



## **CORPORATE GOVERNANCE COMMITTEE – 16<sup>th</sup> SEPTEMBER 2024**

### **REPORT OF THE DIRECTOR OF LAW AND GOVERNANCE**

### **ANNUAL REPORT ON THE OPERATION OF THE MEMBERS' CODE OF CONDUCT 2023/24**

#### **Purpose of Report**

1. This report fulfils the requirement for the Monitoring Officer to report to the Committee on an annual basis on the operation of the Members' Code of Conduct in accordance with the decision of this Committee on 24<sup>th</sup> September 2012.

#### **Background**

2. The Members' Code of Conduct was adopted at the County Council meeting held on 1<sup>st</sup> December 2021 following the introduction of a model Code developed by the LGA in response to the recommendations made by the Committee on Standards in Public Life in 2019.
3. This Committee has responsibility for dealing with matters relating to the Code. Detailed arrangements for dealing with allegations against Members were considered and agreed by this Committee on 24<sup>th</sup> September 2012. These were subsequently reviewed and updated by the Director, following Consultation with the Chairman and Spokespersons of this Committee, in September 2017. These arrangements were again reviewed in 2021 and updated in 2023.

#### **Complaints received under the Members' Code of Conduct**

4. Since July 2023 there have been 4 complaints received by the Monitoring Officer under the Members' Code of Conduct. These complaints were resolved as set out below and a comparison with the previous two years is included for information:

	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>
Complaint withdrawn / not progressed by complainant	0	1 (Complaint out of scope and complainant refused to allow detail to be	1 (Complaint initially assessed to be out of scope and complainant failed to provide information requested to

		shared with member)	enable further consideration)
Complaint outside of the scope of the Code	3	5 (2 in relation to one member from the same complainant)	1
Complaint did not meet threshold for further investigation as set out in the 'initial test'	2 (arising from one complainant and the same events relating to 2 members)	0	0
Complaint resolved informally (and advice offered)	2	1	3
Complaint considered by Member conduct panel -	1 -No finding of breach following independent investigation	0	0

5. There are no particular trends in relation to the subject matter or in relation to the members who have been the subject of a complaint. One of the complaints was from a member of the public and three complaints were made by elected members; all four complaints relate to different members .
6. The complaints have been referred by the Monitoring Officer to one of the Independent Persons appointed by the County Council under the provisions of the Localism Act 2011 for the purposes of giving a view on complaints submitted who supported the outcomes above.

### **Independent Persons**

7. The County Council appointed six Independent Persons in 2020 for a period of four years and so their term of office will expire later this month. A joint recruitment process was therefore undertaken in July with the Leicester, Leicestershire and Rutland Combined Fire Authority (CFA). The position was publicly advertised and an interview process undertaken to recruit a pool of Independent Persons to support both organisations' member complaints process and the dismissal process for senior officers. The Interview Panel consisted of Members drawn from the Corporate Governance Committee and the Employment Committee of both the County Council and the CFA,

supported by the County Council's Director of Law and Governance and the Assistant Director of Corporate Resources – Corporate Services.

8. The Appointment Committee met on Wednesday 21 August 2024 to interview candidates for the role and agreed to recommend the following people for appointment and in some cases reappointment: -

Richard Gough  
Gordon Grimes  
Surinder Sharma  
Pamela Roberts  
John Pilgrim  
Kimberley Kingsley

9. The Constitution Committee is responsible for making recommendations to the County Council regarding committee appointments and a report will therefore be presented to that Committee at its meeting on 13 September 2024 and thereafter a report taken to full Council on 25 September 2024.
10. A pool of six candidates is recommended to allow greater flexibility and to avoid the possibility of a conflict of interest. All those recommended are eligible, live in Leicester or Leicestershire and are considered suitable candidates.
11. The candidates are to be appointed for a term of four years until 30 September 2028. They will be offered training on the operation of the complaints process and best practice in managing complaints. An informal meeting takes place with the Independent Persons twice a year at which there is an opportunity to reflect on collective learning and best practice and to update the IPs on any issues arising.

### **Recommendation**

12. The Committee is asked to note the contents of this report.

### **Equality and Human Rights Implications**

13. None arising from this report.

### **Background papers**

Report to the Corporate Governance Committee on 24 September 2012 -  
'Arrangements for dealing with Member Conduct Complaints'  
<http://politics.leics.gov.uk/mgAi.aspx?ID=32133>

### **Circulation under the Local Issues Alert Procedure**

None.

**Officer to contact**

Lauren Haslam,  
Director of Law and Governance and  
Monitoring Officer  
Tel: 0116 3056240 Email: [lauren.haslam@leics.gov.uk](mailto:lauren.haslam@leics.gov.uk)