

CONSTITUTION AND ETHICS COMMITTEE	AGENDA ITEM No. 9
18 NOVEMBER 2024	PUBLIC REPORT

Report of:	Neil McArthur, Director of Legal and Governance and Monitoring Officer	
Cabinet Member(s) responsible:	Cllr Mohammed Jamil, Deputy Leader and Cabinet Member for Finance and Corporate Governance	
Contact Officer(s):	Neil McArthur, Director of Legal and Governance and Monitoring Officer	07484 033282
	Matt Makin, Senior Democratic Services Officer	01733 384641

CODE OF CONDUCT COMPLAINTS UPDATE
--

RECOMMENDATIONS	
FROM: Neil McArthur, Director of Legal and Governance and Monitoring Officer	Deadline date: n/a
<p>It is recommended that the Constitution and Ethics Committee notes the report on complaints received/being handled by the Monitoring Officer since the Committee's last meeting in September 2024.</p>	

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 Paragraph 2.7 of Part 3 of the Council's Constitution delegates authority to the Committee 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 monitoring the operation of the Code of Conduct.

The Committee has previously agreed that an update on Code of Conduct complaints should be a standing item on the agenda for each of its meetings. The Committee also 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 provides that update.

3. **TIMESCALES**

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

4. **BACKGROUND AND KEY ISSUES**

- 4.1 Since the Committee last met, the Monitoring Officer received two new complaints relating to city councillors. In addition, one new complaint in relation to a parish councillor, linked to one of the new complaints in respect of a city councillor, was also received.
- 4.2 In terms of complaints closed since the last meeting:
- Two complaints were closed as the subjects were no longer city councillors when the alleged incidents took place
 - Four complaints were closed as insufficient information was received from the complainant to progress an investigation
 - Fourteen complaints were closed as they did not constitute a breach of the Code of Conduct
 - An additional complaint was closed as it did not constitute a breach of the Code of Conduct, with the Police taking no further action after investigating the incident
- 4.3 There are currently no ongoing investigations.

5. **CORPORATE PRIORITIES**

- 5.1 This report links to the Council's Corporate Priorities about creating a Sustainable Future City Council in relation to:
- How we Work
 - How we Serve
 - How we Enable

6. **CONSULTATION**

- 6.1 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.

7. **ANTICIPATED OUTCOMES OR IMPACT**

- 7.1 This report is intended to assist the Committee 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

10.1 Financial Implications

None.

Legal Implications

10.2 There are no legal implications in respect of what is proposed which is an update on member complaints received.

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

<https://www.legislation.gov.uk/ukpga/2011/20/contents>

12. APPENDICES

12.1 None.

This page is intentionally left blank