

Report to: Standards Committee



Date of Meeting 22 June 2023

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

Review of Member Code of Conduct Complaints Procedure

Report summary:

To receive a presentation from the Monitoring Officer regarding the current Code of Conduct complaint procedures and conduct a review of the procedure.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Recommendation:

That the Standards Committee note the presentation and review the current procedure.

Reason for recommendation:

To ensure the current Code of Conduct complaints procedure remains fit for purpose.

Officer: Melanie Wellman, Director of Licensing and Governance and Monitoring Officer, email melanie.wellman@eastdevon.gov.uk

Portfolio(s) (check which apply):

- Climate Action and Emergency Response
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Democracy, Transparency and Communications
- Economy and Assets
- Finance
- Strategic Planning
- Sustainable Homes and Communities
- Tourism, Sports, Leisure and Culture

Equalities impact Low Impact

Climate change Low Impact

Risk: Low Risk;

Links to background information

Appendix A : [Complaints procedure](#)

Link to [Council Plan](#)

Priorities (check which apply)

- Better homes and communities for all
 - A greener East Devon
 - A resilient economy
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Purpose of Report

1. It is important that the Committee conducts a regular review of the current procedure for dealing with Member Code of Conduct complaints to ensure that it remains fit for purpose and in compliance with best practice. A copy of the current procedure is attached at Appendix A to this report.
2. The current procedure was put in place in February 2022 in response to the high number of complaints being received. The process was amended to include consideration of complaints by a Standards Assessment Sub Committee consisting of three members of the Standards Committee. That process has now been in place for over a year and it is important to review this and ensure that it is working for both complainants and members.
3. The Monitoring Officer will make a presentation to the Committee outlining the current procedure, Local Government Association guidance on dealing with Code of Conduct complaints and inviting the Committee to consider whether it wishes to make any changes to the current process. In considering any changes, it is important that the Committee has regard to the following principles:-
 - a. That there are no unnecessary obstacles for those seeking to complain;
 - b. Treating complainants and members with respect;
 - c. A right to a fair hearing based upon the principles of natural justice.
 - d. Ensuring that political affiliations have no place in the complaints process;
 - e. Impartiality.
 - f. Compliance with best practice.
4. Changes (if any) to the current procedure will need to be recommended to Full Council for approval.

Financial implications:

There are no financial implications to be added to this report.

Legal implications:

It is important that the Council has a robust Member Code of Conduct complaints procedure in place which is reviewed on a regular basis to ensure it is robust and in accordance with best practice.