

Report to Audit and Standards Committee

07 September 2026



Code of Conduct Update

Lead Member:

CLlr Martin Rogerson- Cabinet Member Legal, Governance and Organisational Performance

Lead Officer:

Olwen Brown- Service Director Legal and Governance

Key Decision: No

Ward(s): All Wards

Appendices:

- Appendix 1 – Arrangements for dealing with Code of Conduct complaints
- Appendix 2 – Member Code of Conduct Complaint Form

Report Assurance:

	Name	Date
Lead Officer	Olwen Brown	1/9/26
Monitoring Officer	Olwen Brown	1/9/26
Section 151	Craig Turner	1/9/26
Chief Executive	Gordon Mole	1/9/26
Cabinet Member	Martin Rogerson	

Report Summary

The council is required by the Localism Act 2011 to have arrangements under which allegations of breaches of the Code of Conduct can be investigated, and under which decisions on allegations can be made.

This report recommends some changes and updates to the current arrangements for the committee to then recommend to full Council, who must agree the changed arrangements.

The report also recommends that the Committee agree the three members of the committee, on a politically proportionate basis, who will sit as the Hearing Panel for Code of Conduct complaints, when the Panel is required.

Recommendations

That the Committee:

1. Agree the changes to the current arrangements as proposed in the attached Appendices;
2. Recommend these to full Council.
3. Appoint three members of the Committee to sit as the Hearing Panel for code of conduct complaints when required.

1. Background

- 1.1. The Localism Act 2011 fundamentally changed the way in which complaints against elected and coopted members “standards complaints” were dealt with. Before these changes members were subject to a much stricter and nationally based regime brought in by the Local Government Act 2000, with sanctions that included suspension.
- 1.2. Local authorities were now required to adopt their own Code of Conduct, based upon the Nolan principles, and local authorities other than parish councils were required, as part of the standards regime to have arrangements dealing with how complaints were to be dealt with and how decisions on allegations were made. Complaints against parish council members are dealt with by the principal council in their area- for this council so far as all parish councils within the borough are concerned. Such arrangements must involve an Independent Person.
- 1.3. The Council adopted arrangements when it was required to do so. However, these have not been updated for some time.
- 1.4. This Committee appoints three members to sit as a Hearing Panel when this is required. It will only be required after an investigation had been carried out into complaints and the report of the investigating officer makes findings of a breach. Whilst no investigations are currently underway it is recommended that appointments are made so that there is no delay if the panel is needed in the future.

2. Purpose

- 2.1. The changes to the arrangements for dealing with code of conduct complaints are designed to make them clearer and more up to date, removing some language that is no longer needed due to the passage of time since the Localism Act, and which also takes account of modern good practice. The Monitoring Officer deals with complaints against elected and coopted members of the Council and also with complaints against elected and coopted parish councillors. In recent months the

number of complaints has been rising significantly, with accompanied resource demands.

- 2.2. There are a couple of more significant changes. At the Council meeting on 8th July, it was agreed to add the public interest test into the consideration of complaints. This has been amplified in the proposed arrangements, with examples given of the sort of considerations that would fall within this test. The proposals emphasise that the Monitoring Officer will seek to resolve matters informally wherever possible.
- 2.3. Another change is to introduce the involvement of the Chair of the Audit and Standards Committee who will be consulted by the Monitoring Officer at the “initial view” stage, at the same time that the Independent Person is consulted. These consultations assist the Monitoring Officer in deciding how to deal with the complaints, but the decision remains that of the Monitoring Officer.
- 2.4. The procedure if a Hearing Panel is required is clarified and set out at the end of the arrangements.
- 2.5. The appointment of the three members of the Hearing Panel is felt to be timely; although there is no investigation at present which may require the Panel. If members are appointed, they will be able to meet as required without any further delay. The members of the panel should be appointed on a politically proportionate basis.

3. Strategic Approach

- 3.1. The proposed approach provides an up-to-date approach to dealing with code of conduct complaints which balances the need for a robust approach to member behaviour within the current legislative limits, with the need to consider the public interest test. Where a complaint justifies an investigation, it will receive it; but minor complaints will be dealt with proportionately.

4. Finance & Resources

It is important to ensure that the council has the necessary resources to deal with the complaints it receives.

5. Legal & Governance

- 5.1. The Council is required by the Localism Act 2011 to have arrangements to deal with code of conduct complaints.

6. Supporting Information

None