



# Northumberland

## County Council

### STANDARDS COMMITTEE

12<sup>th</sup> October 2023

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Code of Conduct Complaints – Progress Report

Report of the Director of Law and Corporate Governance

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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. **Achieving Value For Money** – The report is about ensuring good governance and effective management of resources, with a focus on improvement, to deliver the best possible outcomes for the public.

#### 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.

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

## **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. In recent months, the number of live complaints has reduced significantly to one as of the 29<sup>th</sup> September 2023. The outstanding complaint is currently subject to a mediation process.
- 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 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> July 2023. Officers 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 29<sup>th</sup> September 2023 the Council currently has one outstanding complaint between County Council Members. Mediation has been agreed and is ongoing.

## 7. 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.
<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) 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
<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

## **8. 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 13<sup>th</sup> July 2023

## **9. Background papers**

None

## **10. Author and Contact Details**

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