



# Northumberland County Council

## STANDARDS COMMITTEE

21 APRIL 2023

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### Code of Conduct Complaints – Progress Report

Report of the Monitoring Officer

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#### 1. Purpose of report

1.1. 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. Please note this report is for noting only and there are no decisions to be made.

#### 2. Recommendations

2.1. Members are requested to receive the report including the attached appendices 1 and 2.

#### 3. Link to Corporate Plan

3.1. 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.

#### 4. Key issues

4.1. On the 4<sup>th</sup> May 2022, full Council adopted a revised Code of Conduct for Elected Members following a recommendation from this Standards Committee.

4.2. The Council’s Standards Committee adopted the process/arrangements for the determination of complaints of breach of Code of Conduct by Members on the 1<sup>st</sup> July 2012. These were amended and adopted by at Full Council on the 2<sup>nd</sup> April 2014.

4.3. The authority has responsibility for complaints relating to Parish and Town Councillors in Northumberland as well as for NCC County Councillors.

4.4. The progress and status of each complaint received by the authority from 1<sup>st</sup> January 2020, thus far, is shown in the attached table.

## **5. Background**

- 5.1. 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.
- 5.2. 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.
- 5.3. On 18<sup>th</sup> 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.
- 5.4. 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.
- 5.5. Appendix 1 - illustrates the trends of complaints received since 2020. The Committee will note that in recent months, the number of live complaints has reduced significantly to 16 as of 12<sup>th</sup> April 2023.
- 5.6. Appendix 1 also highlights the complaints received by type and Members will note that bullying and harassment has been the type of conduct most frequently complained about. Trends are useful in ensuring that the Monitoring Officer's (MO) team delivers targeted training to Members going forward.
- 5.7. A table is attached as Appendix 2 which shows those complaints outstanding, any complaints which have been resolved since the Committee last met on 13<sup>th</sup> October 2022. This information was also presented to the LGA Advisory Challenge Board earlier this month. It is proposed at future Committees, to bring data relating to the current municipal year. The MO team will also keep a record of matters reported to them which are of concern from a conduct perspective but fall short of being reported as complaints. This is to assist with monitoring ethical standards and delivering targeted training to Members.

## **6. Summary of Current Position Regarding Outstanding Complaints**

6.1. As of the 12<sup>th</sup> April 2023 the Council currently has 16 outstanding complaints these include Parish and NCC matters.

The status of these can be summarised as follows:

- 6.1.1. Six have met the threshold for further investigation and informal resolution is being explored between the parties
- 6.1.2. One has been investigated and local resolution is being explored
- 6.1.3. One has been investigated and we are awaiting a revised report from the Investigating Officer
- 6.1.4. One is currently being investigated by Council officers
- 6.1.5. Two are awaiting comments from the Independent Person
- 6.1.6. Four are awaiting comments from the subject Member
- 6.1.7. One is awaiting further information from the complainant

### **Implications**

<b>Policy</b>	The local determination of alleged breaches of the Code of Conduct is a statutory requirement
<b>Finance and value for money</b>	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
<b>Legal</b>	The Localism Act 2011 states that arrangements must be put in place for the Council to consider code of conduct complaints.
<b>Procurement</b>	None
<b>Human Resources</b>	None
<b>Property</b>	None
<b>Equalities</b> (Impact Assessment attached)	The Code of Conduct supports the Council's policies on equalities in service delivery

Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
<b>Risk Assessment</b>	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.
<b>Crime &amp; Disorder</b>	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.
<b>Customer Consideration</b>	The Code of Conduct is consistent with and reinforces the Council's approach to customer relations.
<b>Carbon reduction</b>	None
<b>Health and Wellbeing</b>	N/A
<b>Wards</b>	All

### **Appendices**

Appendix 1 – Illustrations of the trends and types of complaints received.

Appendix 2 - A table updating the status of complaints since the Committee last met on 13th October 2022.

### **Background papers**

N/A

### **Author and Contact Details**

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