



Standards Committee

Date Monday 4 December 2023

Time 9.30 am

Venue Committee Room 1A , County Hall, Durham

Business

Part A

Items which are open to the Press and Public

1. Apologies for Absence
2. Declarations of Interest, if any
3. Minutes of the Meeting held on 8 September 2023 (Pages 3 - 6)
4. National Picture (Pages 7 - 26)
5. Code of Conduct Update (Pages 27 - 48)
6. Such other business as in the opinion of the Chair of the Meeting is of sufficient urgency to warrant consideration

Helen Bradley

Head of Legal and Democratic Services

County Hall

Durham

24 November 2023

To: The Members of the Standards Committee

Councillor J Nicholson (Chair)
Councillor K Rooney (Vice-Chair)

Councillors J Atkinson, L Mavin, E Peeke, A Savory, G Smith, T Smith,
T Stubbs, F Tinsley and C Varty

Town and Parish Council Co-opted Representatives:

Councillors A Doig and C Foote-Wood

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DURHAM COUNTY COUNCIL

STANDARDS COMMITTEE

At a Meeting of **Standards Committee** held in Committee Room 1A , County Hall, Durham on **Friday 8 September 2023 at 9.30 am**

Present:

Councillor K Rooney (Vice-Chair) In the Chair

Members of the Committee:

Councillors J Atkinson, L Mavin, E Peeke, A Savory, G Smith, F Tinsley and C Varty

Co-opted Members:

Parish Councillor A Doig

Also Present:

Mr C Hugill – Independent Person

1 Apologies for Absence

Apologies for absence were received from Councillors J Nicholson and T Stubbs.

2 Declarations of Interest

There were no declarations of interest.

3 Minutes

The minutes of the meeting held on 8 June 2023 were agreed as a correct record and were signed by the Chair.

4 National Picture

The Committee considered a report of the Head of Legal and Democratic Services and Monitoring Officer which informed Members of the national picture on standards issues affecting local government (for copy see file of minutes).

The Head of Legal and Democratic Services and Monitoring Officer advised Members that since the publication of the papers a section 114 notice had been issued for Birmingham City Council earlier this week. The Head of Legal and Democratic Services and Monitoring Officer would keep the Committee updated on section 114 notices.

Resolved: That the report be noted and Officers monitor the progress of the matters referred to and keep the Committee updated.

5 Code of Conduct Update

The Committee considered a report of the Head of Legal and Democratic Services and Monitoring Officer which provided an update on complaints received by Durham County Council under the Code of Conduct for Members since the last meeting on 8 June 2023 (for copy see file of minutes).

In response to a question from Councillor Tinsley, the Head of Legal and Democratic Services and Monitoring Officer indicated that they had not seen an increase in vexatious complaints although they were currently dealing with a complaint that they were minded to treat as vexatious but they do not arise very often. Her perception was that there had been an increase in complaints from Members against another Member.

Councillor Mavin asked if there had been an increase in the number of complaints. The Head of Legal and Democratic Services and Monitoring Officer responded that her recollection from the Annual report was that there was a slight increase in the number of complaints but there was no significant change in complaints been progressed.

The Head of Legal and Democratic Services and Monitoring Officer indicated that the Code of Conduct Report for the next meeting would include an analysis of complaints for the next meeting.

Councillor Peeke asked if there was a cost breakdown to show the cost of complaints to the Council.

The Head of Legal and Democratic Services and Monitoring Officer indicated that Officers in the legal team working on complaints recorded their team and so we could run a report to indicate time spent by the legal team on complaints. This would not include the time spent by Subject Members, Democratic Services Officers or the Independent Persons. They also kept a record of any external disbursements spent on investigations, which were largely outsourced. The Council bears such costs as there is no power to recover costs from Town and Parish Councils. The Head of Legal and Democratic Services and Monitoring Officer indicated that a indicative cost of

complaints would be included in the Code of Conduct Report for the next meeting.

In response to a question from Councillor Atkinson, the Head of Legal and Democratic Services and Monitoring Officer confirmed that the Committee would always be advised of the outcome of a complaint.

Resolved: That the contents of the report be noted.

6 Local Government Association "Debate Not Hate" Campaign

The Committee considered a report of the Head of Legal and Democratic Services and Monitoring Officer which informed the Committee of any developments in relation to the Local Government Association (LGA)'s Debate Not Hate campaign (for copy see file of minutes).

The Head of Legal and Democratic Services and Monitoring Officer spoke on the third recommendation and asked if this could be amended so that a report would be brought to a future meeting of the Standards Committee as it was an important piece of work and she would like to engage with Officers and a wider Member cohort. It was unlikely that this could be completed in time for the next meeting but if it could be, it would be presented then. If not, it will come to a later meeting.

Councillor Tinsley referred to a zero-tolerance approach to abuse and indicated that a lot of abuse was through social media and the authority's ability to influence this was limited. He stated that he was pleased that this was going to be a substantial piece of work and indicated that the protection of people of office with social media companies needed to be achieved through the LGA.

The Head of Legal and Democratic Services and Monitoring Officer responded that this was linked into the LGA's first recommendation and indicated that the Council could have a conversation with the LGA on how best they feed in and collate the information, in particular on abuse on social media and advised that this would be picked up as an action.

In response to a question from Councillor Atkinson, the Head of Legal and Democratic Services and Monitoring Officer advised that if Member Support were unable to assist a Member, they would always signpost the Member to where they would receive assistance.

Resolved: (i) That the report be noted.

(ii) That the Head of Legal and Democratic Services outlines a proposal to implement the LGA's recommendations to a zero-tolerance approach to abuse in relation to debates.

(iii) That a report be brought to a future Standards Committee meeting to consider and agree to adopt that proposal.

7 Extension of the Term of the Independent Person

The Committee considered a report of the Head of Legal and Democratic Services and Monitoring Officer that provided details of the proposal to extend the term of the current Independent Person (for copy see file of minutes).

Resolved: That the term of Alan Fletcher as Independent Person be extended for a further 2 years with effect from 22 September 2023.

8 Such Other Business

Mr C Hugill, newly appointed Independent Person was in attendance at the meeting and provided Members with details of his background and indicated that he hoped to make a valuable contribution over the next two years. The Committee welcomed Mr Hugill.

**Report of Helen Bradley, Head of Legal and Democratic Services
and Monitoring Officer**

Electoral division(s) affected:

None

Purpose of the Report

- 1 To inform Members of the national picture on standards issues affecting Local Government.

Executive summary

- 2 This report is for information to update the Committee on national developments and cases which relate to the work of the Committee since the last meeting on 8 September 2023.

Recommendation(s)

- 3 The Standards Committee is recommended to:
 - (a) note the report and request that Officers monitor the progress of the matters referred to and keep the Committee updated; and
 - (b) consider the recommendations it wishes to make arising out of the contents of the report.

Background

- 4 As agreed by the Committee on 10 June 2022, as part of the Annual Work Programme, this is a standing agenda item with a quarterly update to the Committee.

Chair of the Committee on Standards in Public Life

- 5 On the 17th October 2023, to mark the end of his term as Chair of the Committee on Standards in Public Life, Lord Evans delivered a speech at the Institute for Government.
- 6 This speech made reference to the Committee on Standards in Public Life's previous report on Local Government Ethical Standards in 2019. It also made reference to the government's response to the report and is attached at Appendix 2 for information. The Committee will be updated as to the appointment of the new Chair to the Committee at a future meeting.

Bristol City Council reviewing complaints procedure following lack of upheld complaints

- 7 A group of Bristol residents issued a letter of complaint to the Values and Ethics Sub-Committee of Bristol City Council regarding its procedure for councillor complaints.
- 8 According to the letter, which was presented to the Values and Ethics Sub-Committee on the 9th October 2023, no complaint against a councillor made within the last six years has been upheld. The residents believed that Bristol City Council's code of conduct complaints process was a "*systemic failure*".
- 9 The letter contained many other accusations, allegations, and concerns, set out in brief below:
 - (a) The residents were concerned about the amount of power vested in the Monitoring Officer within this particular process – the lack of transparency created a "*closed system*".
 - (b) There was no information given regarding how Independent Persons are appointed, or how much information these people are given to facilitate their understanding of particular complaints.
 - (c) A revised complaints procedure was proposed by the Council, but this procedure contained what the letter calls a "*gagging order*" for complainants, preventing them from going to the press with details of their complaints.

- (d) A “*culture of covertness*” had arisen around the complaints procedure, with “*apparent obfuscation*” employed.
 - (e) Complaints data was not published, meaning that the Values and Ethics Subcommittee – in the complainants’ opinions – did not have “*sufficient information to make judgments, question process, and scrutinise decisions.*”
- 10 Complainants felt they were made to feel like “*a problem and a pain*” following their complaint, with “*little or no empathy shown or credibility given to our complaints*”. Resulting from this, they were unsure of “*how the public are meant to have trust in those that govern and run our city*”.
- 11 The Bristol City Council constitution currently provides that:
- (a) A13.03(c) “*The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Audit Committee and the Audit Value and Ethics sub-committee in delivering its responsibilities for standards.*”
 - (b) A13.03(e) “*The Monitoring Officer will conduct investigations or take other action as he sees fit into alleged breaches of the Members’ Code of Conduct.*”
- 12 The Council adopted a complaints procedure in 2012, which provides that the Monitoring Officer will “*receive all complaints*” and decide how each complaint should be resolved (whether through taking no further action, taking other action, or making a referral for investigation).
- 13 The complaints procedure also states that the Monitoring Officer shall “*report back to the Audit Committee quarterly regarding complaints (anonymised) and their resolution/decision*”. These quarterly reports are received by the Ethics and Values Subcommittee. The reports examine each complaint briefly and include, with no other relevant information:
- (a) A one-sentence description of the complaint.
 - (b) The date of the complaint
 - (c) A brief description of the resolution method.
- 14 In response to the letter, the Council’s Values and Ethics Sub-Committee decided to set up a one-meeting working group of Councillors supported by the Monitoring Officer and Legal and Democratic Services to review the procedure and bring a revised procedure to a future meeting of the sub-committee.

Birmingham City Council issues two S. 114 Notices – External Audit details “*strained*” Member-Officer relations

- 15 On the 5th September 2023, Birmingham City Council issued a Section 114 notice following – primarily – the accrual of substantial equal pay liabilities. All other potential options were, according to the report, exhausted in the lead-up to this.
- 16 A Section 114 notice is issued by the Chief Financial Officer of a Council. It is required under the Local Government Finance Act 1988 if *"expenditure of the authority incurred (including expenditure it proposes to incur) in a financial year is likely to exceed the resources (including sums borrowed) available to it to meet that expenditure."*
- 17 A second Section 114 notice, alongside a Section 5 notice, was issued on the 21st of September 2023. According to the Monitoring Officer, this occurred following Birmingham City Council’s failure to *"secure a decision relating to the implementation of a job evaluation programme"*.
- 18 A Section 5 notice, under the Local Government and Housing Act 1989, is a report made by the Monitoring Officer when the Monitoring Officer believes that a Council is about to engage in maladministration or otherwise contravene the law.
- 19 At a meeting on the 12th October, Birmingham City Council (following statutory recommendations from external auditors Grant Thornton LLP) agreed to commission an independent review of how it considers legal advice and whether its Monitoring Officer’s legal advice is appropriately considered.
- 20 This agreement followed an initial report on the 29th September 2023 by the external auditors Grant Thornton LLP. They stated, among other things, that *"there is evidence of a growing mistrust between certain officers and members"*, with relationships between senior officers and key members becoming *"strained"*.
- 21 Senior officers have indicated that they *"have not always felt supported by senior politicians."* Senior politicians have also asked for statutory officers to be subject to investigation *"for providing a record of some meetings to external auditors"* despite the fact that the officers were legally obliged to do so.
- 22 In one particular incident, the Monitoring Officer was placed under investigation in relation to the *"provision of legal advice"* despite the fact that – as far as the auditors are aware - the Members who ordered the investigation had no credible basis to believe that the legal advice that the Monitoring Officer gave was incorrect.

- 23 The report by Grant Thornton LLP stated that it is *“essential that the Council has appropriate governance arrangements in place to ensure that officers are able to fulfil their functions without concern as to their position. The Council has confirmed to us that it has appropriate processes in place to safeguard its staff”*.
- 24 While the report did not make any particular recommendations in relation to officers, Grant Thornton LLP will *“continue to monitor whether officers are treated fairly.”*

Second commissioners’ report issued on Thurrock Council

- 25 Thurrock Council, in December 2022, issued a Section 114 notice. On the 5th October 2023, commissioners currently monitoring the Council stated that there are *“tough choices ahead”* which officers and members must be ready to face. Despite this, the commissioners believe they have *“cause for cautious optimism”*.
- 26 This followed a ‘Best Value Inspection’ by Essex County Council into Thurrock Council (elaborated on in the September report to this Standards Committee) which spoke of a *“dereliction in political and managerial leadership”*.
- 27 A particular area of concern was Thurrock Council’s *“poor organisational culture [...] where challenge, transparency, openness and collaboration were not routinely welcomed”*. This was combined with a culture of poor internal and external communication. In the Inspectors’ report, they note a *“marked improvement”* in internal communications.
- 28 External communications *“remain weak and underdeveloped”*, though Thurrock Council recognises this and is making active attempts to improve it. However, one specific area of concern for the Commissioners is the *“severely damaged”* trust between Thurrock Council and the local residents – more work must be done to rebuild that trust.
- 29 Another issue was Thurrock Council’s *“embryonic”* approach to cultural change, which they suggested could be improved by the creation of a corporate plan involving *“a statement of its values and supporting behaviours supported by employee satisfaction surveys, residential engagement, and individual and organisational performance and accountability”*.
- 30 Overall, while this may be a good start, *“more progress is required to ensure that governance, scrutiny, performance management, and audit functions operate as we would expect”*.

Research on Monitoring Officers published by Local Government Information Unit

- 31 The Local Government Information Unit, a charity that conducts research into the functions of local government across the world, have completed and published research into the role of the monitoring officer, which they call an *“essential position for ensuring high-quality legal governance of councils and for ensuring compliance with codes of conduct”*.
- 32 The research involved interviews with ten with ten monitoring officers across the UK and a number of workshops and roundtable events. The report sets out the challenges faced by monitoring officers in relation to their status/position within their authorities and resource constraints. Of particular relevance to the committee are the findings in relation to the Standards regime:
- (a) A *“combination of reduced resources and limited powers to enforce compliance with codes of conduct”* has led to *“a sense that there is a growing degradation in behaviour and respect for institutional governance in politics more generally”*.
 - (b) If not supported by a *“robust standards and sanctions regime, monitoring officers often find themselves in difficult situations whereby they are exposed to personal intimidation or other forms of unprofessional behaviour [...] Many report stress and absence from work while some have even left the sector altogether as a consequence of poor behaviour that has gone unchecked”*.
 - (c) *“monitoring officers feel that the lack of clout in the available sanctions has fed a culture of disrespect and contempt for the rules and institutional frameworks [...] some councillors see it as a badge of honour to have been through a grievance process [...] it also undermines trust among the public, especially those who have made complaints”*
- 33 The report makes a series of recommendations including one stating that the government should *“review and strengthen the standards regime and powers of sanction so that statutory officers can address bad behaviour.”*
- 34 The research concluded that good governance must be a *“central component of local government, which is defended, respected, and, crucially, given the resources to be carried out effectively”*.

Background papers

- [Upholding standards in public life: keynote speech by Lord Evans - GOV.UK \(www.gov.uk\)](#)
- [Bristol City Council – Values and Ethics Subcommittee – Letter from Residents on Pages 39 and 40. Bristol City Council - Complaints Procedure \[2012\]](#)
- [Bristol City Council - Proposed Revised Complaints Procedure \[2023\]](#)
- [Councillor complaints procedure at Bristol City Council to be reviewed - BBC News](#)
- [Section 114 notice | Birmingham City Council](#)
- [Supplementary section 114 notice | Birmingham City Council](#)
- [External Audit 2020-21 to 2023-24 | Birmingham City Council](#)
- [Office for Local Government: Understanding and supporting local government performance - GOV.UK \(www.gov.uk\)](#)
- [Office for Local Government: next steps and new draft metrics \(publishing.service.gov.uk\)](#)
- [Thurrock Council: Commissioners' second report - GOV.UK \(www.gov.uk\)](#)
- [The-Changing-Role-of-the-Monitoring-Officer.pdf \(lgiu.org\)](#)

Other useful documents

None.

Author(s)

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Appendix 1: Implications

Legal Implications

The Council has a duty under section 27 of the Localism Act 2011 to promote and maintain high standards of conduct by its Members and to adopt a code of conduct that is consistent with the Nolan Principles. Ensuring that the Standards Committee is kept up to date with national Standards issues is expected to facilitate compliance with this duty.

Finance

None.

Consultation

None.

Equality and Diversity / Public Sector Equality Duty

None.

Climate Change

None.

Human Rights

None.

Crime and Disorder

None.

Staffing

None.

Accommodation

None.

Risk

None.

Procurement

None.

**Appendix 2: Upholding standards in public life: keynote speech
by Lord Evans**

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Speech by Lord Evans

Thank you to the Institute for Government for hosting this event at the end of my time as chair of the Committee on Standards in Public Life.

Quite rightly the tenure of a chair of this committee is five years and no renewals in order to avoid any risk that you want to curry favour with the government. But it's been an interesting five years because over that time we have seen 4 Prime Ministers (3 in the last year), 3 Independent Advisers on Ministerial Interests, all of whom have been outstanding. We have seen the Covid pandemic, we have seen Partygate, and we have seen other developments, and more.

When I took the job it was a quieter landscape - so it has been more exciting than I expected!

In my remarks today I do not want to dwell too much on past events, but to consider:

how the standards landscape has changed;

the gaps in the system; and

how I think public standards need to be strengthened in the future.

At the core of any democratic system is the principle that government operates on the basis of consent. This is demonstrated obviously through elections that decide who will govern, but it should also be demonstrated by the way in which those in office use the power they have won. That is where high public standards come in. In essence they are about ensuring that entrusted power is used for the public good, rather than for private or sectional benefit. Public standards underpin trust, which in turn bolsters public consent.

Despite some of what we have seen in recent years, I continue to believe that most public servants - whether MPs, ministers, civil servants, local government officials, or nurses - do try to uphold high standards. That is why when standards go wrong, we should avoid suggesting that they are all the same. That sort of cynicism seems to me to be an enemy of high public ethics. Most

people in public service are keen to do the right thing and they have joined the public service in whatever role because of their wish to contribute.

I have said before that I don't believe there was ever a golden age for standards. Scandals have arisen for decades, even centuries. Views, opinions and values change, the context of society changes, and codes governing conduct therefore require regular attention to meet these new challenges.

The Nolan Principles of honesty, objectivity, openness, selflessness, integrity, accountability and leadership - the Seven Principles of Public Life - haven't changed since they were established 28 years ago. On a personal note, my only reservation about them is that they are hard to remember because they are all rather general. Which is why whenever I'm doing anything in a public context I always have them written down in front of me in case the interviewer suddenly says "tell me the seven principles". I think I could do it, but I'm not taking the risk!

So they haven't changed in 28 years, and although the descriptions of them have been slightly updated, the Principles themselves have stood the test of time. They apply to everybody involved in the delivery of public services whether it's individual public office holders, institutions, or private companies who are involved in the delivery of public service. Personally speaking, when I became a school governor, I was given a copy of the Principles, which I think shows their reach; and at the start of every Parliament, as a member of the House of Lords, I sign an undertaking to abide by a Code of Conduct incorporating the Principles.

They are there to remind me - and other office holders - of the expectations of the public that we serve.

But they are not enough on their own. They need to be understood through Codes of Conduct applicable to specific contexts, and they need to be debated, discussed and made real in specific organisational settings (an issue which we touched on in one of our recent reports to which I shall return).

So those Principles haven't changed, but the polarised and unstable nature of British politics in recent years has placed them under great pressure.

Our political institutions, as well as our standards bodies and structures, have faced great challenge.

The attempt to tear up the independent system for maintaining standards in Parliament in November 2021, in the House of Commons - the Owen Paterson affair - was scandalous and damaging. And we've also seen instances of poor practice in hospitals and the police, and elsewhere, all part of a wider public landscape that undermines public confidence.

The damage done to the trust and confidence that the public have in those in political and public life has been significant. And I was looking only this morning at the recent data from the OECD (and the ONS were involved), which demonstrates that trust in public life, particularly political life, is low by international standards.

As a result, there has been increasing recognition that it's not enough to rely just on 'people behaving well'.

Members of the public simply cannot understand why behaviours that would not be tolerated in other organisations seem to go unchallenged in the political world without any apparent sanction.

The argument put forward by some through this period was that ministers should not be constrained; that they have a democratic mandate (which is true); and that the regulatory checks and balances between elections were standing in the way of getting things done. And for a while it seemed that the public would go along with this, and that maybe standards mattered less at a time of national stress or national emergency such as during the pandemic.

But as we have seen, the failure to adhere to accepted standards of conduct ultimately led to major public and political consequences. Consequences in my judgement were largely avoidable.

At the same time there has been increased tension in the key relationship between Parliament and government.

We saw a period of parliamentary activism of an unprecedented kind during the Brexit crisis in 2019, followed by a period in which government saw its electoral mandate as a justification for the domination of Parliament. And both periods served to polarise attitudes. When attitudes are polarised the consensus upon which standards and norms of conduct rest becomes more fragile. And polarisation encourages extremism, which opens the door to the intimidation of many ordinary MPs who are trying to do their best for their constituents - leading to widespread difficulty in recruiting the best candidates

(especially amongst women and ethnic minorities) and more generally turning politics into something many ordinary citizens do not want to be involved in.

We don't yet know how far this is just history that can be put behind us, or whether it will continue to haunt public debate over the next Parliament. But we should be clear that for all its adversarial elements, the Westminster model relies on an underlying commitment to a system of conventions and rules of conduct that are central to preserving high standards and to maintaining public confidence and form part of the unwritten constitution. For government, accountability (one of the Nolan Principles) mostly means accountability to Parliament, which represents all electors. But it seems to me that governments have been increasingly reluctant to make parliamentary accountability a reality, both in the way Parliament runs and in the way that legislation is drafted. In avoiding accountability to parliament the government is also seeking to avoid accountability to the electorate - the public.

Now in any voyage, ships are repaired at sea. The monitoring of performance and rectification of errors needs to be an ongoing process. When the relationships between government and parliament (and the wider administration) become hostile and conflictual, necessary repairs are delayed - public appointments are not made, recommendations not responded to, and what might be seen as 'lesser' matters are put off. And we have seen many signs of this in the last few years - a feeling, well rehearsed in the media, that nothing works properly.

Looking back at the work of the Committee over the past five years, I think there are areas where the government could make significant improvements quite quickly.

In the past six years (and I say six years because I want to capture one of the reports that was published under the term of my predecessor) the Committee has published reviews on:

Intimidation in Public Life (2017)

MPs' Outside Interests (2018)

Local Government Ethical Standards (2019)

Artificial Intelligence and Public Standards (2020)

The Regulation of Election Finance (2021)
Upholding Standards in Public Life (2021) and
Leading in Practice (2023).

The government has responded positively to some of our recommendations, but not many. There is more that could be done in all these areas.

On MPs' outside interests, the public is clear that being an MP should be your full-time, principal, job - the current rules don't meet that expectation and I expect this issue will continue to impact on public perceptions of standards in the future.

A new Code of Conduct and Guide to the Rules came into force on 1 March this year, as a result of widespread consultation by the Commons Committee on Standards. Our submission proposed a more objective means of setting reasonable limits on paid outside employment. The new Code didn't go that far, but it does ban paid parliamentary advice; and it requires Members to have a written contract for any outside work; and tightens the lobbying rules - and of course we welcome these changes.

On local government standards there is still a major problem. We were very disappointed that the government took three years to respond to our 2019 report and then rejected our recommendations. We hope that our pragmatic reforms that we recommended, for which there is widespread support in the sector, can be looked at with fresh eyes. Whilst we welcome the Local Government Association's model code of conduct, members of the public still have no redress when there are standards failures at a local level.

On election finance, we produced a substantive and detailed report with a series of practical recommendations. The government told us on 10 July this year that it will not respond further to our 2021 report. There are significant risks in the government's failure to close loopholes in election donation laws, not least around foreign interference in our political process. This is where public standards meet national security and clear vulnerabilities have not been addressed by the government.

On lobbying there is more to be done to ensure transparency and we held a seminar recently with a good discussion on both sides of the argument. And I hope that the Committee might decide to return to this issue in due course.

It's an area that needs watching. There needs to be clarity on the standards expected of all public office holders and it needs to be pragmatic but act in the public interest and provide reassurance for the public that a fair and transparent approach to lobbying is actively being applied by those involved in making and influencing government policy. Much lobbying is good and it is a necessary part of democracy but there needs to be transparency and there needs to be fairness.

Back in 2020, the Committee produced a report on Artificial Intelligence, looking at how we ensure that high ethical standards can be upheld as technology assisted decision making is increasingly adopted across the public sector.

I think we may have been a bit ahead of time because nobody took much interest in it when we published it! But it's having a second life. The speed of advance means that Artificial Intelligence is now part of our everyday life and discourse. We welcome the government's intention to hold a high-level safety summit in November, and we're currently following up our report with regulators. The Committee will decide how and whether it wishes to take forward more work in this area.

The government recently responded to our 2021 report, Upholding Public Standards, which was a landscape review that included the Public Appointments system; the Business Appointment Rules; the Ministerial Code; and transparency around lobbying. We welcome the steps that have been taken and the signal that standards matter - but I'm sure the Committee will want to see how quickly the government meets its stated commitments to our recommendations and those of the Public Administration and Constitutional Affairs Committee and Sir Nigel Boardman.

Finally, our Leading in Practice report looking at how we encourage attention to high public standards as part of the normal life of organisations across the public sector. And in some ways I think this is almost the most important part of public standards. When I had my initial hearing on appointment I said that I felt that we need not just to have effective rules and compliance, we also needed to have attention to the culture and the behaviours within our public service organisations, which is important as making sure people do the right things as written rules.

Of all our reports, Leading in Practice seems to have had the most significant reach and impact across a wide range of organisations. We have been struck by the number of invitations we have received to talk about this report within government, outside government and even from overseas.

The clear message in the evidence we heard was, first, the importance of setting the tone from the top - what are the leaders saying and how are they behaving. This is where it starts. Leaders have a responsibility to ensure these rules are underpinned by a shared understanding of the core ethical values at the heart of public service.

Then, are people encouraged to talk about the ethical challenges in their work? What do the 7 Principles actually mean for us, how can we discuss them, how can we ensure they are reflected in our day to day work experience?

There is also the question of recruitment - should we have an element of values-based recruitment? Recruiting not just by technical skills but also by how far the people we are recruiting actually align with the values of the organisation and of public service? This matters in my view in public service.

And sitting across all of this I think, is the whole question of speaking up. There must be accessible routes for people to speak up without fear or the feeling that it's futile to do so. And when people summon up the courage to speak out, leaders need to listen with curiosity and be willing to act. The Lucy Letby case demonstrates with stark clarity why this matters.

Looking to the future, the standards regime needs to respond to this changing environment.

We live in a society where there are fears and lack of understanding about the implications of Artificial Intelligence; where social media's power continues to grow; and where intimidation in public life is a very real problem.

Against that difficult background, the key challenge is not to allow any damage done to lead to a further weakening of trust in institutions and those who work in them.

I recognise that structural solutions cannot solve political problems, but equally they are an important component.

But there are some immediate problems to solve:

First, the government system for ensuring compliance with standards is very weak and needs overhaul. The priority that is given to this across government departments is low and this opens a door to opacity and potentially corruption. If you look at, for instance, the very unsatisfactory way in which transparency reports are published in respect of lobbying, it's pretty clear that that is not a priority. Financial interests and conflicts of interests must be disclosed and the information must be accessible to the public. There is no reason for the government not to act quickly on its commitment to reforming this area in its response to our report, Upholding Standards in Public Life. Some private corporations are miles ahead of the government in this area.

Second, alongside proper transparency and accountability, is the need to develop a culture where people are comfortable discussing the ethical dimension of their work and the standards of conduct expected in their organisation. An organisation where the values are front and centre and underpin how people go about their work, helps delivery of public services because morale is high and people are comfortable speaking up, so risks are spotted before they escalate and people can find better ways of doing things. This was very clear in the evidence process that we undertook for Leading in Practice. Some organisations were very comfortable talking about these issues and these are organisations that would generally be seen as high performing.

I'm constantly struck, when a major scandal breaks, just how many of these issues were known about within the system. Whether it's lockdown parties, or misogyny and racism within the Met or other problems, staff often knew. And sometimes they tried to raise it. Untold distress could have been avoided, the many public inquiries and investigations could have been made unnecessary if the culture of those organisations had been different and the internal systems had identified issues and allowed people to speak up had been in place.

Thirdly, I think it is important that there are consequences if standards are not adhered to. If there is an investigation and then consequences in a timely manner where appropriate, that's a success. That is true for the public and private sector and we need to look not just at outcomes but how they are achieved - the how is often as important as the what.

Finally, perhaps the most serious problem is around the abuse and intimidation of those in public life. We first looked at the impact of this back in 2017 at the request of Theresa May, the then Prime Minister. There has been some progress in some areas - imprints required from November on digital political

campaign materials, passing of the online safety bill, and so on, but intimidation across public life remains a big issue. It is hugely damaging to democracy and is a major factor in putting people off serving in public roles.

It is completely unacceptable that individuals and, in many cases, their families, should be subject to threats and abuse for doing their job. And we've seen examples of that reported in the last week. And I'm not just talking about national politicians, but many others holding public roles - councillors, doctors, teachers.

We have complex problems to solve as a society. We need to be able to debate and disagree with each other. If intimidation and threats cause talented people to feel they have to leave public life (and that is happening), or deter good people from considering playing their part by standing as a councillor or a local MP, or applying for a public appointment, we are all losers.

In conclusion, there is no room for complacency. There are still gaps in the system, and I hope the government and others will look at those and maintain a dialogue on what we can do to drive high standards.

And there is a responsibility on us all to be leaders. And to build a trustworthy public life on behalf of our fellow citizens.

In closing, I would like to say a few words of thanks.

It has been a privilege to lead the Committee. The past five years have been made much easier by knowing I had the support of the Chairs and Officers of the whole range of standards bodies in this complicated landscape (a number of whom I can see today). They have been thoughtful, honest and generous with their advice and support.

And of course, I am indebted to my fellow Committee members. All of the members, past and present, have contributed wisely to the standards debate, giving their time and experience. I have greatly valued the voices of both our independent and political members - the Committee's work really benefits from having this mix of expertise around the table.

I am also greatly indebted to the outstanding Secretariat whose diligence, sound judgement, good humour, and integrity show the essence of what good public service is about.

Finally, my thanks to those who give evidence to us. One of things that I will sometimes miss is the stream of emails coming to my House of Lords account.

Some of which are very insightful and some of which are misdirected! It's the Committee's role to review arrangements for standards in public life against that framework established by Lord Nolan 28 years ago, but we could not do our job without hearing the experience and expertise of others - academics, practitioners, those in public office - elected and appointed - as well as people in the private sector and members of the public, who are willing to give evidence and talk to us. And I am grateful to them all.

I wish the next Chair, my successor, every success in their role, and perhaps a smoother time in the standards world! I know they will have the excellent support of Committee members as well as many in the room today.

Thank you.

Standards Committee

4 December 2023

Code of Conduct Update



**Report of Helen Bradley, Head of Legal and Democratic Services
and Monitoring Officer**

Electoral division(s) affected:

None

Purpose of the Report

- 1 To provide Members of the Standards Committee with an update on complaints received by Durham County Council under the Code of Conduct for Members since the Committee's last meeting on 8 September 2023.

Executive summary

- 2 The report provides an update on the complaints of alleged breaches of the Code of Conduct currently being assessed and those which have been completed. Complaints are considered in accordance with the Council's Procedure for Member Code of Conduct Complaints.

Recommendation

- 3 The Standards Committee is asked to:
 - a) Note the contents of the report.

Background

- 4 The Council has a duty under section 27 of the Localism Act 2011 to promote and maintain high standards of conduct by its members and co-opted members and to adopt a Code of Conduct that is consistent with the Nolan Principles addressing the conduct that is expected of members when they are acting in their official capacity as a councillor and/or representative of the Council.
- 5 The Council must also have in place arrangements to consider allegations about breaches of the Codes of Conduct for Members by the Council's own members and of members of the town and parish councils for which the Council is the principal authority.
- 6 Expected standards of behaviour should also be embedded through effective member induction and ongoing training.
- 7 Members' failure to comply with the Code can be an issue of concern to local communities and result in a perception of poor governance. This could affect the reputation of the Council. The Council therefore maintains an open and transparent process for making complaints against members. Information and guidance on the process for making such complaints is clearly signposted and accessible on the Council's website.
- 8 These arrangements include provision for the Monitoring Officer to provide local solutions to resolve complaints without formal investigations.
- 9 The responsibility for standards activity, including the monitoring of the operation of the Code, falls within the jurisdiction of the Standards Committee. Regular oversight of complaints received enables the Standards Committee to identify particular trends or issues which might need further consideration by the Committee and/or wider training needs.
- 10 Details of complaints activity during the period between 1 September 2023 and 23 November 2023 is set out in Appendix 2. An analysis of those matters is set out below.

Complaints received since 1 September 2023

How many complaints were received?

- 11 There have been 11 formal complaints received between 1 September 2023 and 23 November 2023, of which:

- 2 are subject of a final Decision Notice;
- 7 are ongoing matters;
- 1 has not progressed; and
- 1 has been rejected.

Who were the Complaints from?

- 12 Of the 11 formal complaints received during the last period:
- 7 were from members of the public;
 - 2 were from a member against another member; and
 - 2 were from officers of the Council.

Who were the Complaints about?

- 13 Of the 11 formal complaints received during the last period:
- 7 were about Town or Parish Councillors;
 - 3 were about County Councillors; and
 - 1 related to a Member of another authority.

Which provisions of the Members' Code of Conduct were alleged to have been breached?

- 14 Of the 11 formal complaints received during the last period which had sufficient information, the principal provisions of the Members' Code of Conduct engaged were:
- Respect: 7
 - Behaving in accordance with policy or legal obligations: 1
 - Disrepute: 1

What were the outcomes?

- 15 Of the 2 formal complaints received during the last period which have been subject to final Decision Notices:
- No Further action was taken in relation to one matter and Local Resolution recommending Member Code of Conduct training was taken in relation the other.
- 16 Of the two complaints that have not progressed or have been rejected:

- One complainant failed to provide further information which was requested, and the other complaint related to a Member of a different local authority.

17 In respect of ongoing complaints, it would not be appropriate to comment on matters that are currently being assessed or investigated but Decision Notices will be available for inspection once the decision has been communicated to the relevant Subject Member and Complainant.

Complaints received prior to 8 September 2023

18 During the last period, there has been ongoing activity relating to a further 32 complaints, which were received prior to 8 September 2023 but remained ongoing at that date. Details of these also appear in Appendix 2. An analysis of those matters is set out below.

19 Of the 32 complaints which remained active at the date of the last meeting of the Standards Committee on 8 September 2023:

- 20 are now the subject of final Decision Notices; and
- 7 remain ongoing; and
- 1 has been withdrawn; and
- 4 have been the subject of a Standards Hearing.

Who were the Complaints from?

20 Of the 32 complaints which remained active at the date of the last meeting of the Standards Committee on 8 June 2023:

- 10 were from members of the public;
- 6 were from officers concerning members; and
- 16 were from a member against another member.

Who were the Complaints about?

21 Of the 32 complaints which remained active at the date of the last meeting of the Standards Committee on 8 September 2023:

- 22 were about Town or Parish Councillors; and
- 10 were about County Councillors.

Which provisions of the Members' Code of Conduct were alleged to have been breached?

- 22 The principal provisions of the Members' Code of Conduct engaged were:
- All aspects of the Code engaged: 13
 - Respect: 10
 - Behave in accordance with all legal obligations, alongside any requirements contained within the Council's policies, protocols and procedures, including the use of the Council's resources: 5
 - Disclosing Confidential Information: 1
 - Bullying: 2
- 23 Members will note that the large majority of complaints which remained outstanding as of 8 September 2023 concerned all aspects of the Code of Conduct.

What were the outcomes?

- 24 Of the 21 complaints received prior to 8 September 2023, which have been subject of a final Decision Notice during the last period:
- No further action was taken in relation to 8 matters;
 - Local resolution was deemed appropriate for 1 matter;
 - 11 matters have been referred for an investigation; and
 - 1 matter has not progressed.

Local resolution included mediation between the Member and Officers of the Town Council.

- 25 Of the 4 complaints received prior to 8 September 2023, in which two Members have been subjected to a Standards Hearing:
- Censure of both Members was recommended in relation to 4 complaints;
 - Training was deemed appropriate for both Members in relation to 4 complaints; and
 - A written apology was recommended for Member in relation to 1 complaint.
- 25 Following those recommendations, two letters of censure have been issued in relation to four of the complaints. Training has been arranged

in relation to three out of four of the complaints, training for the fourth remains outstanding. In relation to the complaint for which an apology was recommended, this has not yet been provided. The outstanding training and apology relate to the same Member.

Why have some complaints taken longer to resolve?

- 26 Complaints have taken longer to resolve due to the complexity, for example where there are multiple complaints or complainants, or complaints involving multiple councillors.

Code of Conduct Complaints 2022/ 2023 Comparison

- 27 At the last Standards Committee on 5 September, Members requested a comparison of the Code of Conduct Complaints from the previous year. The Annual Report considered by the Committee on 8 June and presented to Council on 19 July included a comparison of complaints for the periods 2021/22 and 2022/23. A part year comparison is set out below:

Year	1 April 2022 to 31 March 2023	1 April 2022 to 23 November 2022	1 April 2023 to 23 November 2023
Total no. of complaints received	71	44	39
Source of Complaints	Councillors 30 Public 34 Parish/Town Council Employee 6 Anonymous 1	Councillors 19 Public 21 Parish/Town Council Employee 4 Anonymous 0	Councillors 10 Public 22 Parish/Town Council Employee 3 DCC Employee 4 Anonymous 0

Complaints against including withdrawn and rejected	County Councillors 20	County Councillors 13	County Councillors 8
	Parish/ Town Councillors 48	Parish/ Town Councillors 30	Parish/ Town Councillors 21
	Dual-hatted 3	Dual-hatted 1	Dual-hatted 9
			County Councillor of another authority 1
Independent Persons Involved	The Independent Person was consulted in 11 complaints by the Subject Members and consulted once by the Monitoring Officer.	The Independent Person was consulted in 8 complaints by the Subject Members and was not consulted by the Monitoring Officer.	The Independent Person was consulted once by the Subject Members and consulted in 8 complaints by the Monitoring Officer.
Outcomes	No Further Action 30	No Further Action 25	No Further Action 9
	Local Resolution 15	Local Resolution 14	Local Resolution 3
	Investigation 7	Investigation 0	Investigation 5
	Standards Committee Hearing Panel 2	Standards Committee Hearing Panel 2	Standards Committee Hearing Panel 2
	Withdrawn/ Rejected 16	Withdrawn/ Rejected 8	Withdrawn/ Rejected 7
	Ongoing 1	Ongoing 0	Ongoing 13

Cost of Code of Conduct Complaints

28 At its last meeting, the Committee also requested a breakdown of costs of the Code of Conduct complaints. An estimate of the costs to the Council in dealing with Member Code of Conduct matters for the periods 2022/ 2023 is shown below along with a part year comparison

and a comparison of the same period in 2022/23. It is important to note that members of the legal team record time spent on matters, but Officers within Democratic Services and the Independent Persons do not. Therefore, the costs provided do not necessarily reflect the total cost to the complaints. All costs incurred in relation to the conduct of investigations are captured.

Year	1 April 2022 to 31 March 2023	1 April 2022 to 23 November 2022	1 April 2023 to 23 November 2023
Total No. of hours spent on complaints relating to:	County Councillors: 155.03 Parish/ Town Councillors: 404.54	County Councillors: 48.98 Parish/ Town Councillors: 126.60	County Councillors: 90.25 Parish/ Town Councillors: 156.87
Total cost of complaints spent (internal):	County Councillors: £15,557.74 Parish/ Town Councillors: £44,495.35	County Councillors: £4829.98 Parish/ Town Councillors: £17,344.75	County Councillors: £13,918.53 Parish/ Town Councillors: £20,016.15
Total cost of complaints spent (external):	County Councillors: £0.00 Parish/Town Councillors: £8312.40	County Councillors: £0.00 Parish/ Town Councillors: £8312.40	County Councillors: £0.00 Parish/ Town Councillors: £0.00

- 29 Members will note that the highest figure for costs and time spent is in relation to Town/Parish Councils, this reflects that the highest number of complaints are made against Town/Parish Councils.
- 30 Members will further note that the comparison between complaints received this year, and the same period last year shows an increase in the time spent and costs incurred on complaints made against County Councillors.
- 31 The external costs incurred relate to an investigation into two complaints against a Town Councillor, which were referred to a Hearing Panel of the Standards Committee. The costs covered both the investigation and attendance of the investigating officer at the Hearing.

These costs are borne by the County Council and there is no power to recover the costs from the Town Council.

Independent Person(s) Training

- 32 Since the last Standards Committee, the Council's four independent persons were offered the opportunity to attend training on the role by Lawyers in Local Government on 13 November 2023.
- 33 All four Independent Persons expressed an interest in the course but only two were able to attend due to the timing of the course and other commitments. The two Independent Persons who attended expressed that they would recommend the course and it was commented that it was excellent and informative. The slides and feedback from the course will be circulated to all Independent Members.
- 34 During the training, it was suggested that Independent Persons may find an informal network helpful to keep in touch, share best practice and provide mutual support. The Head of Legal and Democratic Services will liaise with fellow Monitoring Officers within the region to see if there is a mutual interest for this.

Code of Conduct Training for Town & Parish Councillors

- 35 On 22 November 2023, the Monitoring Officer delivered Member Code of Conduct Training to Town and Parish Councillors via Teams. The training was offered to all Town and Parish Councillors across County Durham. Approximately 20 Councillors attended the training, which appeared to be well received. The training highlighted the importance of the Principles on Standards in Public Life (the Nolan Principles) and declaration of interests and the impact of having an interest on the ability to participate in council business.

Conclusion

- 36 This report provides a summary of the Code of Conduct Complaints handled over the last 3 months along with a part year review and is intended to provide an overview of complaints handling to assist the Standards Committee to fulfil their role in promoting and maintaining high standards of conduct.

Background papers

- Code of Conduct for Councillors.
- Procedure for Member Code of Conduct Complaints.

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Appendix 1: Implications

Legal Implications

The Council has a duty under s.27 of the Localism Act 2011 to promote and maintain high standards of conduct by its members and to adopt a Code of Conduct that is consistent with the Nolan Principles. It must also have in place arrangements to consider allegations about breaches of the Code of Conduct for Members by the Council's own members and by members of parish/town councils for which the Council is the principal authority.

Finance

There are no financial implications.

Consultation

None.

Equality and Diversity / Public Sector Equality Duty

There are no equality and diversity implications arising out of the report.

Climate Change

There are no climate change implications arising out of the report.

Human Rights

None.

Crime and Disorder

There are no Crime and Disorder implications arising out of the report.

Staffing

There are no staffing implications arising out of this report other than those mentioned in paragraph 26 above.

Accommodation

There are no accommodation implications.

Risk

Risks	Uncontrolled Risk	Controls	Controlled Risk
Poor governance and decision-making outcomes. Reputational damage.	High – legal challenges and/or a complaint of maladministration could be made. The Council could be ordered	Low – Members and key staff are appropriately trained and have a good understanding of the Code requirements.	Adherence with the Code, Constitution, and Procedures. Staff and Member training.

	to pay compensation and/or suffer reputational damage.	This is a continuous requirement.	
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Procurement

There are no procurement implications.

Appendix 2: Code of Conduct Complaints Activity

Appendix 2: Code of Conduct Complaints Activity

8 September 2023 – 23 November 2023

Ref	Date Received	Council	Complainant type	Summary of Allegation(s)	Breach type	Decision Notice	Outcome/Status
COM 393 COM 397	5-April-22 19-April-22	Town	Officer Member	That the Subject Member has, in emails and on social media, been disrespectful towards fellow Councillors and an Officer of the Council.	- Respect - Bullying - Failing to follow procedure / policy (member officer protocol)	6-June-22	Standards Committee Hearing Panel Outcomes: <ul style="list-style-type: none"> • Censure - Completed • Training on Member/ Officer relations – Arrangements in place
FS-Case-479253074	18-Jan-23	Parish	Member	Members have given false statements during a Parish Council Meeting. Members have approved a contract on behalf of a landowner.	- All aspects of the Code of Conduct	25-Oct-23	Dealt with under a collective decision notice 13 complaints in total. Complaints; FS-Case-479253074, FS-Case-479484178, FS-Case-479665269, FS-Case-480006325, FS-Case-480451746, FS-Case-482384231, COM 414, FS-Case-511652546 and FS-Case-527404494 Referred for Investigation. FS-Case-500269838, FS-Case-500989086, FS-Case-501015260 and FS-Case-511798693 No Further Action.
FS-Case-479484178	18-Jan-23	Parish	Member				
FS-Case-480006325	18-Jan-23	Parish	Member				
FS-Case-479665269	18-Jan-23	Parish	Public				
FS-Case-480451746	19-Jan-23	Parish	Public				
FS-Case-482384231	30-Jan-23	Parish	Member				

Ref Page	Date Received	Council	Complainant type	Summary of Allegation(s)	Breach type	Decision Notice	Outcome/Status
COM 414	8-Feb-23	Parish	Member				
FS-Case-500269838	23-Mar-23	Parish	Member				
FS-Case-500989086	27-Mar-23	Parish	Member				
FS-Case-501015260	27-Mar-23	Parish	Member				
FS-Case-527404494	28-Jun-23	Parish	Public				
FS-Case-511652546	29-Apr-23	Parish	Member				
FS-Case-511798693	30-Apr-23	Parish	Member				
COM 415	15-Mar-23	Parish	Officer	Accusations of bullying	<ul style="list-style-type: none"> - Respect - Bullying and Harassment - Value colleagues 		Ongoing.

Ref	Date Received	Council	Complainant type	Summary of Allegation(s)	Breach type	Decision Notice	Outcome/Status
FS-Case-505549532	05-April-23	County	Officer	The complaint raises concern about the subject member's alleged ill treatment of staff and bullying and harassment of Council Officers. The complaint also details concerns about your alleged use of social media and the Press to unfairly criticise officers and make inaccurate and inflammatory statements about the Council, Officers of the Council and the Council's Area Action Partnerships. Additionally, the complaint includes the alleged failure to adhere to the Member-Officer Relations Protocol	<ul style="list-style-type: none"> - Failure to act in accordance with Member-Officer Relations Protocol - Respect - Bullying 		Referred for Investigation.
FS-Case-511445732	28-Apr-23	County	Officer	The complaint relates to comments made by the two Subject Members in an Article published in the Northern Echo. The Subject Members criticised the Council and Council Officers, with the article stating the Subject Members "have launched a scathing attack on non-elected officers at Durham County Council".	<ul style="list-style-type: none"> - Act in accordance with Member Officer Relations Protocol - Respect - Acting in accordance with legal obligations 	12-Oct-23	<p>Linked to FS-Case-505549532.</p> <p>One Member Referred for Investigation and No Further Action in respect of the other Member.</p>
COM 418	24-Apr-23	County	Public	The complaint alleges that the subject member has been using his position as a Councillor to interfere with a member of the public's business. The subject member is being accused of using his position as a Councillor to bully and harass a member of the public and their partner. The Subject Member video called the member of the public to intimidate her into speaking to her husband about an ongoing conflict between him and the subject member.	<ul style="list-style-type: none"> - Respect - Acting in accordance with legal obligations - Bullying and Harassment - Seeking to confer an advantage/disadvantage. 	27-June-23	<p>Standards Committee Hearing Panel</p> <p>Outcomes:</p> <ul style="list-style-type: none"> • Censure - Completed • Written apology – Member yet to issue. • Code of Conduct training into the role and remit of a Parish & Town Councillor – Awaiting Member response.

Ref Page 2	Date Received	Council	Complainant type	Summary of Allegation(s)	Breach type	Decision Notice	Outcome/Status
COM 420	28-Apr-23	Town	Officer	Accusations of bullying	<ul style="list-style-type: none"> - Bullying - Respect - Conferring an advantage or disadvantage 	20-Oct-23	Completed – Local Resolution Mediation - to be arranged.
FS-Case-514139036	09-May-23	County	Member	The Subject Member has made comments of a discriminatory nature on a Facebook group.	<ul style="list-style-type: none"> - Respect - Bringing the Role of Member or Local Authority into disrepute. - Acting in accordance with legal obligations 	25-May-23	Standards Committee Hearing Panel. Outcomes: <ul style="list-style-type: none"> • Censure - Completed • Training on Member/ Officer relations – Arrangements in place
COM 421	10-May-23	Parish	Clerk on behalf of the PC	The Subject Member has disclosed a potential data breach as a non-member of the Parish Council manages his email account for him.	<ul style="list-style-type: none"> - Disclosing Confidential Information - Bullying and harassment - Respect 		Ongoing
COM 422	22-May-23	Parish	Member	The Subject Member is alleged to have been spreading malicious rumours	<ul style="list-style-type: none"> - Respect - Value Colleagues and staff - Bullying and Harassment - Bringing the role of Member into disrepute 		Ongoing
FS-Case-529322214	05-Jul-23	County	Public	The Subject Member has made disrespectful comments aimed towards another Member on social media.	<ul style="list-style-type: none"> - Respect - Value colleagues - Not to bring the role of the member/authority into disrepute 		Ongoing.

Ref	Date Received	Council	Complainant type	Summary of Allegation(s)	Breach type	Decision Notice	Outcome/Status
FS-Case-532722081	19-Jul-23	County	Public	<p>The Subject Members are allegedly failing to engage with the Complainant regarding a public safety issue within a proposal for the Licensing Committee.</p> <p>The complainant alleges that the Subject Members are avoiding meeting with him and are now ignoring his correspondence.</p>	<ul style="list-style-type: none"> - Accountability - Listening to the interests of all parties 	21-Sept-23	Completed – No Further Action
FS-Case-532826751	19-Jul-23	County	Member	The Subject Member has emailed a photo of the complainant to all County Council Members during a Full Council Meeting.	<ul style="list-style-type: none"> - Valuing colleagues and staff - Respect 	25-Sept-23	Completed - No Further Action
FS-Case-533097871	19-Jul-23	Parish	Public	The Subject Member has allegedly shared emails with a former Parish Council after her resignation.	<ul style="list-style-type: none"> - Act in accordance with legal obligations - Not disclose information given to them in confidence 	12-Oct-23	Completed - No Further Action
Fs-Case-533236801	20-Jul-23	Parish	Public	<p>The Subject member has allegedly used her position as a Councillor to have DCC Officer visit the Complainant's address about a noise complaint.</p> <p>Additionally, the Subject Member has allegedly made a post on Facebook accusing the complainant's son of littering, which led to many comments about her son being made.</p>	<ul style="list-style-type: none"> - Fairness and impartiality - objectivity - act in accordance with Council Procedures 	21-Sept-23	Completed – No Further Action
COM 423	01-Aug-23	Parish	Member	This complaint is linked to COM 422 as the Subject Member is alleged to have been spreading malicious rumours.	<ul style="list-style-type: none"> - Respect - Value Colleagues and staff - Bullying and Harassment 		Ongoing

Ref	Date Received	Council	Complainant type	Summary of Allegation(s)	Breach type	Decision Notice	Outcome/Status
Page 44					<ul style="list-style-type: none"> - Bringing the role of Member into disrepute 		
COM 424	02-Aug-2023	County	Public	The Subject Member is accused of announcing confidential information during a Council meeting.	<ul style="list-style-type: none"> - Behave in accordance with all legal obligations. - Not disclose information given to them in confidence 		Completed - Not progressed – complaint of Council as opposed to CoCC.
COM 425	07-Aug-23	Parish	Public	The Subject Members are accused of speaking disrespectfully towards other Members of the Parish Council and the Complainant.	<ul style="list-style-type: none"> - Value Colleagues and staff - Respect - Bullying and Harassment 		Ongoing
FS-Case-539664142	16-Aug-23	County	Officer	The Subject Member is accused of distributing information in an attempt to discredit the Complainant.	<ul style="list-style-type: none"> - Accountable for decisions and cooperate when scrutinised - Behave in accordance with legal obligations - Value Colleagues and staff - Respect - Not disclose information given to them in confidence - Not to bring the role of the member/authority into disrepute 		Ongoing
FS-Case-544614411	05-Sep-23	Town	Public	The Subject Members are alleged to have accepted a gift contrary to the Gifts and Hospitality Policy.	<ul style="list-style-type: none"> - Not allowing pressures to deter them from pursuing the interests of the Council 	7-Nov-23	Local Resolution Training – Training agreed to be arranged once a review of the Gifts and Hospitality Policy is completed.

Ref	Date Received	Council	Complainant type	Summary of Allegation(s)	Breach type	Decision Notice	Outcome/Status
					<ul style="list-style-type: none"> - Exercise independent judgment and not compromise their position - Behave in accordance with all legal obligations, alongside any requirements contained within the Council's policies 		
FS-Case-546254817	11-Sep-23	County	Officer	The Subject Member is alleged to have failed to treat Officers with respect.	<ul style="list-style-type: none"> - Act in accordance with legal obligations - Value Colleagues and staff - Respect - Bullying and Harassment - Not to bring the role of the member/authority into disrepute 		Ongoing
FS-Case-549020329	22-Sep-23	County	Public	The Subject Member is alleged to have made defamatory comments about the Complainant.	<ul style="list-style-type: none"> - Act in accordance with legal obligations - Respect 	5-Oct-23	Completed – No Further Action
FS-Case-551594852	03-Oct-23	Town	Public	The Subject Member is accused of not being independent.			Completed – Not progressed due to a failure to provide further info upon request.

Ref	Date Received	Council	Complainant type	Summary of Allegation(s)	Breach type	Decision Notice	Outcome/Status
Page 46 FS-Case-556862472	24-Oct-23	Parish	Public	The Subject Member is alleged to have spoken to the Complainant disrespectfully at a site meeting.	<ul style="list-style-type: none"> - Deal with representations or enquiries fairly, appropriately and impartially - Listen to the interests of all parties - Respect 		Ongoing
FS-Case-561159527	10-Nov-23	County	Member	The Subject Member is alleged to have brought the reputation of the Council into disrepute by spreading false information.	<ul style="list-style-type: none"> - Value colleagues and staff - Not to bring the role of the member/authority into disrepute - To hold the local authority and fellow Members to account 		Ongoing
FS-Case-562068764	15-Nov-23	County	Public	The complaint concerned a Member of a different authority.	N/A		Completed - Rejected and signposted to another authority.
FS-Case-562390041	15-Nov-23	Parish	Public	The complainant alleges that the Subject Member disclosed personal information about them at a Parish Council meeting.	<ul style="list-style-type: none"> - Not disclose information given to them in confidence. 		Ongoing

Ref	Date Received	Council	Complainant type	Summary of Allegation(s)	Breach type	Decision Notice	Outcome/Status
FS-Case-562494788	16-Nov-23	Parish	Member	The complainant alleges that the Subject Member has breached the respect provision of the Code of Conduct following a post on social media.	<ul style="list-style-type: none"> - Value colleagues and staff - Respect 		Ongoing
FS-Case-562593888	16-Nov-23	Parish	Officer	The complainant alleges that the Subject Members have failed to work constructively with them and have harassed them by acting in an intimidating way.	<ul style="list-style-type: none"> - Value colleagues and staff - Respect 		Ongoing
FS-Case-563802819	21-Nov-23	Town	Public	The Subject Member is accused of making defamatory statements on social media.	<ul style="list-style-type: none"> - Respect 		Ongoing.

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