

Report to: Meeting of the Full Council - 16 December 2025

Relevant Committee Chair: Councillor Rhona Holloway, Governance, General Purposes & Local Government Reorganisation Committee

Lead Officer: Francesca Whyley, Monitoring Officer

Report Summary	
Report Title	Update on the Council's Arrangements for Dealing with Code of Conduct Complaints
Purpose of Report	To update Council on changes made to the arrangements for dealing with Code of Conduct Complaints as agreed by the Governance, General Purposes & LGR Committee
Recommendations	<p>That Full Council notes:</p> <ul style="list-style-type: none"> a) the changes made to the Council's arrangements for dealing with Code of Conduct Complaints as agreed by the Governance, General Purposes & LGR Committee and as set out in paragraph 1.4 to the report; b) the ongoing work to review the arrangements through a cross-party working group of the Governance, General Purposes & LGR Committee; and c) the changes to the Standards regime recently announced by Government which will be subject to future legislative change.
Reason for Recommendation	To keep Members up to date on work that has been and continues to be undertaken in relation to the management of Code of Conduct Complaints

1.0 Background

- 1.1 The Localism Act 2011 requires authorities to have appropriate arrangements in place for managing Code of Conduct complaints. The Council does have such arrangements which were last updated and approved by the Audit & Governance Committee in September 2024. The arrangements set out how Code of Conduct complaints will be managed, including complaints in relation to parish councillors. The arrangements define timescales and confidentiality requirements as well as providing information around hearings and sanctions.
- 1.2 The current arrangements provide for effectively a two-stage process for managing complaints. Complaints are received by the Council, and the Monitoring Officer or Deputies go through a process of initial assessment in consultation with the Independent Persons and Member being complained about. If complaints can be dealt with at this stage the matter is concluded either through local resolution or no

further action. If the matter is more complex and further investigation is required, the matter will be referred for formal investigation (the second stage) and will conclude either with a local resolution or a full hearing process which may or may not result in a finding and sanctions. Currently, most complaints are dealt with at the initial assessment stage.

1.3 At the time of writing there are over 30 Code of Conduct complaints under consideration. These complaints are in relation to a combination of parish and district councillors. The Council's previous arrangements did not provide a clear mechanism for early filtering and rejection of complaints. Essentially, if the complainant has raised what they perceive to be a Code of Conduct complaint it progressed straight to initial assessment which can be lengthy. On review of the current complaints, it was apparent that whilst an issue raised may be considered by the complainant to be a Code of Conduct complaint, that was not always the case. To rectify this and provide for a swifter administration of complaints it was proposed and agreed by the Governance, General Purposes & LGR Committee at their meeting held on 27 November 2025, that additional wording be added into the arrangements by the Monitoring Officer providing clarity on how the Monitoring Officer and Deputies will deal with complaints which are not considered to be valid complaints, without engagement with the Independent Person.

1.4 To be clear, the circumstances where complaints would be deemed invalid would be limited to specific circumstances as set out below:

- Where no evidence to support the complaint is provided or available following engagement with the complainant.
- Where the Code is not engaged as the Councillor is not acting in capacity as a district or parish councillor, for example where a Councillor is acting in their capacity as a County Councillor, or where the behaviour is carried out in a private capacity. (Note- if there is any doubt on this the complaint would proceed to assessment stage).
- Where the Councillor is not a Councillor at the time of the complaint and/or at the time of the incident complained of.
- Where the issue giving rise to the complaint took place over 6 months prior to the complaint.
- Where the complaint is not about an individual Councillor's conduct but in fact about the Council as a whole or a decision-making body of the Council.
- Where the behaviour complained about is not covered by the Code of Conduct for example where the complaint relates to dissatisfaction with the Council's decisions, policies or priorities.

In every case where a complaint is deemed invalid, clear reasons for this will be communicated to the complainant. Where a complaint is not valid there will be no requirement to consult with the Independent Person, the complaint would be rejected and would not progress to initial assessment. The subject member being complained about (if indeed one is identified) may still be notified. Where there is any doubt as to the validity of the complaint, the complaint would proceed to the assessment stage. It is only in cases where complaints are clearly invalid that no assessment would be undertaken.

- 1.5 In addition to the immediate changes agreed, the Governance, General Purposes & LGR Committee also agreed to establish a working group to undertake a wider review of the arrangements for dealing with Code of Conduct complaints to ensure they remain up to date and fit for purpose.

2.0 Future Changes to the Standards Regime

- 2.1 On 11 November 2025, the Government published its response to the consultation on changes to the standards regime. The Audit & Governance Committee had previously agreed a response to this consultation be submitted on 19 February 2025. The consultation closed on 26 February 2025. In the published Government response, there is a clear indication that there will be significant changes to the regime which will be made through legislation. The key proposals from Government are:

- The introduction of a mandatory code of conduct, which will include a behavioural code, for all local authority types and tiers.
- A requirement that all principal authorities convene formal standards committees, to include provisions on the constitution of standards committees to ensure objectivity, accountability and transparency.
- The requirement that all principal authorities offer individual support during any investigation into code of conduct allegations to both the complainant and the councillor subject to the allegation.
- The introduction at the authority level of a 'right for review' for both complainant and the subject elected member to have the case reassessed on grounds that will be set out in legislation.
- Powers for authorities to suspend elected members for a maximum of 6 months for serious code of conduct breaches, with the option to withhold allowances during suspension for the most serious breaches and introduce premises and facilities bans either in addition or as standalone sanctions.
- In response to the most serious allegations involving police investigation, or where sentencing is pending, the introduction of powers to suspend elected members on an interim basis for an initial period of 3 months which, if extended, will require regular review.
- A new disqualification criterion for any elected member subject to the maximum period of suspension more than once within 5 years.
- The creation of a new national appeals function, to consider appeals from elected members to decisions to suspend them and/or withhold allowances, and for complainants if they consider their complaint was mishandled. Any appeal submitted will only be permitted after complainant or elected member has invoked their 'right for review' of the local standards committee the decision has been invoked and that process is complete.

- 2.2 Whilst these changes will significantly alter the way complaints are dealt with and the Government is proposing to issue best practice guidance on how to handle Code of Conduct complaints, it is unclear what the timescale for implementation of the legislation will be, as such it was still deemed necessary to review the current arrangements.

3.0 Proposal

- 3.1 It is proposed that Full Council note the changes to the arrangements for dealing with Code of Conduct Complaints agreed by the Governance, General Purposes & LGR Committee which will enables complaints which are deemed invalid to be more efficiently handled.
- 3.2 It is proposed that Full Council note the ongoing work to review the arrangements through a cross-party working group and the changes to the Standards regime recently announced by Government which will be subject to future legislative change.
- 3.3 The Governance, General Purposes & LGR Committee specifically requested that this update be provided to ensure all Councillors were made aware of the changes to the arrangements. The Committee did however consider alternative changes to the wording which have been reflected in paragraph 1.4, in particular, the Committee asked that the subject member be advised even where a complaint is deemed invalid.

4.0 Implications

In writing this report and in putting forward recommendations, officers have considered the following implications: Data Protection; Digital & Cyber Security; Equality & Diversity; Financial; Human Resources; Human Rights; Legal; Safeguarding & Sustainability and where appropriate they have made reference to these implications and added suitable expert comment where appropriate.

Implications Considered			
Yes – relevant and included / NA – not applicable			
Financial	Yes	Equality & Diversity	Yes
Human Resources	N/A	Human Rights	N/A
Legal	Yes	Data Protection	N/A
Digital & Cyber Security	N/A	Safeguarding	N/A
Sustainability	N/A	Crime & Disorder	N/A
LGR	N/A	Tenant Consultation	N/A

Legal Implications (LEG2526/3709)

- 4.1 As detailed in the report, the Localism Act requires Councils to have appropriate arrangements in place for dealing with Code of Conduct complaints.

Financial Implications (FIN25-26/6858)

- 4.2 There are no direct financial implications arising out of this report, however, in respect of the Arrangements for Dealing with Complaints, changes to these arrangements, particularly in relation to the introduction of an initial filtering stage should improve the efficiency of complaint handling and reduce the impact on current resources.

Equality and Diversity

- 4.3 In terms of a wider review of the Council's Arrangements for dealing with Complaints an Equality Impact Assessment will be undertaken to ensure the complaints process is accessible.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

The Code of Conduct and associated complaints arrangements are published on the Council's [website](#) (in the process of updating)

[Strengthening the standards and conduct framework for local authorities in England – consultation results and government response - GOV.UK](#)