



FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

GOVERNANCE, ETHICS AND STANDARDS COMMITTEE

THURSDAY 10 OCTOBER 2024

Report of the Director - Legal and Democratic Services

Complaints received against Councillors pursuant to the Code of Conduct for Elected Members for the period 21 February 2024 to 30 September 2024

1. Purpose

- 1.1 To inform the Committee of Code of Conduct complaints against Councillors received during the period of 21 February 2024 to 30 September 2024.

2. Information and Analysis

- 2.1 The Council has a Code of Conduct for Members and co-opted Members which was last approved by Council in March 2024. By virtue of the Council's approved procedure for considering complaints that members have breached the Code of Conduct, the Monitoring Officer will carry out an initial assessment of complaints received. The Monitoring Officer will review the complaint together with any representations received from the Subject Member and, after consultation with the Independent Person, take a decision as to whether the complaint merits formal investigation or whether it should be dealt with informally or rejected.
- 2.2 In accordance with the procedure and in order to support the Monitoring Officer with the management of complaints, the Governance, Ethics and Standards Committee is kept informed of initial assessment decisions. This report is presented to the Committee on a bi-annual basis. The last report was presented to the Committee on 7 March 2024 for the period 1 October to 20 February 2024.

2.3 During the period from 21 February 2024 to 30 September 2024, 3 complaints have been received and determined. Details of these complaints are provided on the table attached at Appendix 2. No complaints were still in progress at the time of the preparation of the previous report.

3. Consultation

3.1 None required.

4. Alternative Options Considered

4.1 Not to report to Committee information relating to complaints that Elected Members have breached the Code of Conduct received by the Monitoring Officer.

5. Implications

5.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

6. Background Papers

6.1 None identified.

7. Appendices

7.1 Appendix 1 – Implications

7.2 Appendix 2 – Table detailing complaints received 21 February 2024 to 30 September 2024.

8. Recommendation(s)

That Committee:

Notes the complaints received by the Monitoring Officer between 21 February 2024 to 30 September 2024 alleging that Members have breached the Code of Conduct.

9. Reasons for Recommendation(s)

9.1 To comply with the procedure for considering complaints that members have breached the code of conduct.

- 9.2 To support the Monitoring Officer dealing with complaints against Elected Members.
- 9.3 To promote a culture of openness, ready accountability and probity in order to ensure the highest standards of conduct of Councillors as required by the Terms of Reference for the Committee.

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Implications

Financial

1.1 None.

Legal

- 2.1 Section 27 of the Localism Act 2011 requires authorities to promote and maintain high standards of conduct by Members and co-opted Members and that in discharging that duty, must adopt a code dealing with the conduct that is expected of members and co-opted members of the authority when they are acting in that capacity, the current Code of Conduct was approved by the Council on 27 March 2024. 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. The current procedure was approved by Governance, Ethics and Standards Committee on 18 January 2024.
- 2.2 In accordance with its terms of reference, the Governance, Ethics and Standards Committee supports the Monitoring Officer in taking any action required on the receipt, management and investigation of any code of Conduct Complaint against an Elected Member. The Terms of Reference also require the Committee to promote a culture of openness, ready accountability and probity in order to ensure the highest standards of conduct of Councillors.

Human Resources

3.1 None.

Information Technology

4.1 None.

Equalities Impact

5.1 None.

Corporate objectives and priorities for change

6.1 None.

Other (for example, Health and Safety, Environmental, Sustainability, Property and Asset Management, Risk Management and Safeguarding)

7.1 None.