

When telephoning, please ask for: Democratic Services
Direct dial 0115 914 8511
Email democraticservices@rushcliffe.gov.uk

Our reference:
Your reference:
Date: Tuesday, 14 April 2026

To all Members of the Standards Committee

Dear Councillor

A Meeting of the Standards Committee will be held on Wednesday, 22 April 2026 at 6.00 pm in the Council Chamber Area B, Rushcliffe Arena, Rugby Road, West Bridgford to consider the following items of business.

This meeting will be accessible and open to the public via the live stream on YouTube and viewed via the link: <https://www.youtube.com/user/RushcliffeBC>
Please be aware that until the meeting starts the live stream video will not be showing on the home page. For this reason, please keep refreshing the home page until you see the video appear.

Yours sincerely



Sara Pregon
Monitoring Officer

AGENDA

1. Apologies for Absence
2. Declarations of Interest
[Link to further information in the Council's Constitution](#)
3. Minutes of the Meeting held on 5 February 2025 (Pages 1 - 4)
4. Cases and Work Update (Pages 5 - 28)
Report of the Monitoring Officer
5. Mandatory Training Completion Rates (Pages 29 - 32)
Report of the Monitoring Officer

Membership

Chair: Councillor H Om

Councillors: A Brown, K Chewings, S Dellar, P Matthews, L Plant, D Simms,

Independent Members: K White and A Wood

Meeting Room Guidance

Fire Alarm Evacuation: In the event of an alarm sounding please evacuate the building using the nearest fire exit, normally through the Council Chamber. You should assemble at the far side of the plaza outside the main entrance to the building.

Toilets: Are located to the rear of the building near the lift and stairs to the first floor.

Mobile Phones: For the benefit of others please ensure that your mobile phone is switched off whilst you are in the meeting.

Microphones: When you are invited to speak, please press the button on your microphone, a red light will appear on the stem. Please ensure that you switch this off after you have spoken.

Recording at Meetings

National legislation permits filming and recording by anyone attending a meeting. This is not within the Council's control.

Rushcliffe Borough Council is committed to being open and transparent in its decision making. As such, the Council will undertake audio recording of meetings which are open to the public, except where it is resolved that the public be excluded, as the information being discussed is confidential or otherwise exempt



**MINUTES
OF THE MEETING OF THE
STANDARDS COMMITTEE
WEDNESDAY, 5 FEBRUARY 2025**

Held at 7.00 pm in the Council Chamber, Rushcliffe Arena,
Rugby Road, West Bridgford
and live streamed on Rushcliffe Borough Council's YouTube channel

PRESENT:

Councillors D Simms (Chair), T Birch, R Bird, A Phillips and A Wood
(Independent Member)

ALSO IN ATTENDANCE:

C Richards (Independent Person)

OFFICERS IN ATTENDANCE:

S Pregon

Monitoring Officer

H Tambini

Democratic Services Manager

APOLOGIES:

Councillors P Matthews and L Plant
Independent Member K White

1 Declarations of Interest

There were no declarations of interest.

2 Minutes of the Meeting held on 6 February 2024

The minutes of the meeting held on Tuesday, 6 February 2024 were agreed as a true record and signed by the Chair.

3 Cases and Work Update

The Monitoring Officer presented the Cases and Work Update report, which was an annual report on complaints received since the last meeting. The Committee was advised that since the last report, 13 complaints had been considered, with Table A of the Appendix detailing the outcome of the one complaint outstanding at the date of the last report, and Table B detailing new complaints, and it was noted that there was no common theme, which would led to recommending any specific training. It was noted that all decisions had been taken in consultation with the Council's two Independent Persons, and the Monitoring Officer thanked them both for their support.

In respect of conduct training for Parish Councils, the Monitoring Officer confirmed that this was delivered in consultation with the Nottinghamshire Association of Local Councils at the last Town and Parish Council Forum in March 2024.

The Monitoring Officer concluded by referring to a Government consultation on

proposals to strengthen the standards and conduct framework for local authorities in England. The consultation was part of the Government's commitment to improve the Standard's regime, with responses invited from all interested parties, and the Monitoring Officer outlined details of the specific proposals and encouraged everyone to respond by the deadline of 26 February 2025.

Councillor Bird referred to the complaint received about the dress code and stated that without knowing any details of the complaint, it was difficult to know if it was valid, and he questioned what this particular complaint was, and why the Standards Committee was not given more details.

The Monitoring Officer advised that full details of complaints were only reported to the Committee when an investigation had taken place and concluded that a breach had been found, and then a sub-committee of this Committee would formally make a determination, which would be reported to the Committee. This was to maintain confidentiality and integrity in the process for all parties concerned. The Monitoring Officer advised that she could not give any further details regarding this complaint; however, after applying the initial test, and consulting the Independent Person, it was deemed that the Code of Conduct did not apply.

The Chair stated that there was a balance between confidentiality and guarding people against malicious complaints and it was for officers to apply the Code to decide if it should be escalated to this Committee.

The Monitoring Officer agreed and reminded members that the remit of the Committee was to maintain and uphold the high standards of the Code of Conduct and by bringing complaints to the Committee, it could make any recommendations for training or any improvements going forward.

Mr Wood stated that the available sanctions were exceedingly small, which made things difficult and unless they were strengthened there was little point in the process.

Mr Richards stated that as an Independent Person, he could confirm that the level of scrutiny of complaints that members were taking about was in place.

Councillor Bird felt that dress code should be clarified, and he would prefer to know if a complaint was made about him, so he could address that. The Monitoring Officer advised that when a complaint was received, the subject member would be informed and asked for their initial views, which would be shared with the Independent Person. The Committee noted that the Council did not have a dress code for Council meetings, apart from not allowing anything with a political slogan to be worn, although everyone was encouraged to dress appropriately.

The Chair felt that appropriate dress was subjective and it would be down to the locality to agree and could be difficult to enforce.

Councillor Phillips asked if it would be possible to have statistics from the last three or four years to identify the number and nature of complaints, as that

would be a useful guide and the Chair echoed those comments as this would be benchmarking, and he suggested that comparable authorities could be asked to share information.

The Monitoring Officer agreed to take that away as an action and circulate any information to the Committee and confirmed that last year there were also 13 complaints, so on a basic level there was consistency. The Committee agreed to receive the information electronically, and if there was anything that required scrutiny, then an additional meeting could be convened.

Councillor Birch agreed with previous comments that there were no powers, which made it difficult to take any action, and agreed that it would be helpful to have more data, although as the numbers were small, it was important to view the statistics carefully. Councillor Birch felt that it would be a positive step if the Government could do something to give councils greater powers to create an environment where people could participate in the democratic process, without fear and referred to previous problems experienced at Bingham Town Council, and he confirmed that he would be responding to the consultation.

The Chair stated that the Committee did work, as action had been taken in relation to that issue in Bingham, including a hearing, so currently checks were in place.

Mr Richards advised that although the Committee had little statutory powers, it did have a significant moral impact, leading many people to change their behaviour, without having to have a formal hearing.

It was RESOLVED that the content of the report be noted.

The meeting closed at 7.28 pm.

CHAIR

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Standards Committee

Wednesday, 22 April 2026

Cases and Work Update

Report of the Monitoring Officer

1. Purpose of report

This report provides the Standards Committee with information in relation to Member Code of Conduct complaints received since the last Standards Committee on 5 February 2025. The report also outlines standards training that has been undertaken during that period and seeks approval to update the Council's written arrangements for dealing with Code of Conduct complaints and to introduce a Panel Hearing procedure.

2. Recommendation

It is RECOMMENDED that the Standards Committee:

- 1) notes the content of the report;
- 2) approves the minor changes to the Council's Arrangement for Dealing with Member Code of Conduct Complaints (Appendix 2); and
- 3) approves the adoption of the Panel Hearing Procedure (Appendix 3)

3. Reasons for Recommendation

- 3.1 To advise members of the committee of the Code of Conduct complaints received by the Monitoring Officer in accordance with good practice and to demonstrate good governance.
- 3.2 To update the Council's written arrangements for dealing with complaints against elected members in line with guidance from the Local Government Association and introduce a written procedure for how the Council will conduct Panel Hearings to aid effective proceedings and transparency.

4. Supporting Information

- 4.1 Details of Code of Conduct complaints are reported periodically to the Committee, with the last report considered by the Committee on 5 February 2025. As at 31st March 2026, twenty (20) Code of Conduct complaints have been received by the Monitoring Officer. A summary of the complaints received is provided at the Appendix 1.
- 4.3. The tables in Appendix 1 confirm the date of the complaint, if it related to a Borough, Parish or Town Councillor, if the complaint was made by a member

of the public, another Borough, Parish or Town Councillor, the nature of the complaint and the action taken to resolve the complaint. Table A details cases that were previously reported to Committee but were not concluded at that time and Table B details complaints received since the last Committee meeting until 31st March 2026.

- 4.4. All complaints received were progressed in consultation with the Council's Independent Persons. The Independent Persons are appointed by Full Council and offer an independent and objective view on Member complaints throughout the process of dealing with the complaint. There are a number of statutory restrictions on eligibility for this role to ensure that the post-holder has no close associations with the Council and is therefore truly independent. They are not a member of the Standards Committee, but they must be consulted by the Monitoring Officer prior to any decisions or findings on alleged breaches of the Code and may be consulted at other stages of the complaints process.
- 4.5. Where complaints were not accepted under the Code, the details have not been included as to do so would be misleading; and could be seen to misrepresent the nature of complaints received.

5. Other work

- 5.1. During the year, the Monitoring Officer has been available to provide support on questions raised by Councillors and Parish and Town Councillors.
- 5.2. The Member Development Group continues to develop the Councillors training programme and the Monitoring Officer is available to support the Group and ensure training is delivered to meet the needs identified by the Group.
- 5.3. Standards committee training was delivered on 18 March 2026. The training was delivered by an external provider, supported by the Monitoring Officer and Deputy Monitoring Officer. Members of this committee must undergo training before being able to sit on the committee. Training has been provided by the Monitoring Officer or Deputy for any councillors who were unable to attend the aforementioned training session.

6. Councillor Code of Conduct

- 6.1 At this time, no revisions are recommended to the Council's Councillor Code of Conduct which remains consistent with the Local Government Association's (LGA) Model Code of Conduct.
- 6.2 In November 2025, the Government committed to implementing a mandatory code of conduct for councillors and introducing a range of new powers to tackle poor behaviour. The changes announced include:
 - Introduction of a mandatory code of conduct;
 - Powers to suspend elected members for up to 6 months for serious code of conduct breaches
 - Powers to suspend allowances and introduce premises and facilities bans

- An interim power to suspend elected members in response to the most serious allegations involving police investigation or where sentence is pending;
- A new disqualification criterion for any elected member subject to the maximum period of suspension more than once within a 5 year period;
- Creation of a new right of review of decision internally and a national appeals function to consider appeals against decisions to suspend or withhold allowances and to consider complaints against how a complaint has been handled.

6.3 These reforms require legislative change which are yet to be introduced. Further reports will be considered by the Standards Committee as any changes to the Code of Conduct are introduced.

7. Arrangements for Dealing with Code of Conduct Complaints and Panel Hearing Procedure

7.1 The Council's has a written 'Councillor Complaints Procedure - Arrangements for dealing with standards allegations under the Localism Act 2011' setting out how the Monitoring Officer will deal with code of conduct complaints against councillors. The procedure is published on the Council's website and was last reviewed by the Standards Committee on 21 February 2022.

7.2 The procedure currently provides that, where a complaint has been referred for formal investigation and the investigation concludes that a breach of the code of conduct has occurred, the Monitoring Officer (in consultation with the Council's Independent Persons), can decide to deal with the complaint by local resolution (where appropriate), refer the matter to a Hearing Panel (which is a sub-committee of the Standards Committee) for determination or, in more serious cases, refer the matter to the Standards Committee for determination. It is proposed that the procedure be amended to remove reference to referral to the whole Standards Committee and for the Panel Hearing Procedure to be adopted to supplement those arrangements. It is not considered necessary for the Councillor Complaints Procedure – Arrangements to refer to Standards Committee as a whole as, whilst this may be appropriate for councils with a larger membership, it is considered disproportionate for a smaller authority such as Rushcliffe.

7.3 Current legislation does not prescribe when a matter has to go to a hearing or how that hearing may be conducted. It is for each local authority to prescribe their own arrangements and guidance has been issued by the LGA. The Council does not currently have an approved procedure for how it will deal with Panel Hearings. It is proposed that a procedure be adopted in the interests of transparency so that councillors, complainants and members of the public can understand how such hearings will be run by the Monitoring Officer. The procedure proposed allows flexibility as to the number of members on the Standards Committee that will sit on a Panel (with a minimum composition of three). This is considered sufficient to allow the Monitoring Officer to determine the appropriate size of the sub-committee relevant to the severity of the complaint and ensure political proportionality.

8. Risks and Uncertainties

None identified.

9. Implications

9.1 Financial Implications

There are no direct financial implications as a result of this report. The Independent Person roles are funded through existing budgets. It should however be noted that complaints have a resource implication in terms of the time for the Monitoring Officer or Deputy to deal with the complaint and costs are incurred where an external investigator is required to undertake a formal investigation and subsequently attend a Panel Hearing. To date, the Council have incurred costs in the region of £10,000 on external legal and consultancy fees in relation to assessments and formal investigations conducted during the period of this report.

9.2 Legal Implications

Section 27 of the Localism Act 2011 (the Act) requires authorities to promote and maintain high standards of conduct by elected councillors and co-opted members. Under s 28(6), the Council must also have in place arrangements under which allegations can be investigated and decisions on allegations can be made. Code of Conduct complaints received by the Monitoring Officer are dealt with in accordance with the Council's approved arrangements for dealing with such complaints in accordance with the Act.

9.3 Equalities Implications

All complaints are considered with reference to the Council's Equality duty.

9.4 Section 17 of the Crime and Disorder Act 1998 Implications

None identified.

9.5 Biodiversity Net Gain Implications

None identified.

10. Link to Corporate Priorities

The Environment	The recommendations in this report do not impact on or contribute to the Council's Environment priority.
Quality of Life	Delivery of an effective Standards regime supports the Council's priority of 'quality of life'
Efficient Services	Delivery of an effective Standards regime supports the Council's Efficient Services priority

Sustainable Growth	The recommendations in this report do not impact on or contribute to the Council's Sustainable Growth priority.
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11. Recommendation

It is RECOMMENDED that the Standards Committee:

- 1) notes the content of the report;
- 2) approves the minor changes to the Council's Arrangement for Dealing with Member Code of Conduct Complaints (Appendix 2); and
- 3) approves the adoption of the Panel Hearing Procedure (Appendix 3)

For more information contact:	Sara Pregon Assistant Director – Law, Governance & HR and Monitoring Officer 0115 914 8480 spregon@rushcliffe.gov.uk
Background papers available for Inspection:	LGA Model Code of Conduct – Local Government Association Model Councillor Code of Conduct 2020 Local Government Association LGA guidance - Guidance on Member Model Code of Conduct Complaints Handling Local Government Association
List of appendices:	Appendix 1 - Summary of Complaints Appendix 2 – Revised Arrangements for Dealing with Code of Conduct Complaints Appendix 3 – Panel Hearing Procedure

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Table A – Summary of cases reported to Standards Committee on 5 February 2025 which were determined post the committee meeting

Case Ref	Date Received	RBC/ Parish Cllr	Complainant	Nature of Complaint	Decision
1954	28/10/2024	Parish Cllr	Member of the Public	Breach of Code – bullying	No further action
1630	09/01/2025	Parish Cllr	Parish Cllr	Breach of Code – bullying	No further action

Table B – Complaints received between 10 January 2025 and 31 March 2026

Case Ref	Date Received	RBC/ Parish Cllr	Complainant	Nature of Complaint	Decision
1635	26/03/2025	Parish Cllr	Member of the Public	Breach of Code – respect, promote equalities and impartiality	No further action – no breach
1659	26/03/2025	Parish Cllr	Member of the Public	Complaint about behaviour	Complaint withdrawn after clarity sought
1672	13/04/2025	RBC Cllr	RBC Cllr	Breach of Code – respect, bringing role into disrepute	No further action – no breach
1675	17/04/2025	RBC Cllr	RBC Cllr	Accuracy of statements and acting with integrity	Code not engaged – not acting in official capacity
1677	22/04/2025	Parish Cllr	Member of the Public	Comments on social media	Complaint withdrawn – agreed code not engaged – not acting in official capacity
1676	24/04/2025	RBC Cllr	Member of the Public	Breach of Code - bullying	Referred for investigation, awaiting final report from Investigator

2646	04/07/2025	RBC Cllr	RBC Cllr	Comments on social media	Referred for investigation, awaiting final report from Investigator
2792	27/09/2025	Parish Cllr	Member of the Public	Breach of Code – respect, bullying and harassment	Code not engaged
2793	27/09/2025	Parish Cllr	Member of the Public	Breach of Code – respect, false information, failure to promote equality and inclusivity	No further action – no breach
2799	6/11/2025	RBC Cllr	Member of the Public	Failure to respond to emails	Code not engaged
2800	6/11/2025	RBC Cllr	Member of the Public	Failure to respond to emails	Code not engaged
2708	23/12/2025	RBC Cllr	RBC Cllr	Breach of Code – Respect, Comments made at Council meeting	No further action - no breach
2709	26/12/2025	RBC Cllr	RBC Cllr	Breach of Code – respect, bullying and harassment, bringing Council into disrepute	Complaint withdrawn
2794	29/12/2025	Parish Cllr	Member of the Public	Breach of Code – honesty, disrepute	No further action – no breach
2795	29/12/2025	Parish Cllr	Member of the Public	Parish Council governance and decision making	Code not engaged
2796	29/12/2025	Parish Cllr	Member of the Public	Breach of Code - respect	No further action – code not engaged in part as not acting in official capacity and no breach
2724	21/01/2026	RBC Cllr	RBC Cllr	Conduct – misleading Council	Matter under consideration

2798	28/01/2026	Parish Cllr	Member of the Public	Breach of Code – respect, bullying and harassment	Code not engaged
2797	5/2/2026	RBC Cllr	Member of the Public	Predetermination and bias	No further action – no breach
2762	16/03/2026	RBC Cllr	Member of the Public	Breach of Code – failure to declare an interest	Matter under consideration

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Councillor Complaints Procedure

Arrangements for dealing with standards allegations under the Localism Act 2011

1 Introduction

It is vital that the public has confidence in the high standards of local government, and that there is transparency about the conduct of councillors and the mechanisms for dealing with alleged breaches of the Codes of Conduct. Equally, it is vital that councillors themselves have confidence in these mechanisms, and that investigations into such complaints abide by the principles of natural justice.

The system of regulation of standards of councillor conduct in England is governed by the Localism Act 2011. Under Section 28(6) and (7) of the Localism Act 2011, the Council must have in place a code of conduct for councillors, which must be consistent with the “Seven Principles of Public Life”, selflessness, honesty, integrity, objectivity, accountability, openness, and leadership.

Under the Code of Conduct, councillors are required to cooperate with any Code of Conduct investigation and respect the impartiality of officers.

The Council must also have in place “arrangements” (Section 28 of the Localism Act 2011, local authorities (other than parish and town councils) must have in place ‘arrangements’ under which allegations that an elected or co-opted councillor of the authority or of a town or parish council within the principal authority’s (Rushcliffe’s) area has failed to comply with the authority’s Code of Conduct can be considered and how decisions will be made on such allegations. The principal authority must also appoint at least one Independent Person whose views are to be taken into account before making a decision on a complaint that is to be referred for investigation. The Independent Persons’ views can also be sought by the authority at any other stage, or by the member against whom an allegation has been made.

2 The Code of Conduct

The Council has adopted a Code of Conduct for members, which is attached as Appendix 1 to these arrangements and available for inspection on the authority’s website or on request from the ~~Monitoring Officer~~~~Service Manager, Chief Executives Dept.~~

Each parish council is also required to adopt a Code of Conduct. If you wish to inspect a Parish Council’s Code of Conduct, you should inspect any website operated by the parish council and request the parish clerk to allow you to inspect the parish council’s Code of Conduct.

3 Making a complaint

The law does not specify how complaints are to be handled but does require complaints to be made in writing [Online Forms - Rushcliffe Borough Council](#). If you wish to make a complaint, please complete the complaint form, and submit in writing or by email to –

The Monitoring Officer
Rushcliffe Borough Council
Rushcliffe Arena, Rugby Road
West Bridgford
Nottingham
NG2 7YG

Or email monitoringofficer@rushcliffe.gov.uk

The Monitoring Officer is a senior officer of the authority who has statutory responsibility for maintaining the register of members' interests and who is responsible for administering the system in respect of complaints of member misconduct.

If you decide not to use the complaint form, you must still provide the Monitoring Officer with all of the information requested within it, otherwise the Monitoring Officer will not be able to consider your complaint. For example you must include the following:

- you/the person making the complaint name, address, and other contact details;
- who you are, for example, a member of the public, fellow councillor, or officer;
- who the complaint is about and the authority or authorities that the councillor belongs to;
- details of the alleged misconduct including, where possible, dates, witness details and other supporting information;
- the resolution / outcome sought (apology).

Please provide your name and a contact address or email address, so that we can acknowledge receipt of your complaint and keep you informed of its progress. If you want to keep your name and address confidential, please indicate this in the space provided on the complaint form together with the reason why you feel your identity should not be disclosed. However, only in exceptional cases will it be possible not to disclose your identity and unless advised you should assume your identity will be disclosed. The authority does not normally investigate anonymous complaints unless there is a clear public interest in doing so.

4 Acknowledging receipt of a complaint

The Monitoring Officer will acknowledge receipt of your complaint within 10 working days of receiving it and will keep you informed of the progress of your complaint. The Monitoring Officer will also normally inform the member who is subject of the complaint and invite their initial response at this stage. A copy of the complaint is normally sent to the member as this can help to decide whether the complaint can be dealt with informally without the need for a formal investigation.

Parish Councils as employers should have processes in place to ensure the fair and proper treatment of staff. Complaints about the conduct of a Parish Councillor towards a clerk should be made by the chair or by the Parish Council as a whole, rather than the clerk in all but exceptional circumstances.

If you require support with putting forward your complaint, please contact the Monitoring Officer.

What will happen to your complaint (Pre-assessment enquiries and reports)?

5. First stage Public Interest Test

The Monitoring Officer will review every complaint received against the initial tests as set out in the Public Interest Test. If the complaint fails one or more of the tests it cannot be investigated as a breach of the Code **and** the complainant will be informed that no further action will be taken in respect of the complaint. **The Monitoring Officer may decide to deal with a complaint in the following ways:**

- no further action will be taken on the allegation, for example, whilst the allegation may have disclosed a potential breach of the Code, no finding of fact has been made as it is not in the public interest to pursue the matter any further or there is not considered to be a breach of the code (subject member not acting in their capacity as Councillor).
- the matter should be dealt with through a process of informal resolution in the first instance or;
- the matter should be referred for a formal investigation.

There is no right of appeal in respect of this decision. Limited information about the complaint will however be reported to the Standards Committee.

If there is any doubt, the allegation may proceed to the second stage. For example, if it is unclear whether the councillor was acting 'in capacity' or not then the second stage of assessment criteria may be used to investigate this.

If the initial test is met, and after consultation with the Independent Person (if considered appropriate) (see paragraph 11 below), the Monitoring Officer will take a decision as to whether it merits formal investigation. The Monitoring Officer may form the view that the complaint is unlikely to reach a firm conclusion as there is no independent, corroborative evidence or that investigation is not in the public interest. This decision will normally be taken within 14 working days of receipt of your complaint. Where the Monitoring Officer has taken a decision, he/she will inform you of his decision and the reasons for that decision.

If the subject member has been notified that a complaint has been made about them, the subject member will be given an opportunity to submit their comments (no more than 10 working days from the date of the notification to him/her).

Where the Monitoring Officer requires additional information in order to come to a decision, he/she may request such information as considered necessary from the complainant, subject member, clerk, or other relevant person/body. Where your complaint relates to a Parish Councillor, the Monitoring Officer will normally also inform the Parish Council or your complaint.

Wherever possible, the Monitoring Officer will seek to resolve the complaint informally, without the need for a formal investigation. Such informal resolution may involve the member accepting that his/her conduct was unacceptable and offering an apology, or other remedial action by the authority. Where the member or the authority make a

reasonable offer of local resolution, but you are not willing to accept that offer, the Monitoring Officer will take account of this in deciding whether the complaint merits formal investigation or if it should be reported to the Standards Committee. In dealing with a matter by alternative resolution at the initial assessment stage, the Monitoring Officer makes no finding of fact as there has been no formal investigation or decision on whether the code has been breached.

In certain cases, the Monitoring Officer may decide that no further action is required. For example, if the subject member has made a reasonable apology or has attended the training.

If the Monitoring Officer is satisfied that the complaint will if proven constitute a breach of the code, but that formal investigation is not in the public interest, s/he may decide against a formal investigation. The Monitoring Officer may report the complaint to the Standards committee for information. The subject member may be named if the Monitoring Office is satisfied that the complaint if proven would potentially be a breach of the code. Where the Monitoring Officer is satisfied that the complaint would not be proven, the Subject Member will not be identified by name.

If your complaint identifies criminal conduct or breach of other regulation by any person, the Monitoring Officer has the power to call in the Police and other regulatory agencies, the complaint will usually be paused pending action by the other body.

6. Second-stage criteria: Formal investigation

If the Monitoring Officer decides that a complaint merits formal investigation, or that it is in the public interest, he/she will appoint an Investigating Officer, who may be another senior officer of the authority, an officer of another authority or an external investigator. The Investigating Officer will decide whether he/she needs to meet or speak to you to understand the nature of your complaint (this may not always be considered necessary) and so that you can explain your understanding of events and suggest what documents the Investigating Officer needs to see, and who the Investigating Officer needs to interview. The complaint may also be referred if the Monitoring Officer considers that s/he has a conflict of interest in dealing with the complaint.

The Monitoring Officer will inform:

- the subject member;
- the complainant;
- the relevant Independent Person and
- the relevant town or parish council if the subject member is a town or parish councillor

of the referral of the complaint for formal investigation.

The Investigating Officer would normally write to the member against whom you have complained and provide him/her with a copy of your complaint and ask the member to provide his/her explanation of events, and to identify what documents s/he needs to see and who s/he needs to interview. In exceptional cases, where it is appropriate to keep your identity confidential or disclosure of details of the complaint to the member might prejudice the investigation, the Monitoring Officer can delete your name and address from the papers given to the member, or delay notifying the member until the investigation has progressed sufficiently.

Disclosure of information

Information received during the course of an investigation must be treated as confidential by those receiving it.

Timescales for an investigation

There are many factors that can affect the time it takes to complete an investigation. Most investigations are carried out, and a report on the investigation completed, within a maximum of six months of the original complaint being referred for an investigation. This will not always be possible and where it is not the parties will be notified.

Refusal by the subject member or other relevant party to cooperate, for example by not making themselves available for an interview without good reason are unlikely to be a justified reason for delay and will be reflected in the report. If the subject member refuses to cooperate that of itself is a potential breach of the **Model** Code and may be something that maybe taken into account.

Draft reports

At the end of his/her investigation, the Investigating Officer will produce a draft report and will send copies of that draft report, in confidence, to you and to the member concerned, to give you both an opportunity to identify any matter in that draft report which you disagree with or which you consider requires more consideration.

Having received and if considered appropriate, taken account of any comments which you may make on the draft report, the Investigating Officer will form a view and send his/her final report to the Monitoring Officer.

The report should explain of all the essential elements of the complaint. The report should cover:

- agreed facts;
- any disputed facts together with the investigators view, if appropriate, as to which version is more likely;
- whether those facts amount to a breach of the code or not; and
- the investigators reasons for reaching his/her conclusion.

7. Completion of an investigation

On completion of an investigation, the **M**onitoring **O**fficer may decide, having consulted the **I**ndependent **P**erson:

- to take no further action;
- to seek to resolve the matter informally; or
- to refer the matter to a hearing if it is part of the authority's procedures to refer the matter to a separate hearing by a panel or standards committee

The Monitoring Officer will send the final report to:

- the subject member;
- the complainant;

- the relevant Independent Person;
- the relevant parish or town council of which the subject member is a councillor.

The report must make one of the following findings on the balance of probabilities:

- that there have been one or more failures to comply with the Code of Conduct;
- that there has not been a failure to comply with the Code.

8. What happens if the Investigating Officer concludes that there is no evidence of a failure to comply with the Code of Conduct?

The Monitoring Officer will review the Investigating Officer's report and, if s/he is satisfied that the Investigating Officer's report is sufficient, the Monitoring Officer will write to you and to the member concerned, and if appropriate to the Parish Council where the complaint relates to a Parish Councillor, notifying you that s/he is satisfied that no further action is required, and give you both a copy of the Investigating Officer's final report. If the Monitoring Officer is not satisfied that the investigation has been conducted properly, he may ask the Investigating Officer to reconsider his/her report. The Monitoring Officer will consult the Independent Person before making any decision following the investigation.

9. What happens if the Investigating Officer concludes that there is evidence of a failure to comply with the Code of Conduct?

The Monitoring Officer will review the Investigating Officer's report and will then either send the matter for local hearing before the Hearings Panel (a sub-committee of the Standards Committee) or, after consulting the Independent Person, seek local resolution.

a. Local Resolution

The Monitoring Officer may consider that the matter can reasonably be resolved without the need for a hearing to formally determine whether a breach had in fact been committed. In such a case, he/she will consult with the Independent Person and with you as complainant and seek to agree what you consider to be a fair resolution which also helps to ensure higher standards of conduct for the future. Such resolution may include the member accepting that his/her conduct was unacceptable and offering an apology, and/or other remedial action by the authority. If the member complies with the suggested resolution, the Monitoring Officer will report the matter to the Standards Committee, and the Parish Council where applicable, for information, but will take no further action. However, if you tell the Monitoring Officer that any suggested resolution would not be adequate, the Monitoring Officer may either refer the matter for a local hearing or report the matter to the Standards Committee for information where it is considered that a local hearing is not in the Public Interest. This may include identification of the Subject member.

b. The hearings process

If the Monitoring Officer considers that local resolution is not appropriate, or you are not satisfied by the proposed resolution, or the member concerned is not prepared to undertake any proposed remedial action, such as giving an apology, then the Monitoring Officer may report the Investigating Officer's report to the Hearings Panel which may conduct a local hearing before deciding whether the member has failed to

comply with the Code of Conduct and, if so, whether to take any action in respect of the member. If the Monitoring Officer is satisfied that the investigation has allowed all sides to have their say the panel may simply review the report without further reference to the parties.

The Monitoring Officer will conduct a “pre-hearing process”, requiring the member to give his/her response to the Investigating Officer’s report, in order to identify what is likely to be agreed and what is likely to be in contention at the hearing. The Chairman of the Hearings Panel may explain and give guidance as to the manner in which the hearing will be conducted based on discussions at a panel re-hearing. At the hearing, the Investigating Officer will present his/her report and may call such witnesses as he/she considers necessary and make representations to substantiate his/her conclusion that the member has failed to comply with the Code of Conduct. For this purpose, the Investigating Officer may ask you as the complainant to attend and give evidence to the Hearings Panel. The member will then have an opportunity to give his/her evidence and may request to call witnesses and to make representations to the Hearings Panel as to why he/she considers that he/she did not fail to comply with the Code of Conduct. Witness evidence will only be permitted in exceptional circumstances as the evidence of all material witnesses will be referred to on the investigation report. The hearing will normally take place within three months of the circulation of the completed investigation report.

The hearings panel shall be made up of members of the Council’s Standards Committee and its chair shall be the chair of the Standards Committee.

If the Hearings Panel, with the benefit of any advice from the Independent Person, concludes that the member did not fail to comply with the Code of Conduct, it will dismiss the complaint. If the Hearings Panel concludes that the member did fail to comply with the Code of Conduct, the Chairman will inform the member of this finding and the Hearings Panel will then consider what action, if any, it should take as a result of the member’s failure to comply with the Code of Conduct. In doing this, the Hearings Panel will give the member an opportunity to make representations to the Panel and will consult the Independent Person, but will then decide what action, if any, to take in respect of the matter.

Referral to Standards Committee

~~In certain more serious or sensitive cases, the Monitoring officer may refer the case to the full Standards Committee rather than the Hearings Panel. The criteria for determining whether to refer the case to the full Committee are set out in Appendix 2 and such a decision shall be at the sole discretion of the Monitoring Officer based on these criteria.~~

10. What actions can the Hearings Panel/the Standards Committee take where a member has failed to comply with the Code of Conduct?

The Council has delegated to the Standards Committee and the Hearings Panel such of its powers to take action in respect of individual members as may be necessary to promote and maintain high standards of conduct. Accordingly the Committee/Panel may –

- a. Publish its findings in respect of the member’s conduct;

- b. Report its findings to Council (or to the relevant Parish Council) for information;
- c. Recommend to the member's Group Leader (or in the case of un-grouped members, recommend to Council or to Committees) that he/she be removed from any or all Committees or Sub-Committees of the Council;
- d. Recommend to the Leader of the Council that the member be removed from the Cabinet, or removed from particular Portfolio responsibilities;
- e. Instruct the Monitoring Officer to (or recommend that the Parish Council) arrange training for the member;
- f. Recommend to full Council (or recommend to the Parish Council) that the member be removed) from all outside appointments to which he/she has been appointed or nominated by the authority (or by the Parish Council);
- g. Withdraw (or recommend to the Parish Council that it withdraws) facilities provided to the member by the Council, such as a computer, website and/or email and Internet access; or
- h. Exclude (or recommend that the Parish Council exclude) the member from the Council's offices or other premises, with the exception of meeting rooms as necessary for attending Council, Committee and Sub-Committee meetings.
- i. issue (or recommend to the parish council to issue) a formal censure

There is no power to suspend or disqualify the member or to withdraw a member's basic or special responsibility allowance.

Where the recommended action in respect of items 8.3, 8.7 or 8.8 above relates to a Group Leader the final decision shall be referred to full Council.

11. What happens at the end of the hearing?

At the end of the hearing, the Chair~~man~~ will state the decision of the Hearings Panel as to whether the member failed to comply with the Code of Conduct and as to any actions which the Committee or Panel resolves to take.

As soon as reasonably practicable thereafter, the Monitoring Officer shall prepare a formal decision notice in consultation with the Chair~~man of the Committee or~~ Panel, and send a copy to you, to the member (and to the Parish Council where applicable) and make that decision notice available for public inspection on the Council's website.

Note that where the subject member is a parish or town councillor, the matter is referred back to their council to say that a breach of the Code has been found and with a recommended sanction. The town or parish council must then meet to consider whether to impose that sanction or to replace it with another relevant sanction. They cannot overturn the finding that there has been a breach of the Code and if they wish to impose a different sanction, they should seek advice from the clerk and/or the ~~M~~onitoring ~~O~~fficer. The ~~P~~anel should also ask the parish or town council to report back

to the Monitoring Officer within three months to confirm that they have met to discuss the sanction, and if necessary, to write again once the sanction has been fulfilled.

12. What is the Hearings Panel?

The Hearings Panel is a Sub-Committee of the Council's Standards Committee. The Council has decided that it will comprise at least three members of the ~~Committee~~~~Borough Council~~. The Panel will contain members from more than one political group depending on the political balance of the Council as a whole.

The Independent Person is invited to attend all meetings of the Standards Committee or Hearings Panel when a decision is being taken on whether the member's conduct constitutes a failure to comply with the Code of conduct or on any action to be taken following a finding of failure to comply with the Code of Conduct. His/her views will be sought and taken into consideration before any decision is taken on these matters.

The Standards Committee may also contain non-councillor or parish council members who may attend and participate in discussions at meetings of either the full Committee or the Hearings Panel, but they are not entitled to vote on any matter under discussion.

13. Who is the Independent Person?

The Independent Person is a person who has applied for the post following advertisement of a vacancy for the post and is appointed by a positive vote from a majority of all the members of Council. There are a number of statutory restrictions on eligibility for this role to ensure that the post-holder has no close associations with the Council and is therefore truly independent. They are not a member of the Standards Committee, but they must be consulted by the Monitoring Officer prior to any decisions or findings on alleged breaches of the Code and may be consulted at other stages of the complaints process.

The Independent Person may also be consulted by a member who is the subject of a complaint under this procedure. Any such consultation shall be arranged through the Monitoring Officer and the subject member will be advised by the Monitoring Officer as to the procedure for doing so at the relevant time.

14. Revision of these arrangements

The Council may by resolution agree to amend these arrangements and has delegated to the Chair~~man~~ of the Standards Committee and any Hearings Panel the right to depart from these arrangements where he/she considers that it is expedient to do so in order to secure the effective and fair consideration of any matter.

15. Appeals

There is no right of appeal for you as complainant or for the member against a decision of the Monitoring Officer or of the Standards Committee or Hearings Panel.

If you feel that the authority has failed to deal with your complaint properly, you may make a complaint to the Local Government Ombudsman.

Appendix One Rushcliffe Borough Council's Code of Conduct

~~Appendix Two Criteria for referral of cases to the full Standards Committee~~

Rushcliffe Borough Council: Councillor Code of Conduct Complaint Hearing Panel Procedure

This protocol has been developed to set out the procedure that will be followed where a Council Code of Conduct complaint is referred to a Hearing Panel, a Sub-Committee of the Council's Standard Committee, for determination.

Pre-Hearing

Once a date has been set for a hearing, a private pre-hearing may be convened. The purpose of a pre-hearing is to allow matters at the hearing to be dealt with more fairly and economically by alerting parties to possible areas of difficulty and, if possible, allows them to be resolved before the hearing itself.

At the pre-hearing the Panel should:

- Decide on a Chair to be appointed at the Hearing if the Chair of the Committee is not a member of the Panel.
- Decide whether any of the findings of fact in the investigation report are in dispute and, if so, how relevant they are likely to be at the hearing.
- Consider any additional evidence it considers is required at the hearing.
- Decide if witnesses which the Subject Member or Investigator may want to call are relevant bearing in mind the nature of the issue and the need for proportionality.
- Consider whether there are any parts of the hearing that are likely to be held in private or whether any parts of the investigation report or other documents should be withheld from the public prior to the hearing, on the grounds that they contain 'exempt' material. The presumption should be to hold a public hearing unless there is specific exempt or confidential information as defined by Part VA of the Local Government Act 1972 so identifying that at the pre-hearing will have some bearing on publication of any relevant papers.
- Identify any potential conflicts of interest. The Monitoring Officer will advise if any conflicts mean that a councillor should stand down from the Panel.

The Panel will not discuss or debate the merits of the case.

Panel Hearing

1. The Chair will be appointed and then open the meeting, introduce all parties present, and briefly outline the process for the meeting.
2. The Investigator will be invited to present a summary of their report, call any witnesses (if applicable) and present their conclusions. The Subject Member or their representative, if present, can then ask questions of the Investigator and

any witnesses, if called to give evidence to the Panel. The Panel may also wish to ask questions.

3. The Subject Member or their representative, if present, will then present their case, including calling any witnesses (if applicable). The Investigator may wish to ask questions. The Panel may also wish to ask questions.
4. The Chair will invite comments of the Independent Person.
5. At the end of this process the Panel will ask the parties to leave whilst it considers the facts and decides whether there has been a breach of the code on the balance of probabilities. The Monitoring Officer or representative will retire with the Panel to advise on matters of procedure and law. Any advice will be conveyed back publicly to the meeting.
6. The parties will then be asked to return and the Chair will announce the decision of the Panel. If the Panel find that breach has been found, the Subject Member or their representative, if present, will be asked to make representations on what sanctions should be imposed. The Panel may seek the advice of the Monitoring Officer or their representative on sanctions available to them. If a breach is not found, the process will continue from paragraph 9.
7. The parties will be asked to leave room whilst the Panel sits in private to decide appropriate sanctions. The Monitoring Officer or their representative will retire with the Panel to advise on matters of procedure and law. Any advice will be conveyed back publicly to the meeting.
8. The parties will then be asked to return and Chair will advise the parties of the Panel's decision on appropriate sanctions.
9. The Chair will close the meeting.
10. The decision(s) of the Panel will be confirmed in writing following conclusion of the Hearing. This should be done as soon as reasonably practical and should be done within one week of the Hearing.
11. There is no right of appeal against the decision of the Panel.
12. The Chair shall have discretion to depart from this procedure for the smooth running of the Hearing but at all times must follow the rules of natural justice and proportionality. The Monitoring Officer or their representative will advise as necessary.
13. Although there are no formal time limits imposed on presentations to the Panel, the Chair will have the right to curtail excessive presentations. The Panel will concentrate on those areas of the investigation that are in dispute and all parties

are asked to be as succinct as possible and ensure all information presented is relevant.

Roles at a Panel Hearing

Panel

Members of the Standards Committee appointed to determine a complaint at a Panel Hearing. The Panel shall consist of at least three members of the Standards Committee and its composition shall be determined by the Monitoring Officer. Independent representatives or parish representatives sitting on Standards Committee do not have voting rights by law and may not sit on a Panel Hearing.

The Panel should work at all times in a demonstrably fair, independent and politically impartial way to ensure that members of the public, and councillors, have confidence in its procedures and findings. Decisions should be seen as open, unprejudiced and unbiased. All concerned should treat the hearing process with respect and with regard to the potential seriousness of the outcome, for the subject member, the local authority and the public. For the subject member, an adverse decision by the committee can result in significant reputational damage.

Subject Member

The elected councillor subject to the complaint.

Subject Member Representative

The Subject Member may, at their discretion, choose to be represented by counsel, a solicitor, or by any other person they wish. This should be notified to the Panel prior to the Hearing and if the Panel has any concern about the person chosen to represent the Subject Member, they should have made that clear beforehand. The Panel has the right to withdraw its permission to allow a representative if that representative disrupts the Hearing. However, an appropriate warning will usually be enough to prevent more disruptions and should normally be given before permission is withdrawn.

Monitoring Officer

The Panel will be supported by the Monitoring Officer or other legal advisor as their nominee/representative.

The Monitoring Officer or their representative's role in advising the Panel is to:

- make sure that members of the Panel understand procedures and their powers
- make sure that the procedure is fair and will allow the complaint to be dealt with as efficiently and effectively as possible
- make sure that the Subject Member understands the procedures the Panel will follow

- provide advice to the Panel during the hearing and their deliberations.
- help the Panel produce a written decision and a summary of that decision.

Independent Person

The Council's appointed Independent Person is a consultative role and supports the Panel by providing their view to the Panel. These views should be given in the open session so that all sides can have a chance to challenge them as necessary.



Standards Committee

Wednesday, 22 April 2026

Mandatory Training Completion Rates

Report of the Monitoring Officer

1. Purpose of report

- 1.1. The Councillors' Learning and Development Policy was first written in 2014 and last reviewed (and adopted) by the Council in September 2025. The Policy aims to help develop Councillors so that they have the necessary knowledge, skills and attributes to significantly improve the Council's decision making, the quality of its services and the work Councillors do to benefit their communities.
- 1.2. As part of the Policy, all Councillors are expected to undertake mandatory training within 12 months of becoming a Councillor. This report provides information on Councillor completion rates for that training.
- 1.3. The revised Policy includes a requirement that Standards Committee receive annual reports on the progress of Councillor training, including training participation rates, particularly in relation to mandatory training. On 18 September 2025, Council resolved that:

"If necessary, the Chair of Standards Committee will write to individuals with mandatory training remaining undone more than 12 months after becoming a Councillor. Should this situation persist, then the Chair of Standards Committee, in conjunction with the Monitoring Officer, reserves the right to identify individual Councillors not meeting the required standard."

2. Recommendation

It is RECOMMENDED that the Standards Committee considers the contents of the report and any action/recommendations.

3. Reasons for Recommendation

To ensure that Councillors are adequately trained and supported to deliver effective decision making within the Borough. A key component of maintaining excellent standards of governance.

4. Supporting Information

- 4.1. In July 2025, completion rates stood at 40% for e-learning modules. Since then, there has been a significant uptake of e-learning, with overall completion rates now standing at 85% which is above the 80% target, with 73% of

Councillors having completed all six courses. Completion rates for the six mandatory courses are as follows:

- Your Role as a Councillor 91%
- Equality Act 2010 86%
- Equality, Diversity, Inclusion and Belonging 89%
- Section 17 81%
- Safeguarding Adults 77%
- Safeguarding Children 86%

4.2. In respect of face-to-face training, since July 2025, eight sessions have been run, five of which are mandatory. The Budget Briefing is mandatory for all Councillors, whilst the other four sessions are only mandatory for members of specific committees/groups, with percentage attendance detailed below:

- Budget Briefing Session 75%
- Standards Committee training 100% of Committee members
- Licensing Committee training 87% of Committee members (mandatory for Licensing Panel members)
- Risk Management training 88% of Governance Scrutiny Group members
- Capitals and Investment (Treasury Management) training 100% of Governance Scrutiny Group members.

4.3 Other mandatory face-to-face training sessions listed below, which have previously been run will be run again as and when required:

- Planning for Ward Councillors
- Understanding Scrutiny/Scrutiny Skills
- Understanding Local Government Finance
- Understanding your responsibilities GDPR and Cyber Crime
- Understanding and making the most of Motions
- Understanding the role of the officer and getting the best out of relationships with officers
- Domestic Violence Awareness.

5. Risks and Uncertainties

There is a risk that if Councillors are insufficiently trained to carry out their roles, then decisions that they make may be ultra vires or they may advise residents incorrectly which could lead to reputational or financial damage. The Policy also balances resources for the Council and flexibility for Councillors so some training can be undertaken at home and some is offered in person.

6. Implications

6.1. Financial Implications

There are no financial implications arising directly from the recommendations in this report, however improved training uptake reduces the risk of financial impact arising from poorly informed decisions.

6.2. Legal Implications

6.2.1. Mandatory training programme is designed to mitigate key risks around statutory duties, security challenges, and compliance recommendations. The training ensures that councillors are compliant with legal requirements and are prepared to handle various responsibilities associated with their roles.

6.2.2. Failure to complete the mandatory training could lead to significant consequences, including reputational and operational damage for the Council, financial penalties, potential personal liability and legal challenge. It is crucial for councillors complete the training to avoid these risks and to ensure they are adequately prepared to fulfil their roles.

6.3. Equalities Implications

Training for Councillors is offered in different formats (face-to-face, online and via e-learning modules) where possible to increase accessibility. Where appropriate, training sessions have also started to be recorded and these are made available to Councillors who were unable to attend the initial session.

6.4. Section 17 of the Crime and Disorder Act 1998 Implications

There are no Section 17 implications to this report.

6.5 Biodiversity Net Gain Implications

There are no Biodiversity Net Gain implications to this report.

6.6 Local Government Reorganisation Implications

Although there are no direct Local Government Reorganisation implications in terms of training participation, it is expected that new training opportunities relating to LGR will be introduced over the next 18 months. Participation will be important to those Councillors wishing to continue to serve their community within the new unitary authority.

7. Link to Corporate Priorities

The Environment	No direct links
Quality of Life	No direct links
Efficient Services	No direct links
Sustainable Growth	No direct links

8. Recommendation

It is RECOMMENDED that the Standards Committee considers the contents of the report and any action/recommendations.

For more information contact:	Sara Pregon Monitoring Officer Tel: 0115 9148480 SPregon@rushcliffe.gov.uk
Background papers available for Inspection:	None
List of appendices:	None