

Minutes of a meeting of the Constitution and Ethics Committee held at County Hall, Glenfield on Monday, 13 July 2026.

PRESENT

(in the Chair)

Mr. G. Cooke CC
Mr. D. Harrison CC
Dr. S. Hill CC
Mr. A. Innes CC
Mrs. K. Knight CC
Mr. M. T. Mullaney CC

Mr. D. Page CC
Mrs. R. Page CC
Mr. B. Piper CC
Mr. C. A. Smith CC
Mrs D. Taylor CC

Apologies

Dr. J. Bloxham CC and Mr. S. L. Bray CC

In attendance

1. Appointment of Chairman.

It was moved by Mrs Taylor and seconded by Mrs Page:

“That Mr David Page be elected Chairman for the period until the next Annual Meeting of the Council.”

It was moved by Mr Innes and seconded by Mr Cooke:

“That Mr Dan Harrison be elected Chairman for the period until the next Annual Meeting of the Council.”

The Chief Executive informed members that both candidates had been duly proposed and seconded and in accordance with Standing Order 25 a secret ballot would therefore take place.

The Chief Executive announced the results of the ballot as follows:

Five votes for Mr Dan Harrison, four votes for Mr David Page and one abstention. The motion “That Mr Dan Harrison be elected Chairman for the period until the next Annual Meeting of the Council” was therefore carried.

RESOLVED:

That Mr Dan Harrison be elected Chairman for the period until the next Annual Meeting of the Council.

Mr D. Harrison CC – In the Chair2. Appointment of Vice- Chairman.

It was moved by Mr Mullaney and seconded by Mr Innes:

“That Mr Stuart Bray be appointed Vice Chairman for the period until the next Annual Meeting of the Council.”

It was moved by Mrs Taylor and seconded by Mrs Page:

“That Mr David Page be appointed Vice Chairman for the period until the next Annual Meeting of the Council.”

The Chief Executive informed members that both candidates had been duly proposed and seconded and in accordance with Standing Order 25 a secret ballot would therefore take place.

The Chief Executive announced the results of the ballots as follows:

Six votes for Mr Stuart Bray and four votes for Mr David Page. The motion “That Mr Stuart Bray be appointed Vice Chairman for the period until the next Annual Meeting of the Council” was therefore carried.

RESOLVED:

That Mr Stuart Bray be appointed Vice Chairman for the period until the next Annual Meeting of the Council.

3. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 35.

4. Questions asked by members under Standing Order 32(1).

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

5. Urgent Items.

There were no urgent items for consideration.

6. Declarations of interest.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

Mr C. Smith CC and Mr D. Harrison CC declared a non-registerable interest in agenda item 10 (Update on the operation of the Members' Code of Conduct) as they were both named within that report.

7. Presentation of petitions under Standing Order 33.

The Chief Executive reported that no petitions had been received under Standing Order 33.

8. Terms of Reference.

RESOLVED:

That the terms of reference for the Constitution and Ethics Committee as set out in Part 3 of the Council's Constitution be noted.

9. The Committee's Role where the Council Acts as Charity Trustee

The Committee considered a guide produced by the Chief Legal Officer and Monitoring Officer which set out the Committee's role and responsibilities when it considered matters on behalf of the Council where the Council acts as a Charity Trustee. A copy of the guide marked 'Agenda Item 9' is filed with these minutes.

RESOLVED:

- (a) That the Committee's role and responsibilities where the Council acts as Charity Trustee as outlined in the guide be noted;
- (b) That a further report detailing where the Council acts as Charity Trustee be provided at the next meeting of the Committee.

10. Update on the operation of the Members' Code of Conduct

The Committee considered a report of the Chief Legal Officer and Monitoring Officer, the purpose of which was to provide an update on the operation of the Members' Code of Conduct complaints process, including complaints received and progressed since the last annual report on the operation of the process presented to the Corporate Governance Committee in November 2025. A copy of the report marked 'Agenda item 10' is filed with these minutes.

Arising from discussion, the following points were made:

- (i) Members raised concerns about the impact the increase in complaints had on officer time and financial resources. Members recognised that a rise in complaints did not necessarily indicate a corresponding rise in misconduct, as complaints could arise for a range of reasons, including political tensions, misunderstandings about the scope of the Code, and concerns raised by members of the public about conduct online. It was emphasised that the Committee should consider the nature of the complaints and the reasons for them, rather than drawing assumptions from numbers alone.
- (ii) It was noted that, in order to find a breach of the Code, the full formal process, including a formal investigation, had to be followed. Many matters were dealt with

informally as a proportionate means of resolving complaints and this did not amount to a finding of breach. However, it was acknowledged that informal resolution could still involve an acceptance that behaviour had not met the standards expected under the Code. A member suggested that the informal resolution process could appear unclear, particularly where an apology was given without a formal finding of breach. The Monitoring Officer explained that national guidance was clear that a breach could only be found where the full process had been completed. It was suggested that greater clarity and transparency about outcomes would assist members and the public in understanding this part of the process.

- (iii) A member sought clarification regarding the process for agreeing apologies as part of an informal resolution. The Chief Legal Officer and Monitoring Officer explained that there was no prescribed wording for an apology. The apology should ordinarily come from the member concerned, but that the Panel could, where appropriate, ask the Monitoring Officer to prepare a draft to ensure the apology covered specific matters. In such cases, the Panel would normally wish to see the proposed wording before it was agreed with the member.
- (iv) It was noted that if a member was not prepared to give an apology in the terms required by the Panel, the matter could be referred for investigation. The Committee noted that this had occurred in at least one previous case.
- (v) The Committee discussed the role of Independent Persons and the importance of ensuring that they understood the way in which the Council operated. It was reported that six Independent Persons had been appointed following a rigorous recruitment process, with details of their relevant backgrounds having been included in the report to Council. Members noted that Independent Persons often had experience in public life and acted in similar roles for other authorities so were very familiar with the political environment within which members operated.
- (vi) Members expressed concern that the effectiveness of the Code depended on all members accepting the standards of conduct expected of those in public life and respecting the need to abide by the Council's complaints process, and the decisions of the Member Conduct Panel. It was suggested that there needed to be a renewed emphasis across the organisation on the importance of the Code and on the commitment made by elected members to abide by it. The Committee noted that members were expected to comply with the Code when elected, and that the Code was based on the Nolan Principles, which applied nationally.
- (vii) Members commented on the limitations of the current national standards framework. It was noted that, in the absence of stronger sanctions for breaches of the Code, there was a risk that the complaints process could be undermined or perceived as lacking consequence. The importance of political group leaders and whips in setting the tone, reinforcing expected standards, and addressing conduct within their own groups was emphasised as being particularly important in such circumstances.
- (viii) Members suggested there was always a need for a proportionate and common-sense approach to complaints, including the role of group leaders and whips in addressing issues informally where appropriate and reducing unnecessary or politically motivated complaints. The Monitoring Officer confirmed that there was also always scope for discussion between political groups to seek to avoid

complaints becoming unnecessarily formalised.

- (ix) The Committee noted that a significant number of complaints received arose from members of the public who had seen members' behaviour online and believed that this automatically amounted to a breach of the Code. The Monitoring Officer explained that where the conduct did not relate to the business of the County Council, or to the business of another authority in circumstances where the member was acting in an official capacity, it would not fall within the scope of the Code. A Member suggested it would be helpful, for members of the public, to improve the information available on what could properly be considered under the Code, particularly in relation to the use of social media.
- (x) Members requested that future reporting include further data on complaints, including the number of complaints made against individual members where appropriate, and the source of complaints. It was reported that, of the complaints referred to in the discussion, 13 had been submitted by county councillors, 55 by members of the public, and 33 by officers or staff. Members considered that this information was useful in clarifying that the majority of complaints were not politically motivated.
- (xi) Members discussed the need to balance between protecting freedom of expression and ensuring that members complied with the standards expected of them. It was noted that members were entitled to hold and express opinions, including political opinions that many may disagree with, but that the way in which those opinions were expressed would be important in ensuring the principles of the Code were being met. The Committee recognised that the threshold for political comment was high and that the Member Conduct Panel had sought to adopt a pragmatic and balanced approach, taking account of the public interest and the resources involved in carrying out an investigation.
- (xii) Members acknowledged the work of the Member Conduct Panel and the Independent Persons and considered that, although the current national framework limited the sanctions available, the Panel process was operating effectively and sensibly within those constraints.

RESOLVED:

- (a) That the update on the operation of the Members' Code of Conduct complaints process be noted;
- (b) That the significant increase in the number of complaints received and the resulting impact on officer, Independent Person and Member Conduct Panel resources be noted;
- (c) That the number of matters currently subject, or being referred, to external investigation and the associated resource and financial implications be noted;
- (d) That the proposed amendments to the Members' Code of Conduct complaints procedure attached as an Appendix to this report (including the strengthened provisions on complaint submission, support and reasonable adjustments, confidentiality, public interest and proportionality, informal resolution, Independent Person involvement, conflicts of interest, investigations, hearings, decision notices,

public apologies and reporting arrangements) be approved;

- (e) That the revised Independent Persons Protocol attached as Appendix 2 to the Appendix to this report be approved and that this replace the current Independent Persons Protocol appended to the Council's procedure for dealing with allegations of a breach of the Members' Code of Conduct;
- (f) That update reports on the operation of the Members' Code of Conduct complaints process be presented to the Committee more frequently while complaint volumes remain elevated;
- (g) That that future update reports include information on the cost of external investigations, where available;
- (h) That the Independent Persons be thanked for their ongoing commitment and assistance in supporting the fair and effective operation of the Members' Code of Conduct complaints process;
- (i) That officers be requested to provide clearer information on the Code of Conduct complaints process regarding the use and effect of informal resolution and the steps to be followed where an agreed outcome was not complied with.

11. Social Media Guidance for Members - Review and Supplementary Guidance on Monetised Accounts.

The Committee considered a report of the Chief Legal Officer and Monitoring Officer the purpose of which was to present the outcome of a review of the Council's existing Social Media guidance for members against recent Local Government Association (LGA) model guidance, and to see approval for a new supplementary advice note relating to monetised social media activity by Members. A copy of the report marked 'Agenda Item 11' is filed with these minutes.

Arising from discussion, the following points were made:

- (i) It was questioned how the Council would become aware if a member was monetising a social media account, particularly where that account was being used in connection with Council business and any income generated had not been declared. It was noted that, as with any disclosable pecuniary interest, responsibility for declaring the interest rested entirely with the member concerned.
- (ii) A Member expressed concern about the potential for members to use social media, while acting in their Council role, in a way that generated income. Whilst social media was now a common means by which elected members communicated with residents and expressed their political views, it was suggested that there should be a clear distinction between content that was deliberately used to generate outrage, engagement, or income, particularly where that content related to Council business.
- (iii) Members discussed the use of Council meeting footage on personal and/or political social media pages. Concern was raised that, where Council footage from meetings was being used to generate income, this might raise issues relating to the Council's copyright and breach rules relating to members use of Council property. It was suggested that members should not use such material without

appropriate permission, particularly where the material was being monetised.

- (iv) The Committee considered whether there was a case for the Council to take action where Council footage or other Council-owned material was used without permission for the purpose of generating income. In doing so, members recognised that any action would need to be proportionate, having regard to the likely level of income involved, the cost and officer time required to pursue the matter, and the wider public interest. It was that this should be considered further, and the Council agree an approach to members' use of Council meeting footage or other Council material on monetised social media accounts.

RESOLVED:

- (a) That it be noted that the Council's existing Social Media Guidance for Members remained fit for purpose and did not require amendment;
- (b) That the supplementary advice note for Members – Monetised Social Media Posts be approved;
- (c) That the existing Social Media Guidance and the supplementary advice note be circulated to all Members and published on the Council's Elected Member Portal, and that Members be asked to review their Register of Interests in light of the advice now provided;

12. Update on Proposed National Changes to the Local Government Ethical Standards Framework.

The Committee considered a report of the Chief Legal Officer and Monitoring Officer, the purpose of which was to provide an update on national developments relating to the local government standards and conduct framework for local authorities in England, including proposed changes to the Members' Code of Conduct regime, associated complaint handling arrangements, sanctions and appeals. The report also provided an update on the national change relating to publication of members' home addresses in registers of interests, and the local action already taken by the County Council in anticipation of that change. A copy of the report marked 'Agenda Item 12' is filed with these notes.

RESOLVED:

- (a) That the Government's proposed reforms to the local government standards and conduct framework be noted;
- (b) That it be noted that the detailed legislative timetable for the wider standards reforms had not yet been confirmed, although the Government had stated its intention to bring forward legislation as soon as parliamentary time allows;
- (c) That it be noted that section 65 of the English Devolution and Community Empowerment Act 2026 had inserted a new section 32A into the Localism Act 2011, changing the requirements relating to the publication of members' home addresses in public registers of interests from 29 June 2026;
- (d) That it be noted that the Council had already taken local steps to remove councillors' home addresses from the publicly available version of the Register of Interests, while maintaining the requirement for members to register relevant

interests with the Monitoring Officer;

- (e) That public register wording, member guidance and internal processes be updated as necessary to refer to section 32A of the Localism Act 2011;
- (f) That officers be requested to review the Council's member training arrangements in light of the proposed national reforms, including training on the Members' Code of Conduct, registration and declaration of interests, social media use, the Member/Officer Protocol and the operation of the complaints process, and to bring forward proposals for future training and reporting arrangements as part of a further report to the next meeting of the Committee;
- (g) That a further report be brought to the Committee once draft legislation, regulations, statutory guidance, or implementation dates for the wider standards reforms became available.

13. Requests for Dispensations.

RESOLVED:

That it be noted that no requests for dispensations had been received by the Monitoring Officer.

14. Dates of future meetings.

RESOLVED:

That future meetings of the Constitution and Ethics Committee be held on the following dates:

Thursday, 10 September 2026 at 2.30pm
 Thursday, 19 November 2026 at 2.00pm
 Thursday, 18 March 2027 at 2.00pm
 Thursday, 22 July 2027 at 2.00pm
 Thursday, 14 September 2027 at 2.00pm
 Thursday, 11 November 2027 at 2.00pm

1.30 - 2.46 pm
 13 July 2026

CHAIRMAN