



Standards Committee

Wednesday, 5 February 2025

Cases and Work Update

Report of the Monitoring Officer

1. Purpose of report

This report provides the Standards Committee with information relation to Member Code of Conduct complaints received since the last Standards Committee on 6 February 2024. It also outlines standards training that has been undertaken during that period.

2. Recommendation

It is RECOMMENDED that the Standards Committee notes the contents of the report.

3. Reasons for Recommendation

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.

4. Supporting Information

- 4.1 Details of Code of Conduct complaints are reported periodically to the Committee, with the last report in February 2024. Since the date of the last meeting, 13 Code of Conduct complaints have been received by the Monitoring Officer. A summary of complaints is provided at the Appendix A.
- 4.2. The table in the Appendix A confirms 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 address the complaint.
- 4.3. The tables also confirm which cases have been discussed with the Independent Persons. The Independent Persons are appointed by Full 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.

4.4. 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.

5.3. Standards training was last delivered to Rushcliffe Borough Council Councillors in November 2023. Training on Code of Conduct and how complaints are dealt with was also delivered to Parish and Town Councillors at the Town and Parish Forum held on 22 March 2024. This training covered why conduct and standards matter in local government and the types of conduct covered by the Code of Conduct, to ensure that all Councillors are confident about how the Code applies to them.

5.4. The Government is currently consulting on the standards regime. The consultation is seeking views on proposals to introduce measures to strengthen the standards and conduct regime. Specific proposals being consulted upon for legislative change include:

- the introduction of a mandatory minimum code of conduct for local authorities in England
- a requirement that all principal authorities convene formal standards committees to make decisions on code of conduct breaches, and publish the outcomes of all formal investigations
- the introduction of the power for all local authorities (including combined authorities) to suspend councillors or mayors found in serious breach of their code of conduct and, as appropriate, interim suspension for the most serious and complex cases that may involve police investigations
- a new category of disqualification for gross misconduct and those subject to a sanction of suspension more than once in a 5-year period
- a role for a national body to deal with appeals

This consultation closes on 26 February 2025 and all members are encouraged to respond to the consultation.

6. Risks and Uncertainties

None identified.

7. Implications

7.1. Financial Implications

There are no direct financial implications. The Independent Person roles are funded through existing budgets.

7.2. Legal Implications

Section 27 of the Localism Act 2011 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.

7.3. Equalities Implications

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

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

None identified.

7.5. Biodiversity Net Gain Implications

None identified.

8. 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.

9. Recommendation

It is RECOMMENDED that the Standards Committee notes the contents of the report.

For more information contact:	Sara Pregon Monitoring Officer and Head of Chief Executive's Department 0115 914 8480 spregon@rushcliffe.gov.uk
Background papers available for Inspection:	None
List of appendices:	Appendix A - Summary of Complaints

APPENDIX A

Table A

Summary of cases reported to Committee on 6 February 2024 where the decision was determined post committee meeting

Case Ref	Date Received	RBC/ Parish	Complainant	Nature of Complaint	Independent Person Consulted	Decision
1457	24/11/23	Borough Cllr	Member of the public	Failure to disclose an interest	Yes	No breach of the Code

Table B

Summary of new complaints

Case Ref	Date Received	RBC/ Parish	Complainant	Nature of Complaint	Independent Person Consulted	Decision
1492	2/2/24	Borough Cllr	Borough Cllr	Breach of the Code – disrespectful behaviour	Yes	No further action
1502	21/2/24	Parish Cllr	Member of the public	Breach of the Code – behaviour at a council meeting	Yes	No further action
1506	28/2/24	Borough Cllr	Member of the public	Breach of the Code – lack of response	Yes	Complaint not accepted under the code - no breach
1541	14/06/24	Borough Cllr	Parish Council	Breach of the Code – behaviour at a council meeting	Yes	No further action
1567	31/07/24	Borough Cllr	Member of the public	Breach of the Code - conduct in connection with a planning application	Yes	Complaint not accepted under the code - no breach
1594	28/10/24	Parish Cllr	Member of the public	Breach of the Code – allegation of bullying	Yes	Refer for investigation (on hold)

1601	14/10/24	Parish Cllr	Parish Cllr	Breach of the Code – disclosure of confidential info	Yes	No further action
1602	06/10/24	Borough Cllr	Member of the public	Breach of the Code - conduct in connection with a planning application	Yes	No further action
1615	18/12/24	Borough Cllr	Borough Cllr	Breach of the Code – behaviour at a Council meeting	Yes	No further action
1615	18/12/24	Borough Cllr	Borough Cllr	Breach of the Code – behaviour at a Council meeting	Yes	Complaint not accepted under the code - no breach
1615	18/12/24	Borough Cllr	Borough Cllr	Breach of the Code – behaviour at a Council meeting	Yes	Complaint not accepted under the code - no breach
1617	10/12/24	Borough Cllr	Member of the Public	Breach of the Code – dress code at Council meetings	Yes	Complaint not accepted under the code - no breach
1630	09/01/25	Parish Cllr	Parish Cllr	Breach of the Code - bullying	Yes	Being assessed