implications

- 10.3 None

11. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

- 11.1 The Localism Act 2011.

12. APPENDICES

- 12.1 None

This page is intentionally left blank