

Public
Key Decision - No

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Code of Conduct Complaints – Update

Meeting/Date: Corporate Governance Committee – 30th November 2022

Executive Portfolio: Councillor M Hassall, Executive Councillor for Corporate and Shared Services

Report by: Elections and Democratic Services Manager & Deputy Monitoring Officer

Ward(s) affected: All

Executive Summary:

This report provides Members with an update on complaints cases regarding alleged breaches of the Code of Conduct. The Committee is responsible for maintaining high standards of conduct by Members of the District and Town and Parish Councils, for monitoring operation of the Code of Conduct and for considering the outcome of investigations in the event of breaches of the Code.

Recommendation:

The Committee is requested to note the progress of any outstanding complaints and the conclusion of cases resolved since the meeting in July 2022.

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to provide a summary and update of completed or ongoing complaints received regarding alleged breaches of the Code of Conduct under the Localism Act 2011 since the start of the year.

2. WHY IS THIS REPORT NECESSARY/BACKGROUND

- 2.1 In accordance with the functions of the Committee, this report seeks to provide a summary of the current position in relation to the Code of Conduct complaints since the last meeting.
- 2.2 The Committee has the responsibility for promoting and maintaining high standards of conduct within the Council, including monitoring operation of the Code of Conduct which also includes Town and Parish Councils.
- 2.3 At the meeting of the Committee on 13th September 2017, Members requested that this report be submitted on a quarterly basis to notify and update on complaints that have been made, how they are being handled and whether they have been resolved.

3. ANALYSIS

- 3.1 Details of allegations/complaints in relation to the Code of Conduct have been outlined in the table below. Specific detailed information regarding the complaint has not been provided as this may be prejudicial to the conduct of the ongoing complaints process and to protect the identity of councillors who may not have breached the Code of Conduct.

Case Number	District/Town/ Parish Council	Allegation/complaint	Outcome
N/A	Parish Council	Complaint made by a member of the public against a parish councillor that allegedly failed to declare a Disclosable Pecuniary Interest	Matter referred back to the Clerk to investigate and determine whether there is a potential criminal offence that may require Police referral. Confirmed that not a DPI, raised as a point of information rather than item for discussion and vote
N/A	Parish Council	Complaint made by a member of the public against a Parish Councillor alleging she breached 3.4	Matter dismissed as complaint had been fully investigated in 2020 and further

Case Number	District/Town/ Parish Council	Allegation/complaint	Outcome
		(disrepute) and 3.5 (personal advantage) under the old Code	matter raised related to FOI requests applicable to Parish Council
22/54	Parish Council	Complaint made by a member of the public against Parish Councillors alleging they breached 3.1 (leadership), 3.2 (respect) and 3.4 (disrepute) of the Code	Matter referred back to the Clerk to investigate
22/55	Parish Council	Complaint made by a member of the public against a Parish Councillor alleging he breached 3.1 (leadership) and 3.2 (respect) of the Code	Matter referred back to the Clerk to investigate

- 3.2 The process for dealing with conduct complaints is set out in the Monitoring Officer Protocol but once referred to the Monitoring Officer investigation stage, they are required to consult with the Independent Person following an initial assessment and before any decisions are taken as to what, if any, further action is considered appropriate.

4. LEGAL IMPLICATIONS

- 4.1 There are no significant implications to report.

5. REASONS FOR THE RECOMMENDED DECISIONS

- 5.1 This is an opportunity for Members of the Committee to be appraised of details of completed complaints and any outstanding complaints alleged against the Code of Conduct. This is in accordance with the functions of the Committee and its duty to discharge functions in relation to the promotion and maintenance of high standards of conduct within the Council and amongst Town and Parish Councils within the District.

6. BACKGROUND PAPERS

Constitution – Members’ Code of Conduct
The Localism Act 2011

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