

# ARUN DISTRICT COUNCIL

## REPORT TO STANDARDS COMMITTEE ON 16 SEPTEMBER 2021

**SUBJECT:** Code of Conduct Complaint Form

**REPORT AUTHOR:** Sameera Khan – Group Head of Law & Governance

**DATE:** August 2021

**EXTN:** 37610

### **EXECUTIVE SUMMARY:**

This report seeks Committee Members' views and ultimate approval of a revised Code of Conduct Complaint form.

### **RECOMMENDATIONS:**

The Committee is asked to resolve that:

- (1) the proposed draft Code of Conduct Complaint Form is approved and adopted

### **1.0 BACKGROUND**

- 1.1 As part of the review of the Member Code of Conduct and review of the Local Assessment Procedure carried out in 2020, a new style Code of Conduct complaint form was adopted. The old Code of Conduct was based on broad principles and this was reflected in the old form. The old form was long and required complainants to consider each element of the Members' Code of Conduct and to give their view as to whether or not they believed that element to have been breached.
- 1.2 The Monitoring Officer had been made aware on occasions that some members of the public were reluctant to submit a complaint, having been "put off" by the length of the complaint form, and the use of 'official' language that they did not understand.
- 1.3 A simpler complaint form was therefore devised and implemented and reflects the new Code of Conduct and the new Local Assessment Procedure.
- 1.4 At a briefing for the newly formed Standards Committee on 22 June 2021, Members suggested that the Complaint Form should reiterate that complaints would only be considered where they referred to events where a Councillor was acting in their capacity as, or giving the impression that they were acting in their capacity as, a Councillor.
- 1.5 A new draft was circulated to Committee Members for approval/comment. A general consensus of approval was reached, with the additional suggestion that this caveat was added at the top of the form so that potential complainants were immediately aware of this requirement.

- 1.6 A further suggestion was submitted that the form should include headings relating to the elements of the Code of Conduct in order to guide complainants to identify which elements they believed to have been breached.
- 1.7 Whilst this suggestion would potentially revert back to the design of the original complaint form, it is nonetheless a sensible suggestion to aid consideration of complaints. Thought needs to be given to balancing the need to direct complainants to the Code, alongside the need to make the form user-friendly particularly for members of the public who may not understand the mechanisms of the Code.
- 1.8 The Group Head of Law & Governance (Monitoring Officer) has prepared a revised Complaint Form for Standards Committee Members to consider – see Appendix A.

## 2.0 PROPOSALS

That Committee Members discuss the proposed draft Complaint Form and reach an agreement as to its design and content for future use.

That, once agreed, the new Complaint Form is published.

## 3.0 OPTIONS:

1. To discuss and agree a design and content for the Code of Conduct Complaint Form
2. To not make any changes and continue to use the existing Code of Conduct Complaint Form

## 4.0 CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		✓
Relevant District Ward Councillors		✓
Other groups/persons (please specify) <ul style="list-style-type: none"> <li>• Standards Committee Members initially consulted via email 21.07.21</li> </ul>	✓	

5.0 ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail below)	YES	NO
Financial		✓
Legal		✓
Human Rights/Equality Impact Assessment		✓
Community Safety including Section 17 of Crime & Disorder Act		✓
Sustainability		✓
Asset Management/Property/Land		✓
Technology		✓
Other (please explain) Links to the Local Assessment Procedure and Members' Code of Conduct	✓	

## **6.0 IMPLICATIONS:**

No financial implications.

No other implications as the form is already in existence, just being redesigned to allow members of the public to understand the detail of information required.

## **7.0 REASON FOR THE DECISION:**

To make the Complaint Form simpler whilst still covering the detail required for a complaint to be considered fairly and informatively.

## **8.0 BACKGROUND PAPERS:**

Complaint Form published on website at [Complaints against councillors | Arun District Council](#)