

Standards Committee

10 June 2022

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 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 Local Assessment Procedure dated May 2021.

Recommendation

- 3 The Standards Committee is recommended to note the contents of the report.

Complaints

- 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 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.
- 5 There have been 16 formal complaints received between 28 February 2022 and 31 May 2022. Of those complaints one was rejected on the basis that it was outside of the jurisdiction of the Monitoring Officer for complaints to be considered, namely a Parish Meeting. There have been 11 final decision notices issued in the last period the outcome of each complaint shown at Appendix 2.
- 6 In respect of the ongoing complaints 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.

Training

- 7 As part of the member induction, the Monitoring Officer has offered and delivered training to newly elected members of the Council following by-elections.
- 8 The Governance Lawyer has delivered training to a member following a recommendation of informal resolution in respect of a code of conduct complaint.

Conclusion

- 9 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 May 2021.
- Decision Notices.

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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 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.

Finance

There are no financial implications arising out of the report.

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.

Accommodation

There are no accommodation implications.

Risk

None.

Procurement

There are no procurement implications.