



Northumberland County Council

STANDARDS COMMITTEE

13TH OCTOBER 2022

Code of Conduct Complaints – Progress Report

Report of the Monitoring Officer

Purpose of report

The report is to inform Members of the progress with complaints received by the authority under the new arrangements adopted by the authority for dealing with standards allegations under the Localism Act 2011.

Recommendations

1. Members are requested to receive the report and the attached table marked as Appendix 1

Link to Corporate Plan

This report is relevant to the “We want to be efficient, open and work for everyone” priority included in the NCC Corporate Plan 2021 -2024.

Key issues

1. On the 4th May 2022, full Council adopted a revised Code of Conduct for Elected Members following a recommendation from this Standards Committee.
2. The Council’s Standards Committee adopted the process/arrangements for the determination of complaints of breach of Code of Conduct by members on the 1st July 2012. These were amended and adopted by at Full Council on the 2nd April 2014.
3. The authority has responsibility for complaints relating to Parish and Town Councillors in Northumberland as well as for NCC County Councillors.
4. The progress and status of each complaint received by the authority from 1st January 2020, thus far, is shown in the attached table.

Background

1. Under Section 28(6) and (7) of the Localism Act 2011, the Council must have in place “arrangements” under which allegations that a member or co-opted member of the

authority or of a parish council within the authority’s area, or of a Committee or Sub-Committee of the authority, has failed to comply with that authority’s Code of Conduct can be investigated and decisions made on such allegations.

2. The Council has adopted a procedure whereby such complaints may be assessed and investigated, and any breaches of the members code of conduct may be reported to the Standards Committee for a hearing if a local resolution is not appropriate as per the agreed resolution.
3. A table of complaints received over the past few years where any complaint is outstanding is shown in the attached table – Appendix 1 attached to this report.
4. On 18th March 2022 the Government’s response to the review of Local Government Ethical Standards by the Committee on Standards in Public Life, recommended adopting as best practice a regular pattern of annual reporting by Standard Committees of the cases and complaints handled and would encourage this as best practice by the sector. The government does not believe that there is a requirement to prescribe to local authorities the form and content of such Standard Committee annual reports. This was in response to the Committee recommending that The Local Government Transparency Code should be updated to require councils to publish annually: the number of code of conduct complaints they receive; what the complaints broadly relate to (e.g., bullying; conflict of interest); the outcome of those complaints, including if they are rejected as trivial or vexatious; and any sanctions applied.

Current Position

5. As of the 3rd October 2022 the Council currently has 17 outstanding complaints. The current status of these can be summarised as follows:
 - 3 have been investigated and are subject to another report on the agenda
 - 7 complaints have been received from a sole complainant in respect of one subject member – these have been grouped together as one complaint
 - 2 plus the 7 referred to above (9 in total) await appointment of a further Independent Person
 - 2 are in the process of local resolution
 - 3 are being reviewed after the provision of further information

If there is any change to the above position members will be informed at the meeting.

Implications

Policy	The local determination of alleged breaches of the Code of Conduct is a statutory requirement
Finance and value for money	There are no direct financial implications associated with this report. The level of complaints received continues to be maintained at a relatively high level which does have an impact on capacity

Legal	The Localism Act 2011 states that arrangements must be put in place for the Council to consider code of conduct complaints.
Procurement	None
Human Resources	None
Property	None
Equalities (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	The Code of Conduct supports the Council's policies on equalities in service delivery
Risk Assessment	The procedures in relation to the local assessment of member conduct complaints are designed to support fair and efficient handling of those complaints by the Council with the aim of avoiding challenge or dissatisfaction with that process.
Crime & Disorder	The locally based system of assessment, investigation and determination of complaints supports compliance with the Code of Conduct which in turn supports the Council's general aims in relation to crime and disorder.
Customer Consideration	The Code of Conduct is consistent with and reinforces the Council's approach to customer relations.
Carbon reduction	None
Health and Wellbeing	N/A
Wards	All

Background papers

Localism Act 2011

Northumberland County Council Arrangements for dealing with standards allegations under the Localism Act 2011

Report sign off

	Initials
Monitoring Officer/Legal	Suki Binjal
Service Director Finance & Interim S151 Officer	N/A
Relevant Executive Director	N/A
Chief Executive	N/A
Portfolio Holder(s)	N/A

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