

Code of Conduct Complaints – 2023/2024 Annual Review

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1. Summary

- 1.1.** Following the creation and provision to the Committee of the monthly Code of Conduct complaint summaries this report provides a full year 1 retrospective review of the complaint numbers and themes emerging and the performance in respect of acknowledgment and substantive responses against our published timescales.

2. Recommendations

- 2.1.** That Committee note the 2023/2024 review report 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 the first full year of complaint administration has 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.

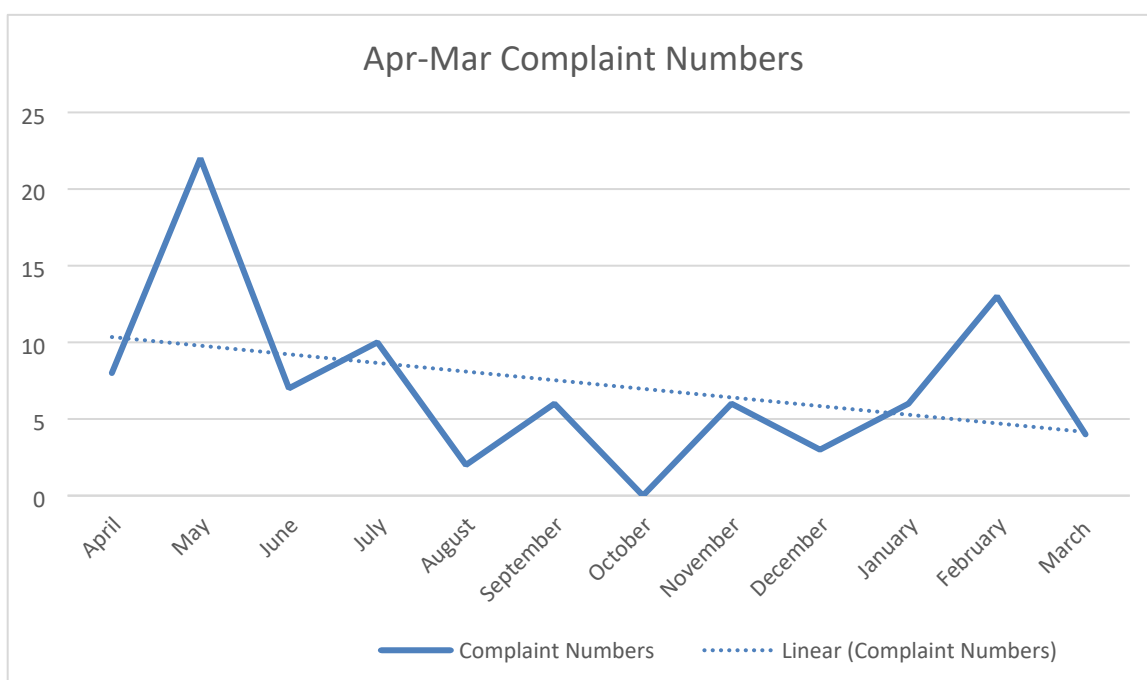
4. Analysis

4.1. Number of Complaints

Of the 88 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 59 separate 'incidents' complained about. The monthly totals of complaints received are set out in the following table. The number of complaints received in May has been identified as an exception, otherwise the numbers remain much lower and closer to the volumes predicted prior to vesting day based on historical trends from the legacy councils.

Month	Number of Complaints
April	8 (4 incidents)
May	22 (9 incidents)
June	7 (5 incidents)
July	10
August	2
September	6
October	0
November	6
December	3
January	6
February	13 (7 incidents)
March	4 (3 incidents)



4.2. Acknowledgment

The Council's target to provide an acknowledgement of received complaints is 5 working days. After quarter four the Council achieved this target 88% of the time i.e. on 77 out of 88 occasions. The principal reason for failing to

acknowledge within 5 working days remains annual leave and sickness earlier in the year. The response target result in Q3 and Q4 was 98%.

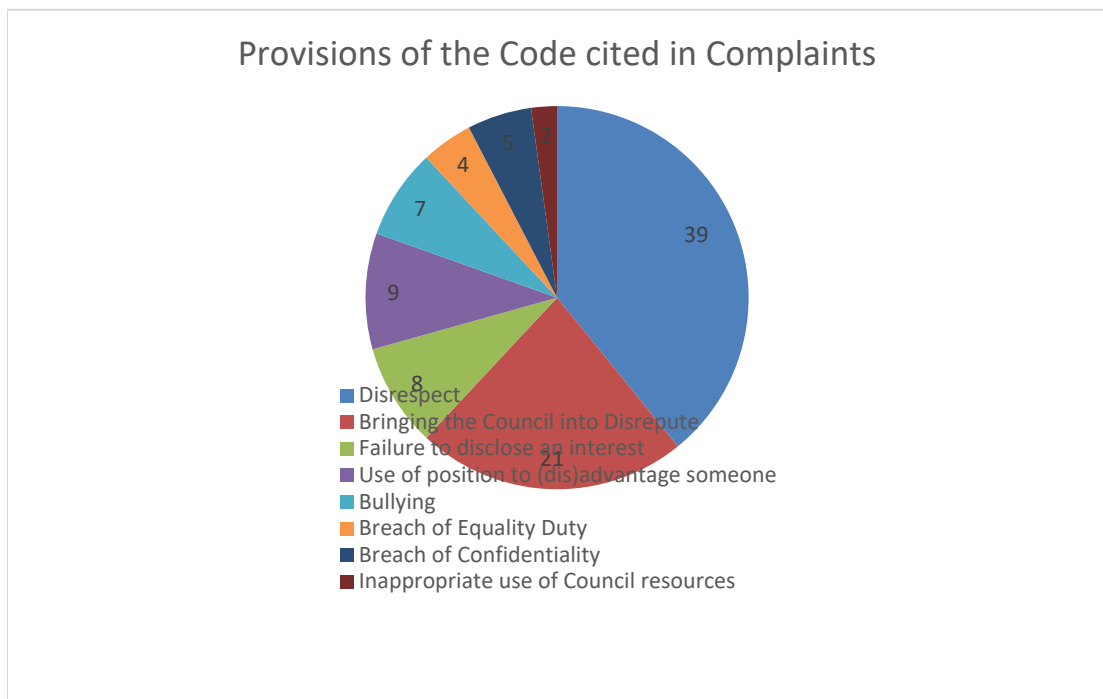
4.3. Substantive Response

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 4 the Council achieved this target 58% of the time i.e. on 51 out of 88 occasions. 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. There has been an improvement trend in meeting this target figure as the year progressed and the reason for any failure to meet the 20 working day deadline is now recorded on the monthly summaries.

4.4. Trends and Themes

Of the 88 complaints assessed 66 (75%) were assessed but concluded No Further Action was required, in 4 (5%) cases the complainant elected not to proceed with the complaint or failed to provide additional requested information, 3 (3%) complaints were deemed to be outside of the Standards jurisdiction (i.e. the subject was not acting in their role as an elected member at the time). 11 (12%) complaints resulted in further action being necessary with 4 (5%) complaints still in the assessment phase. 16 complaints were upheld and a further 2 were partially upheld although on 12 occasions no further action was deemed necessary. 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 first annual report on code of conduct complaints submitted to Somerset Council 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.