

## **Report to Standards Committee**

**Subject:** Review of Council's Arrangements for Dealing with Code of Conduct Complaints

**Date:** 28 November 2024

**Author:** Monitoring Officer

### **Purpose**

To seek support through a cross- party working group to review the Council's arrangements for dealing with code of conduct complaints.

### **Recommendation**

THAT Committee:

- 1) Agree to establish a cross-party working group to assist the Monitoring Officer in a review of the Council's Arrangements for Dealing with Code of Conduct Complaints.

## **1 Background**

- 1.1 The Localism Act 2011 ("the Act") requires local authorities to have in place arrangements under which allegations of breach of the Code of Conduct can be investigated and arrangements under which decisions on allegations can be made (s.28(6)).
- 1.2 The Council currently has arrangements in place for dealing with code of Conduct complaints which can be found at appendix 1 ("the arrangements"). The Arrangements were last updated in 2022.
- 1.3 In January 2024, Gedling Borough Council adopted a new Code of Conduct which largely aligned with the Local Government Associations (LGA) Model Code of Conduct. Whilst the new Code does not necessarily directly impact on the Council's approach to undertaking investigations, it is felt that a refresh of the arrangements is required to ensure they are up to date with other LGA guidance in relation to investigations and to ensure clarity for complainants, and subject members in the making of and handling of Code of Conduct complaints.

## **2 Proposal**

- 2.1 In order to support the Monitoring Officer in this review of the arrangements, it is proposed that a working group is established from this Committee to give feedback on any proposed changes. The input of a working group has worked well on other reviews such as the Code of Conduct and it gives Committee the opportunity to be involved in the development of the new arrangements. Once the review is completed the new arrangements would be brought back to this Committee for approval.

## **3 Alternative Options**

- 3.1 The arrangements could remain as they are, or, be reviewed without the support of a working group. It is felt that as the last update was 2022 and there have been changes to the Code of Conduct since then, that a review is necessary to ensure the arrangements remain fit for purpose. The support of a Working Group to facilitate this review is recommended as this has worked well on similar reviews.

## **4 Financial Implications**

- 4.1 The costs associated with the review are met from existing budgets.

## **5 Legal Implications**

- 5.1 Code of Conduct complaints must be dealt with in accordance with the Council's Approved Arrangements for Dealing with Complaints, it is a legal requirement to have such arrangements, but they should be reviewed to ensure they remain fit for purpose.

## **6 Equalities Implications**

- 6.1 There are no equalities implications arising from this report, but an EIA will be considered as part of the review process to ensure any changes to the arrangements consider any equality impacts.

## **7 Carbon Reduction/Environmental Sustainability Implications**

- 7.1 There are no carbon reduction/environmental sustainability implications arising from this report.

## **8 Appendices**

- 8.1 Appendix 1 – The Council's Arrangements for Dealing with Code of Conduct Complaints.

**9 Background papers**

9.1 None identified.

**10 Reasons for Recommendation**

10.1 To ensure the complaints process is kept under review and remains fit for purpose.

**Statutory Officer approval**

**Approved by the Chief Financial Officer**

**Date:**

**Drafted by the Monitoring Officer**