



WEST NORTHAMPTONSHIRE COUNCIL

DEMOCRACY AND STANDARDS COMMITTEE

30 September 2021

Report Title	STATISTICS – CODE OF CONDUCT ARRANGEMENTS					
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Contributors/Checkers/Approvers		
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List of Appendices

None

1. Purpose of Report

- 1.1 The report sets out the statistics regarding the number of complaints received and dealt with, in respect of the Code of Member Conduct for the Committee's information.

2. Executive Summary

- 2.1 The West Northamptonshire Council (WNC) Constitution specifies that one of the purposes of the Democracy and Standards Committee is *to oversee and develop the Council's Code of Conduct and the overall standards of conduct for Council Members, co-opted Members, and Parish and Town Councillors of West Northamptonshire*.

- 2.2 This is an opportunity for the Committee to be appraised of completed complaints and any outstanding complaints of alleged breaches 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 West Northamptonshire Council and Town and Parish Councils within the area of West Northamptonshire.

2.3 The Committee, at its meeting in July 2021 asked that more information is provided regarding each complaint, particularly in relation to the different sections of the Code. Further details have therefore been included within this report.

3. Recommendations

3.1 It is recommended that the Democracy and Standards Committee:

- a) Notes the statistics in relation to the number of complaints received and dealt with, in respect of the Code of Member Conduct;
- b) Receives statistical data in relation to the number of complaints received and dealt with, in respect of the Code of Member Conduct, twice a year.

3.2 Reason for Recommendations

3.2.1 The recommendations are intended to enable the Committee to receive statistical data in relation to the number of complaints received and dealt with in respect of the Code of Member Conduct and thereby enable it to carry out its Standards responsibilities effectively.

4. Report Background

4.1 As detailed in paragraph 2.1 above, "*The Standards responsibilities of the Committee are to oversee and develop the Council's Code of Conduct and the overall standards of conduct for Council Members, co-opted Members, and Parish and Town Councillors of West Northamptonshire.*" Therefore, statistical data in relation to complaints received and dealt with will be provided to inform this role of the Committee.

4.2 Details of alleged complaints in relation to the Code of Conduct are set out below.

4.2 The adopted arrangements for dealing with allegations of breach of the code of conduct for councillors provides for an initial filtering process by the Monitoring officer and in consultation with one of the Independent Persons to decide whether:-

- There is no breach of the Code and no further action should be taken; or
- There is a potential breach of the Code and informal resolution is appropriate, to include for example mediation, training, apology, advice; or
- There is a potential breach of the Code and the Monitoring Officer should undertake or commission an investigation into the complaint with a view to a report then being considered by the Standards Committee.

4.3 The analysis provides details of the nature of the complaint, the initial filtering decision of the Monitoring Officer any informal resolutions agreed (where applicable), and the status of the complaint. It is highlighted that complaints against councillors of the predecessor councils who did not stand for re-election and therefore not investigated have not been included, this does relate to one of the complaints.

- 4.4 Certain specific detailed information regarding pending complaints has not been provided as this may be prejudicial to the conduct of the ongoing complaints process. Personal details have also not been included to protect both the identity of councillors and the complainant.

Date received	Council	Assessment of the Monitoring Officer	Status
08/06/21 (on the prescribed form)	West Northamptonshire Council Complaint under Part 2 – Paragraph 8 of the Members Code of Conduct - failure to disclose a pecuniary interest and Complaint under Part 1 - Paragraph 3 – acting in a manner that brings the Council into disrepute	The Monitoring Officer consulted the Independent Person and assessed that there had been a potential breach of the Code - Referred for Investigation	Live
06/07/21	Parish Council Complaint under Part 2 – Paragraph 3.2 (b) of the Members Code of Conduct	The complaint is currently on hold whilst the results of another matter are awaited	Live but on hold
06/07/21	Parish Council Complaint regarding withholding information - Outside the Scope of the Code of Conduct	No further action – Outside the scope of the Code of Conduct	Closed
19/07/21	Parish Council Complaint regarding comments made by the subject Member - Outside the Scope of the Code of Conduct	No further action. The Councillor was not acting in the capacity as Councillor	Closed
20/07/21	Parish Council Complaint regarding comments made by the subject Member - Outside the Scope of the Code of Conduct	No further action. Outside the scope of the Code of Conduct	Closed
27/7/21	West Northamptonshire Council Complaint regarding comments made by the Subject Member - Outside the Scope of the Code of Conduct	No further action – Outside the Scope of the Code of Conduct	Closed
02/08/21	West Northamptonshire Council Seven complaints submitted Complaint under Part 2 – Paragraph 8 of the Members Code of Conduct - failure to disclose a pecuniary interest	The Monitoring Officer had discussions. with the subject Members and the issues are resolved.	Closed

- 4.5 In addition to the information provided in the table at paragraph 4.4; two complainants were asked to complete the prescribed form in relation to their complaints and these have not as yet been received.

5. Issues and Choices

- 5.1. Members are asked to note the information provided.

6. Implications (including financial implications)

6.1 Resources and Financial

- 6.1.1 There are no immediate financial implications arising from the proposals.
- 6.1.2 There are no direct manpower implications arising from this report, however, the Committee will be aware that the handling and processing of complaints is resource intensive. A high volume of complaints could have an impact upon resources. It is therefore important that the Committee promotes and maintain high standards of conduct by all councillors to help limit the number of complaints.

6.2 Legal

- 6.2.1 Complaints are received in accordance with the arrangements for dealing with allegations of breaches of the West Northamptonshire Members' Code of Conduct and of codes adopted by Parish Councils within West Northamptonshire. The Council has a legal duty to respond to complaints made against councillors of allegations of a breach of the Code of Conduct.

6.3 Risk

- 6.3.1 There are none specifically.

6.4 Consultation

- 6.4.1 Not applicable.

6.5 Consideration by Overview and Scrutiny

- 6.5. Not applicable

6.6 Climate Impact

- 6.6.1 There are no immediate climate implications arising from this report.

6.7 Community Impact

6.7.1 There are no immediate community implications arising from this report.

7 Background Papers

Complaints received in respect of the arrangements for dealing with allegations of breaches of the West Northamptonshire Members' Code of Conduct and of Codes of Conduct adopted by Parish Councils within West Northamptonshire. These records contain exempt information (Categories 1 (Information relating to any individual) and 2 (Information which is likely to reveal the identity of an individual))