
Code of Conduct Complaints Update

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1. Summary

- 1.1.** The Localism Act 2011 imposes a duty on local authorities to promote and maintain high standards of conduct by members and co-opted members of the authority, to adopt a code of conduct governing the behaviour of members of the local authority while in office, to make arrangements to investigate and make decisions on allegations that the code of conduct has been breached, and to appoint one or more independent persons (Independent Persons) whose views must be sought and taken into account when deciding on breaches of the code of conduct.
- 1.2.** The operation of the Council's arrangements for members' conduct is fundamental to the Council's compliance with the requirements of the Localism Act 2011 and by promoting good ethics the Council is demonstrating its core values as contained in the seven principles of public life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.
- 1.3.** The functions of the Standards Committee include promoting high standards of conduct by Members, Co-opted Members and Officers and monitoring the operation of the Members' Code of Conduct.
- 1.4.** In preparation for the transition to Somerset Council the legacy Monitoring Officers predicted that approximately 80 Code of Conduct complaints were anticipated to be received in 2023/24. These figures were based on the levels of complaints historically received at County, District, City, Town & Parish Council levels – taking into account the overall reduction in elected members following Local Government Reorganisation.

2. Recommendations

- 2.1.** That the Standards Committee:
Note the numbers of complaints that have been received in the first 10-12 weeks of Somerset Council.

3. Background

- 3.1.** The Council publishes on the website its processes, guidance notes and forms for people to make a complaint about an elected member of Somerset Council or in a City, Town or Parish Council within the area.
- 3.2.** Since 1 April 2023 we have received over 30 code of conduct complaints, in addition there were 11 complaints submitted to the legacy councils that has not been concluded in advance of vesting day.
- 3.3.** Approximately 25% of the complaints submitted since vesting day relate to Somerset Councillors albeit 7 complaints are concerned with the same 2 incidents.
- 3.4.** Therefore at the current rate of complaints submission we are on target to significantly surpass our predicted levels of complaints.
- 3.5.** There is no intention for the detail of the complaints to be discussed but if Members do wish any further information then a resolution to go into confidential session would have to be passed.

4. Options Considered and any consultation undertaken

- 4.1.** This report is for information only.

5. Legal, Equalities, Financial and Other Implications

- 5.1.** The Council has a legal obligation to maintain high standards of conduct of its Members. The effective administration of the code of conduct for members will also reduce the risk of reputational harm to the Council and promote good governance within the Council.
- 5.2.** Following local government reorganisation in Somerset the Council now also administers the Code of Conduct complaints process for all City, Town and Parish Councils within their area.

5.3. Because the investigation and determination of complaints about breaches of the code of conduct is quasi-judicial in nature it is important for that processes adopted should be fair and transparent.

6. Background papers

6.1. None.