



## Annual Standards Report

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<b>Lead Member/Relevant Portfolio Holder</b>	Councillor Leigh Higgins, Chair of Audit & Standards Committee

<b>Corporate Priority:</b>	Theme 5. Right Conditions to Support Delivery Theme 6. Engaging & Connected Council
<b>Wards Affected:</b>	All
<b>Date of consultation with Lead Member:</b>	17 March 2025
<b>Exempt Information:</b>	N

### 1 Summary

- 1.1 To update members on complaints about Member standards.

### 2 Recommendations

#### That Committee:

- 2.1 **Note the information presented in relation to Code of Conduct Complaints for 2024-2025.**

### 3 Reason for Recommendations

- 3.1 It is important to ensure that high standards of probity and ethical framework are at the heart of corporate governance of the authority and to ensure transparency and accountability.

### 4 Background

- 4.1 Members Code of Conduct

- 4.1.1 Section 27 of the Localism Act 2011 imposes a statutory duty on relevant authorities to promote and maintain high standards of conduct by Members and co-opted Members of the authority. In discharging that duty authorities must, in particular, adopt a Code dealing with the conduct that is expected of Members when they are acting in that capacity. That Code must be based on the principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership.
- 4.1.2 Section 28 of the 2011 Act requires that Principal Councils in England have in place arrangements under which allegations can be investigated and under which decisions on allegations can be made.
- 4.1.3 At its meeting on 16 December 2021, Council adopted an amended Code of Conduct which became effective from 01 April 2022.

## 5 Main Considerations

### 5.1 Member Complaints Update 24-25

- 5.2 The number of complaints received in 24-25 increased from those received in 23-24 as per the table below which sets out the types of members complaints were made against.

Type	Number of Complaints Received		
	2022/23	2023/24	2024/25
Non-Executive	4	2	9
Executive	1	3	3
Parish	0	1	2
<b>Total</b>	<b>5</b>	<b>6 *</b>	<b>14</b>
(* NB 4 complaints were received, one of which related to 3 members)			

- 5.2.1 **Origin of complaints** – most complaints are made by members of the public although there are several complaints received from members against members for 24/25.

Type	Number of Complaints Received		
	2022/23	2023/24	2024/25
Public	-	4	8
Elected Member (Borough / Parish)	5	-	4
MP	-	-	-
Council Employee (Borough / Parish)	-	-	2
Other	-	-	-
<b>Total</b>	<b>5</b>	<b>4</b>	<b>14</b>

- 5.2.2 **Types of complaints** – whilst it is not possible to identify trends in complaints, the table below provides an overview of the types of complaint received over the past three years. Members should note that complainants often allege that a single act by a Councillor breaches several provisions of the Code meaning that the number of alleged breaches of Code provisions far exceeds the total number of complaints received.

Type	Number of Complaints Received		
	2022/23	2023/24	2024/25
Respect	2	3	8
Bullying, Harassment & Discrimination	1	4	8
Impartiality of Officers of the Council	-	3	2
Confidentiality & Access to Information	-	3	2
Disrepute	-	-	5
Use of Position	-	3	6
Use of Council Resources & Facilities	-	1	4
Making Decisions	-	-	2
Complying with the Code of Conduct	2	3	5
Interests	-	-	
Gifts & Hospitality	-	-	
Dispensations	-	-	
<b>Total</b>	<b>5</b>	<b>20</b>	<b>42</b>

5.3 **Investigation of complaints** - Complaints are subject to a 2-stage consideration. The first stage is a preliminary consideration (initial assessment) of the complaint, in consultation with the Independent Person, to decide whether the complaint requires formal investigation. Formal investigation requires appointment of an Investigating Officer or External Investigator to prepare a report, which is then reported to the Standards Sub-Committee to determine whether the allegation is proven and, if so, whether sanctions are appropriate. When determining whether an allegation is proved the Standards Sub-Committee must take account of the views of the Independent Person.

The table below details the outcome of all complaints over the past three years:

Type	Number of Complaints		
	2022/23	2023/24	2024/5
Rejected at initial stage – not acting in capacity	1	-	1
Rejected at initial stage – insufficient evidence	-	-	3
Rejected – Code not engaged	2	-	2
Informal Resolution	-	-	-
Other Action	-	-	-
Formal Investigation	-	-	-
Ongoing	-	3	8
<b>Total</b>			<b>14</b>

## 5.4 Outcomes of Complaints

Type	Number of Complaints		
	2022/23	2023/24	2024/25
Breach of Code	0	0	-
No Breach of Code	3	0	6
Outcome to be determined	2	3	8

## 5.5 Training

5.5.1 Councillors receive Code of Conduct training when they are elected as Members of the Council however until a Councillor submits a complaint or is subject to a complaint, they are often not familiar with the arrangements for dealing with the same. Code of Conduct training was offered to all Borough members following the Elections in 2023.

5.5.2 Parish Council members training was provided on Thursday 13 October 2022.

5.5.3 The trainer who previously provided training for Borough members has agreed to run a further training session and a date will shortly be confirmed.

## 5.6 Lessons Learnt

5.6.1 In addition to acknowledging its legal duty to have arrangements in place to deal with Complaints, the Council also recognises that reviewing complaints is a valuable opportunity to gain feedback, learn and improve. The Monitoring Officer wants to ensure a positive response to Member complaints and encourages feedback, so the process remains fit for purpose.

5.6.2 The arrangements for dealing with complaints were reviewed and approved by Audit & Standards in November 2022. These have remained under review and additional changes are recommended to Committee in another report which is due to be considered at this meeting.

## 6 Options Considered

6.1 This report is to update the Committee as such there are no alternative options.

## 7 Consultation

7.1 The Chair of the Audit & Standards Committee has been informed of the content of this report.

## 8 Next Steps – Implementation and Communication

8.1 Statistics relating to complaints will continue to be compiled and reported to Committee annually.

## 9 Financial Implications

9.1 There are no financial implications arising directly from this report. The costs of administering the standards regime, including investigations, are currently funded from existing budgets.

**Financial Implications reviewed by: Interim Assistant Director for Resources**

## 10 Legal and Governance Implications

10.1 The legal background is set out in the body of this report. Appropriate legal advice will be given in relation to each complaint that is considered by the Standards Sub-committee.

**Legal Implications reviewed by: Monitoring Officer.**

## 11 Equality and Safeguarding Implications

11.1 Reasonable adjustments will be made for those who are unable to complete a complaints form and / or follow the process as set out. Committee is also considering a report at this which recommends further updates to the arrangements for dealing with standards allegations which includes expressly referring to the need to make such adjustments.

## 12 Data Protection Implications (Mandatory)

12.1 A Data Protection Impact Assessments (DPIA) has not been completed since there are no to the rights and freedoms of natural persons.

## 13 Community Safety Implications

13.1 There are no community safety implications arising from this report.

## 14 Environmental and Climate Change Implications

14.1 There are no environmental and climate change implications arising from this report.

## 15 Other Implications (where significant)

15.1 There are no other implications.

## 16 Risk & Mitigation

Risk No	Risk Description	Likelihood	Impact	Risk
1	Having no process would fail to comply with a legal obligation and also pose a risk to the open, transparent, fair and efficient handling of complaints.	Low	Marginal	Medium Risk

		Impact / Consequences			
		Negligible	Marginal	Critical	Catastrophic
Likelihood	Score/ definition	1	2	3	4
	6 Very High				
	5 High				
	4 Significant				
	3 Low		1,		

2 Very Low				
1 Almost impossible				

Risk No	Mitigation
1	Although the current arrangements for dealing with allegations are robust, the updates recommended to committee in the further report to this meeting will strengthen these further.

## 17 Background Papers

- 17.1 LGA Model Code of Conduct – Audit & Standards Committee 28.07.2020
- 17.2 Implementation of Best Practice Recommendations from the Committee on Standards in Public Life - Audit & Standards Committee 29.09.2020
- 17.3 Code of Conduct Update New Model Code – Audit & Standards Committee 09.03.2021
- 17.4 Revised Members Code of Conduct – Audit & Standards Committee 30.11.2021
- 17.5 Revised Members Code of Conduct – Council 16.02.2021
- 17.6 Members Code of Conduct & Standards update – 28.03.2023

## 18 Appendices

- 18.1 None