

# STANDARDS COMMITTEE



Report subject	<b>Annual Report on Code of Conduct Complaints</b>
Meeting date	8 July 2025
Status	Public Report
Executive summary	<p>This report provides a summary of the complaints received and determined which were made against councillors for alleged breaches of the Code of Conduct.</p> <p>The Standards Committee has a duty to consider an annual report and to promote and maintain high standards of conduct.</p>
<b>Recommendations</b>	<p><b>It is RECOMMENDED that:</b></p> <p><b>the annual report on code of conduct complaints be reviewed and any areas for further work be identified for inclusion in the work programme.</b></p>
Reason for recommendations	To formally receive the annual report and allow the committee to identify areas for further development to promote high standards of conduct amongst councillors.
Portfolio Holder(s):	Not applicable
Corporate Director	Graham Farrant, Chief Executive
Report Authors	<p>Janie Berry, Director of Law and Governance and Monitoring Officer</p> <p>Richard Jones, Head of Democratic Services and Deputy Monitoring Officer</p>
Wards	Not applicable
Classification	For Decision

## **Background**

1. The Monitoring Officer is responsible for dealing with allegations that councillors have failed to comply with the members' code of conduct in accordance with the arrangements adopted by the Council.
2. BCP Council, and all parish and town councils within the boundary of BCP Council, have a statutory duty in the Localism Act 2011 to 'promote and maintain high standards of conduct by members and co-opted members of the authority'.
3. The Standards Committee is responsible for conducting an annual review of the complaints received.

## **Code of Conduct**

4. In accordance with the provisions the Localism Act 2011 the council has an adopted a code of conduct. The code was most recently updated by the Council in November 2021.

## **Independent Persons**

5. The Act also requires that the council appoint "at least one independent person" whose views are sought and taken into account before it makes its decision on an allegation of a breach of the code of conduct. Their view may also be sought in dealing with allegations which have not been investigated and they may be asked to provide support to subject members who are the subject of an allegation.
6. The council currently has two independent persons, Paul Cashmore and Ian Sibley. The monitoring officer is grateful for the time and commitment the independent members have given.

## **Arrangements**

7. A revised standards procedure was approved by the council on 23 March 2021 permitting the Monitoring Officer to enter into early preliminary and informal dialogue with the parties concerned with a view to providing early mediation and resolution.
8. The introduction of this process has continued to assist in resolved appropriate complaints more speedily.

## **Register of interests**

9. The council maintains a register of interests for councillors of BCP Council and these are published on the Council's web site. A periodic reminder is sent to all councillors to request that entries are checked for accuracy and for updates to be registered.

## **Standards complaints**

10. This report covers the four-year period from 1 April to 31 March for 2021/22 to 2024/25. Data for earlier periods will be available in previous annual reports. Complaints are classified to fall within each respective year using the concluded date to ensure that all complaints are captured.
11. Complaints concluded after 1 April 2025 or still pending a decision will be reported as early as possible in the 2025/26 Municipal Year.

<b>Total number of complaints for period</b>	2021/22	2022/23	2023/24	2024/25
Number of BCP complaints	34	61	9	28
Number of Parish and Town Council complaints	1	1	4	6

12. The number of complaints determined in 2023/24 against BCP Councillors was considerably lower than previous years. However, it was noted in the previous report that there was a large cohort of new councillors following the elections in May 2023 being the likely cause.
13. The complaints against parish and town councillors was higher than previous years but still remained relatively low in number. Due to the low number of parish related complaints further analysis has not been undertaken at this level.
14. The following analysis and data tables are therefore based on the complaints made against BCP Councillors for 2021/22 to 2024/25.
15. Complaints received against BCP councillors are now categorised by type of complainant (e.g., public, councillor, officer and other). The table below shows the breakdown by each of these types.

<b>Complainant Type</b>	2021/22	2022/23	2023/24	2024/25
Public	29	57	6	23
Councillor	5	3	2	5
Officer	0	0	1	0
Other	0	1	0	0

16. Officers have further analysed complaints to identify the behavioural source of the complaints, the alleged breach criteria and the final outcome. The tables below provide a breakdown of these categories. Complaints may cite more than one source and as a consequence the sum of this table may not match the total number of complaints determined.

<b>Behavioural source for complaint</b>	2021/22	2022/23	2023/24	2024/25
Spoken word	2	10	3	2
Email	4	31	5	5
Social Media	18	4	1	22
Lack of response	3	1	0	0
Other	7	15	0	0

17. For clarity, the 'other' criteria referred to in the table includes typically non-behavioural actions, for example, decisions of the council as a whole, allegation of interest conflicts, matters arising from media articles and historic matters.
18. When making a complaint, complainants are requested to indicate which obligations of the Council's Code of Conduct they consider the subject councillor has breached. Complainants are permitted to identify more than one criteria. The following table provides a summary of the respective allegations made by complainants.
19. A new online submission and logging system has been introduced in 2024/25 to provide improved management of complaints and more granular statistics. Consequently, certain lines on the table below will only have data for single years as

this was aggregated in previous years, however, they have been grouped together to show the collective trend and new lines indented.

<b>Alleged Code Breached</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>
Failing to treat others with respect	26	25	6	-
Failing to treat other councillors and members of the public with respect				25
Failing to treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play				6
Bullying any person	8	6	3	11
Harassing any person				10
Failure to promote equalities and do not discriminate unlawfully against any person	3	4	0	9
Compromising or attempting to compromise the impartiality of those who work for or on behalf of the Council	5	4	2	3
Unlawfully disclosing confidential information or information believed to be of a confidential nature	0	0	2	2
Improper use of knowledge gained solely as a result of being a councillor for the advancement of myself, my friends, my family members, my employer or my business interests				2
Preventing a person from getting information that the person is entitled to by law	2	1	2	2
Bringing the office of Councillor or the Council into disrepute while acting in an official capacity	14	31	3	18
Using or attempting to use the position as a Councillor improperly to confer on or secure an advantage or disadvantage for him or herself or anyone else	3	6	5	9
Misuse of Council resources	0	1	1	2
Using or authorising the use of the Councils resources improperly for political purposes	0	1	1	2

<b>Alleged Code Breached</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>
Failure to undertake Code of Conduct training				3
Failure to cooperate with any Code of Conduct investigation and/or determination				3
Intimidating or attempting to intimidate any person who is likely to be involved with the administration of any investigation or proceedings	9	7	3	2
Failure to comply with any sanction imposed on me following a finding that I have breached the Code of Conduct				2
Failing to have regard to the Councils Code of Publicity	2	9	0	-
Failing to have regard to the advice of the Monitoring Officer or Chief Finance Officer	2	1	0	-
Failing to declare the existence and nature of a personal interest	2	5	0	-
Failing, within 28 days, to register and disclose my interests	0	0	0	1
In respect of a prejudicial interest, failing to withdraw from the room or chamber; exercising executive functions; or seeking to improperly influence a decision	2	3	0	-
Failure to register gifts and hospitality offered or received as a councillor				0

20. Finally, the following table provides details of the outcome of the complaints.

<b>Complaint Outcome</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>	<b>2024/25</b>
Outside Jurisdiction	3	3	0	5
Dismissed - No Breach of Code	12	43	6	6
Monitoring Officer – Informal Resolution	14	2	0	0
Potential Breach - Informal Resolution	2	9	0	6
Independent Investigation - No Breach	1	0	0	3
Independent Investigation - Breach	1	2	0	0
Non-compliance – Report to Council	1	2	3	1
Withdrawn				1
Incomplete				5

21. Despite the proportion of complaints being dismissed, any complaint received is the result of a perceived dissatisfaction by the complainant and has the potential to damage the reputation of the Council. Administering the complaints process is a

high resource activity and consequently every effort should be made to reduce complaints arising in the first instance. All councillors should be encouraged to play an active role and take responsibility for promoting and maintaining high standards of conduct.

22. On analysis of all complaints received, social media activity has returned as the highest source of complaints with a lack of respect remaining the most common alleged breach.
23. Non-compliance with a Code of Conduct determination continues to be an issue which adds significantly to the demands on resources.

### **Conclusion**

24. This report provides information about the council's performance in relation to the code of conduct and the administration of complaints. The data in this report provides a useful four-year benchmark for future annual reports.
25. The Committee may wish to consider referring/recommending this report to Council to ensure all members are fully appraised.

### **Summary of financial implications**

26. There are no financial implications arising directly from this report, however, the volume of complaints is considered high and resistance to comply places additional burden on already stretched resources, impacting on the ability to support other core services.

### **Summary of legal implications**

27. The annual review report evidences that the council complies with the duties required under the Localism Act 2011.

### **Summary of human resources implications**

28. There are no human resource implications arising from this report.

### **Summary of sustainability impact**

29. There are no sustainability impact implications arising from this report.

### **Summary of public health implications**

30. There are no public health implications arising from this report.

### **Summary of equality implications**

31. This report provides statistics for complaints processed in accordance with agreed policy and procedures. Consequently, there are no equality implications arising from this report.

### **Summary of risk assessment**

32. As mentioned previously, any complaint is the result of the complainant being dissatisfied with the actions or behaviours of councillors, which in turn can damage the reputation of the council. Whilst some complaints may be unavoidable, all councillors have a responsibility and duty to promote high standards of conduct.

Every effort should be made to raise the awareness of all councillors by the committee.

### **Background papers**

Records of complaints received by the Council between 1 April 2021 and 31 March 2025. These records contain exempt information (Categories 1 (Information relating to any individual) and 2 (Information which is likely to reveal the identity of an individual)).

### **Appendices**

There are no appendices to this report.