

Wednesday, 5 February 2025

Report of the Monitoring Officer

Regulation of Standards of Conduct

Exempt Information

None

Purpose

Provide the committee with an update on the number of Code of Conduct complaints received by the Monitoring Officer.

Recommendations

It is recommended that:

1. Members endorse the contents of the report.

Executive Summary

This report provides the Committee with an overview of the Member Code of Conduct complaints received by the Monitoring Officer.

In the period 01 April 2023 to 31 March 2024, five official complaints of an alleged breach of the Members’ Code of Conduct were received.

Complaints are managed according to the Members Code of Conduct Procedures, with the table below providing a summary of complaints received, including outcomes.

Period	No. Complaints received	Source of Complaint	Outcome
1 April 2023 – 31 March 2024	5	<ul style="list-style-type: none"> • 1 Public • 1 Officer • 3 Councillors 	<ul style="list-style-type: none"> • 1 merit no further investigation • 3 unable to pursue • 1 informal resolution

The nature of complaints received can be summarised as follows:

- Disrespect
- Breach of standards in accordance with the Nolan Principles
- Bringing authority into disrepute

The number of standards complaints received remains relatively low, with a summary of previous years provided in the table below.

Period	No. Complaints received	Source of Complaints	Outcome
April 2020 – March 2021	6	<ul style="list-style-type: none"> • 5 Public • 1 Councillor 	<ul style="list-style-type: none"> • 1 no further action required • 3 merits no further investigation • 1 Informal Resolution • 1 Unable to pursue
April 2021 – March 2022	3	<ul style="list-style-type: none"> • 3 Public 	<ul style="list-style-type: none"> • 2 Merits no further action • 1 Unable to pursue
April 2022 – March 2023	2	<ul style="list-style-type: none"> • 2 Public 	<ul style="list-style-type: none"> • 1 Merits no further action • 1 Unable to pursue

Resource Implications

The operation of the arrangements relating to standards of conduct does not normally have any additional resource implications for the Council, however, the process of investigation may have minor financial implications when it is necessary to utilise external support. In the period April 2023 to March 2024, there were no such additional costs.

Legal/Risk Implications Background

Effective arrangements to deal with complaints provides the mitigating action necessary to ensure that the Authority meets its statutory obligations under the Localism Act 2011.

Equalities Implications

None identified.

An EQSHIA has been completed and is available at Appendix 1.

Environment and Sustainability Implications (including climate change)

The arrangements ensure that the staff of the Council and the residents of Tamworth benefit from a robust, open and transparent complaints process.

Background Information

The Localism Act 2011 contains the key statutory provisions regarding standards of conduct. Under Section 27(1) of the 2011 Act, the Council is required to promote and maintain high standards of conduct among Members and Co-opted Members of the authority.

Under Section 28 (6) and (7) of the Localism Act 2011, the Council must have in place “arrangements” under which allegations that a Councillor (Member or co-opted Member) of the Council or of a Committee or Sub-Committee of the Council, has failed to comply with their Code of Conduct, can be investigated and decisions made on such allegations.

Tamworth Borough Council has established procedures for investigating allegations and making decisions regarding them. These procedures were reviewed, with Council adopting the LGA Model Code of Conduct in July 2024.

A link to the Procedure for Making Complaints Against a Councillor is available at:

<https://www.tamworth.gov.uk/Governance-and-Anti-Fraud>

All members are trained on and sign up to the requirements of the Members’ Code of Conduct on their induction. Refresher training is subsequently provided as required with the next session for all Members planned for the later part of 2025.

Report Author

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List of Background Papers

[Procedure for Making Complaints Against a Councillor](#)
[Code of Conduct review](#)

Appendices

Appendix 1 - EQSHIA

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