

Code of Conduct Complaints 2024/2025 – Quarterly Update – Q3

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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 in Q3 2024/2025, any themes emerging and the performance in respect of acknowledgment and substantive responses against our published timescales.

2. Recommendation

2.1 That Committee note the update report at the end of Q3 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. This report provides an update to Members in respect of volumes, performance and any identifiable trends. The purpose of the report is not to review any individuals or groups of complaints but to consider the overall numbers, trends and performance.

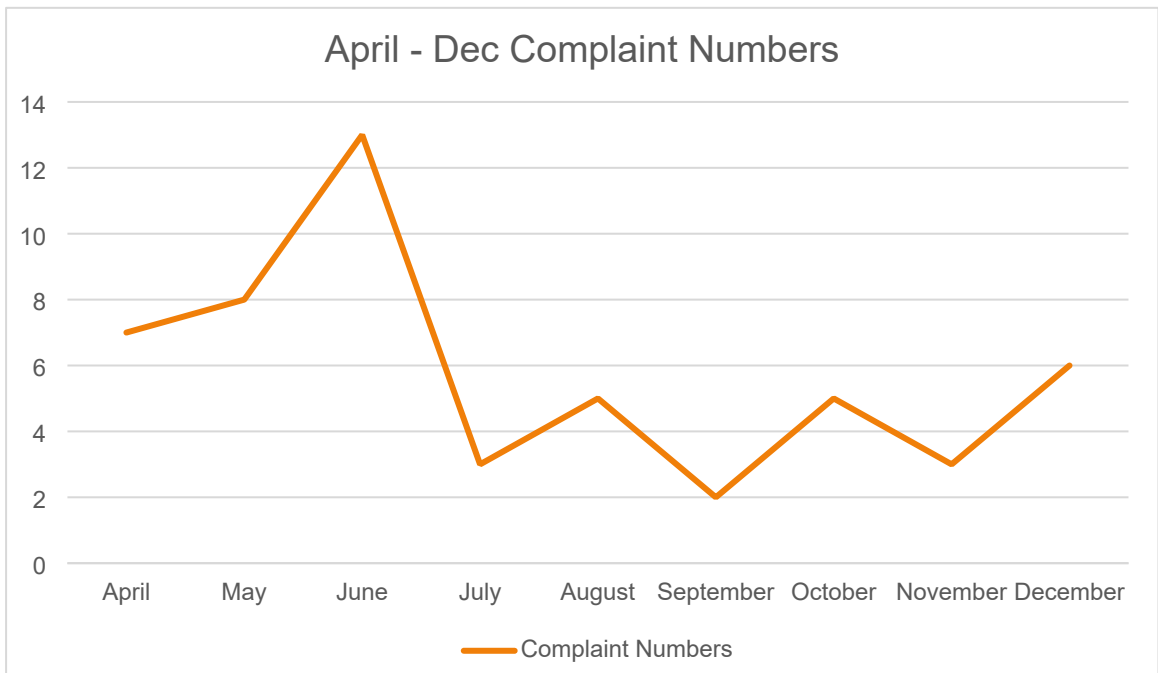
4. Analysis

4.1 Number of Complaints

Of the 14 complaints received 7 were separate complaints. In respect of the other 7 complaints, these were connected to 2 separate incidents with 4 complaints being received in connection with one incident and subject members and 3 complaints connected to another. The monthly totals of complaints received are set out in the following table. In quarter 3 for 23/24

there were 9 complaints received so there has been a slight increase in the number of complaints. All 9 complaints were separate incidents whereas this year more of the complaints were connected.

Month	Number of complaints
October	5 complaints (2 incidents)
November	3 complaints (3 incidents)
December	6 complaints (2 incidents)



4.2 Acknowledgement

The Council's target to provide an acknowledgment of received complaints is 5 working days. After quarter three the Council achieved 99% of this target. One complaint was not acknowledged in this time as this was due to a request for more information from the complainant and confirmation that they wanted to proceed with their complaint.

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. In quarter three the Council most of the complaints are still under consideration only 2 of the complaints were outside of the time limit but this was due to information being required from the subject members therefore not within the Council's control.

It should be noted that although the 20 days is the aim for completing the assessments this is not always possible if there are delays in obtaining information and the assessments are always shared with the Independent Person.

The monthly summaries distributed to Committee Members will provide the reason for any delay which results in a failure to meet response time targets.

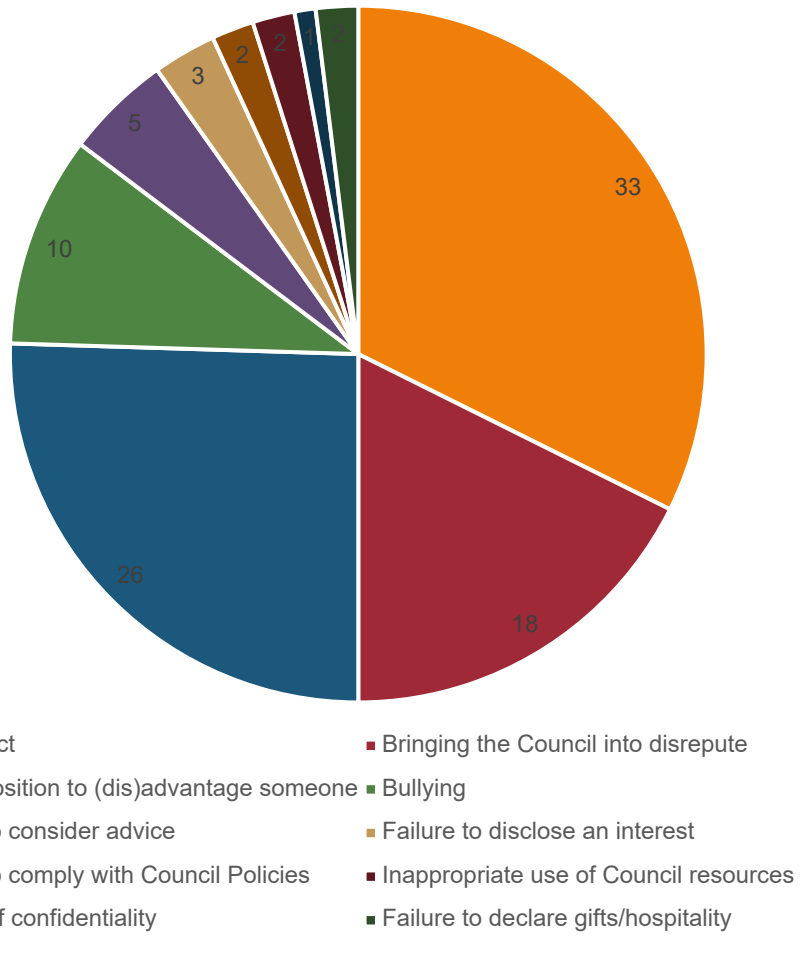
4.4 Trends and Themes

Of the 14 complaints received, 5 were assessed and concluded that No Further Action was required, although training was recommended in 2 of the connected complaints. 2 connected complaints did not proceed further as the complainant chose not to provide information that was requested by the Deputy Monitoring Officer and 5 are still under consideration.

Regarding the training that was recommended, this related to the area of whether a member was acting in their official capacity. It was clear from the complaint that although it was found that the parish councillor was not acting in their official capacity the Deputy Monitoring Officer was of the view that members would benefit from some training on this. In addition, this has also been identified in other complaints during the year so far and should therefore be an area to include in any member development programme that the Council promotes, including the work SALC and the town and parish councils.

The following table listed the areas of the code that were alleged to have been breached in the complaints for 2024/2025, in many cases more than one potential breach was cited.

Provisions of the Code cited in Complaints



4.5 Source of Complaints

Of the 14 complaints received in Q3, 8 were received from members of the public, one was a member of staff in the subject member’s Council, 4 were fellow councillors of the subject members and one was a self-referral.

4.6 Upheld Complaints

Since the last report to the Committee in October there has been 1 complaint upheld which was concluded through a local resolution of an apology.

As an update from the previous report, the complaint that was referred for an investigation was concluded, and it was found that the subject member had breached the code. It was agreed by both the subject member and the complainants that training would be a suitable sanction.

5. Implications

5.1 This is the third 2024/2025 code of conduct complaints report that has been brought before the Committee. The Committee may wish to indicate what additional or alternative data they would consider valuable.

6. Background papers

6.1 Somerset Code of Conduct

6.2 Somerset Code of Conduct complaints form and guidance

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

Appendix 1

October to December Code of Conduct complaints summary.