

## REVIEW OF CODE OF CONDUCT ARRANGEMENTS

### Executive Summary

A paper review of the Council's arrangements has been commenced by the Monitoring Officer to establish whether the procedures are fit for purpose, effective and follow best practice in local government. This report provides Members with an update and outlines the intent to consult with Members and report back to the Standards and Audit Committee.

### Recommendations

The Committee is requested to:

#### RESOLVE That

- (i) the report be noted; and
- (ii) that the Monitoring Officer shall undertake a thorough review of the Council's Arrangements for dealing with Standards Allegations under the Localism Act 2011 and report her findings and proposed amendments to the Standards and Audit Committee.

The Committee has the authority to determine the recommendation(s) set out above.
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**Background Papers:** None.

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**Date Published:** 8 September 2021

## Review of Code of Conduct Arrangements

## **Review of Code of Conduct Arrangements**

### **1.0 Introduction**

- 1.1 Under the Localism Act 2011, the Council must have “arrangements” under which allegations that a Member has failed to comply with the Members’ Code of Conduct can be investigated, and decisions made on such allegations.
- 1.2 At its meeting on 8 July 2021, the Audit and Standards Committee requested that the Monitoring Officer review the Council’s Arrangements for dealing with Standards Allegations under the Localism Act 2011.

### **2.0 Review of the Council’s Arrangements**

- 2.1 The Council’s Arrangements for dealing with Standards Allegations under the Localism Act 2011 can be found on page 207 of the Council’s Constitution. These arrangements outline the Council’s processes and procedure under which allegations that a Member or co-opted Member has failed to comply with the Council’s Code of Conduct are considered.
- 2.2 A paper review of the Council’s arrangements has been commenced by the Monitoring Officer to establish whether the procedures are fit for purpose, effective and follow best practice in local government.
- 3.2 To undertake a wholesale review of these arrangements it is considered necessary to consult with Members and the Independent Person. To ensure comprehensive feedback was received in this regard, it was not desirable to undertake the consultation over the summer period. It is proposed to consult with Members following this meeting and throughout October and report back to Standards and Audit at its meeting in November.

### **3.0 Guidance in respect of the Council’s Arrangements**

- 3.1 Councillors receive Code of Conduct training when they are elected as Members of the Council however until a Councillor submits a complaint or are the subject of a complaint they are often not familiar with the arrangements for dealing with the same. The arrangements are drafted in such a way as to ensure compliance with the requirements of the legislation. As such, it is considered that a more user friendly guide would be a useful tool to assist those Councillors or members of the public who have made a complaint and those who are subject to a complaint.
- 3.2 Attached at Appendix 1 is a flow chart outlining the Council’s arrangements. Its purpose is to provide a step by step guide for Councillors through the process. It clearly illustrates the timescales involved and those who will be informed of the complaint throughout the process. In addition to this, should complainants wish to be supported through this process either as complainant or complaint subject they can seek assistance from the Council’s Legal Services Department in respect of the process.
- 3.3 Timescales are noted in the arrangements and wherever possible the Monitoring Officer shall seek to conclude the process within 3 months of receipt of the complaint.
- 3.4 Attached at Appendix 2 is a new complaint form. The form is designed to assist those who wish to make a complaint and to assist the Monitoring Officer to identify the content of the complaint and respond accordingly.

### **4.0 Conclusion**

- 4.1 The guidance notes provided shall assist Councillors and members of the public through the process. A further review of the regime shall be undertaken, including consultation with all Members and the proposals reported back to the next meeting of the Standards and Audit Committee.

**5.0 Corporate Strategy**

It is important to ensure that high standards of probity and ethical framework are at the heart of corporate governance of the authority and to ensure transparency and accountability.

**6.0 Implications**

Finance and Risk

None identified.

Equalities and Human Resources

None identified.

Legal

As outlined in the report.

**7.0 Engagement and Consultation**

7.1 All Members and the Independent Person shall be consulted during the review process.

REPORT ENDS