

Code of Conduct Complaints – Quarterly Update – Q3

Lead Officer: David Clark, Monitoring Officer

Authors: David Clark, Monitoring Officer

Contact Details: David.clark@somerset.gov.uk

1. Summary

- 1.1.** Following the creation and provision to the Committee of the monthly Code of Conduct complaint summaries (see Appendix 1) this report provides an update to the Committee regarding the number of complaints received, any themes emerging and the performance in respect of acknowledgment and substantive responses against our published timescales.

2. Recommendations

- 2.1.** That Committee note the update report at the end of quarter three in respect of Code of Conduct complaints and provide any associated comments, observations and direction.

3. Background

- 3.1.** Somerset Council adopted the LGA Model Code of Conduct following a decision of Full Council in February 2022 ahead of the elections in May 2022. That Code has transitioned to the new Somerset Council from April 2023.
- 3.2.** All Code of conduct complaints have been administered centrally from that point and following the end of December 2023 three whole quarters have been completed. This report, therefore, provides an update to Members in respect of volumes, performance and any identifiable trends. The purposes of the report is not to review any individual or groups of complaints but to consider the overall numbers, trends and performance.

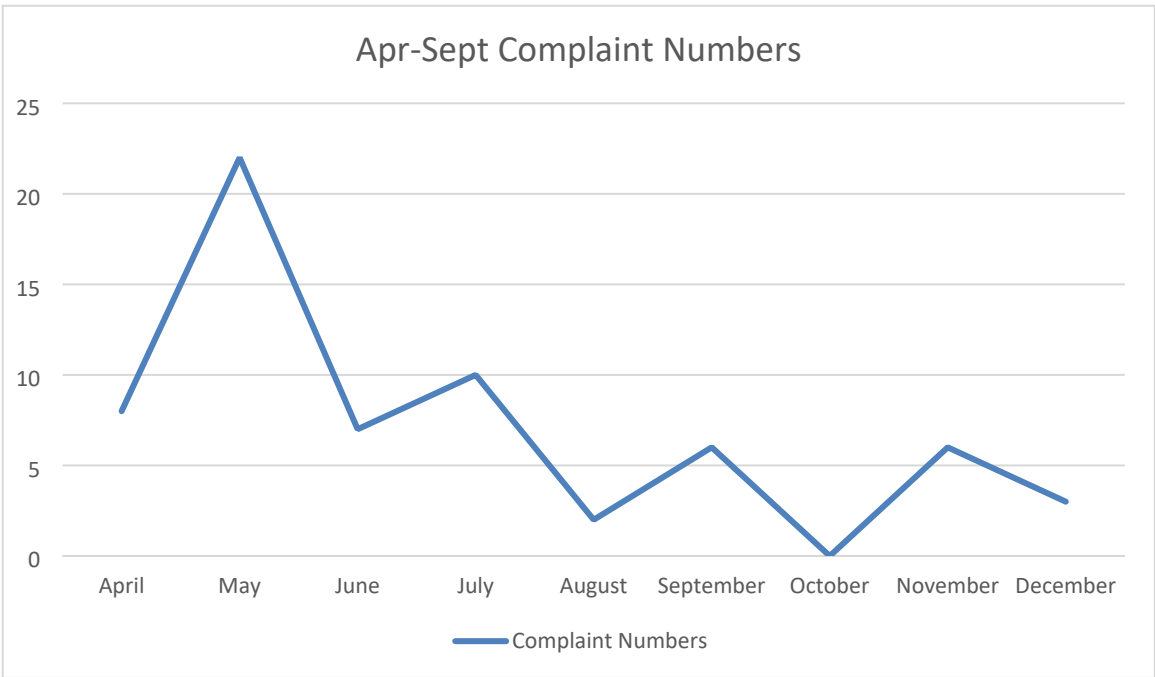
4. Analysis

4.1. Number of Complaints

Of the 64 complaints received some related to the same incident i.e. multiple complaints regarding the same subject members and the same alleged breach

of the code of conduct. Taking this into account there were 43 separate ‘incidents’ complained about. The monthly totals of complaints received are set out in the following table. The number of complaints received in May is over twice as many as any other month, otherwise the numbers remain at or below 10 which is closer to the volumes predicted prior to vesting day based on historical trends from the legacy councils.

Month	Number of Complaints
April	8
May	22
June	7
July	10
August	2
September	6
October	0
November	6
December	3



4.2. Acknowledgment

The Council’s target to provide an acknowledgement of received complaints is 5 working days. After quarter three the Council achieved this target 81% of the time i.e. on 52 out of 64 occasions. The principal reason for failing to acknowledge within 5 working days remains annual leave and sickness.

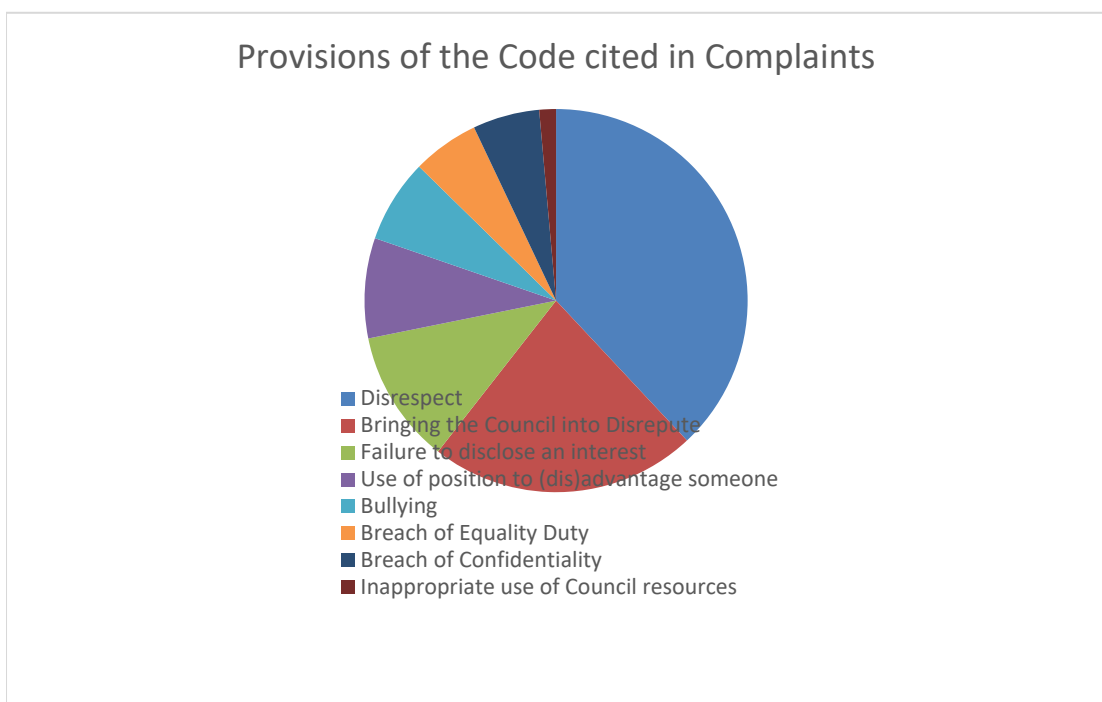
4.3. Substantive Response

The Council's target to provide a substantive response to a Code of Conduct complaint is 20 working days from the receipt of the complaint. After quarter two the Council achieved this target 34% of the time i.e. on 21 out of 61 occasions (3 complaints remain under consideration and within time at the time of report production). The reasons for regularly failing to meet this target are more complex as the timings are not wholly within the Council's control. The initial assessment period could require further information to be submitted by the complainant or a detailed response to be provided by the subject member and every proposed response has to be shared with the Independent Person. Looking a quarter 3 in isolation this target was met 50% of the time which is an improvement upon the quarter 1 and 2 performance.

4.4. Trends and Themes

Of the 64 complaints assessed 57 (89%) concluded No Further Action was required, 3 (5%) resulted in Further Action with 4 (6%) still in the assessment phase. No complaints have been deemed worthy of a formal investigation and/or a hearing.

The following table lists the areas of the code that were alleged to have been breached in the complaints, in many cases more than one potential breach was cited.



5. Implications

- 5.1.** This is the second code of conduct complaints report that has been brought before the Committee since vesting day. The committee may wish to indicate what additional or alternative data they would consider valuable.

6. Background papers

- 6.1.** Somerset Council Code of Conduct.
Somerset Council Code of Conduct Complaints form and guidance

Note For sight of individual background papers please contact the report author.

Appendix 1

April to December Code of Conduct Complaints Summary