

Standards Committee

5 September 2019

Code of Conduct Update



Report of Helen Lynch, Head of Legal and Democratic Services and Monitoring Officer

Electoral division(s) affected:

None.

Purpose of the Report

1. To provide the Committee with an update on activity since the last meeting in respect of complaints received by Durham County Council against councillors.

Executive Summary

2. The report provides at Appendix 2 a list of 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 Local Assessment Procedure dated October 2018.

Recommendation

3. Members are asked to note the contents of the report.

Complaints

5. There have been a total of 11 formal complaints in the last period. The complaints of COM 249, COM 251, COM 252, COM 253, COM 254 and COM 255 were temporarily suspended to allow the complainants to consolidate the complaint as additional information was being presented to the Monitoring Officer.
6. Thirteen final decision notices have been issued between the period of 21 May 2019 and 27 August 2019 in respect of complaints ref: COM 222, COM 225, COM 240, COM 243 – 244, COM 246, COM 248, COM 256, COM 257, COM 258, COM260, COM263, COM265 and COM268. The outcome of each complaint is included in Appendix 2.
7. Three further decision notices have been issued in respect of COM 211-213, COM 223 and COM 236 which have been referred for a standards panel to take place on 17 September 2019.
8. There have been several pre-complaint enquiries and two complaints have been rejected at the pre initial assessment stage, specifically COM 262 and COM 266.
9. It would not be appropriate to comment on those complaints that are currently being assessed/investigated but Decision Notices will be available for inspection once the decision has been communicated to the Member subject to the Complaint.

Main implications

Legal Implications

10. 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 Codes of Conduct for Members, by the council's own members and of members of parish/town councils for which the council is the principal authority.

Conclusion

11. The report 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

- Local Assessment Procedure dated October 2018.
- Decision Notices.

Appendix 1

Legal Implications

As outlined in the report.

Finance

None.

Consultation

None.

Equality and Diversity / Public Sector Equality Duty

None.

Human Rights

None.

Crime and Disorder

None.

Staffing

None.

Accommodation

None.

Risk

None.

Procurement

None.