



WEST OXFORDSHIRE  
DISTRICT COUNCIL

## WEST OXFORDSHIRE DISTRICT COUNCIL

Name and Date of Committee	<b>AUDIT AND GOVERNANCE – 25 JUNE 2026</b>
Subject	<b>ANNUAL REPORT ON CODE OF CONDUCT COMPLAINTS – 1 APRIL 2025 TO 31 MARCH 2026</b>
Wards Affected	None
Accountable Member	Councillor Nigel Ridpath – Chair of Audit and Governance Committee. Email: <a href="mailto:nigel.ridpath@westoxon.gov.uk">nigel.ridpath@westoxon.gov.uk</a>
Accountable Officer	Andrea McCaskie – Director of Governance and Regulatory Services (Monitoring Officer) Email: <a href="mailto:andrea.mccaskie@westoxon.gov.uk">andrea.mccaskie@westoxon.gov.uk</a>
Report Author	Andrew Brown – Head of Democratic and Electoral Services (Deputy Monitoring Officer) Email: <a href="mailto:democratic.services@westoxon.gov.uk">democratic.services@westoxon.gov.uk</a>
Summary/Purpose	To advise the Committee of the number and status of Code of Conduct complaints received and considered by the Council's Monitoring Officer, in consultation with the Independent Person, in the period from 1 April 2025 to 31 March 2026 and any learnings.
Annexes	None
Recommendation(s)	That the Audit and Governance Committee resolves to: I. Note the report.
Corporate Priorities	<ul style="list-style-type: none"><li>Working Together for West Oxfordshire</li></ul>
Key Decision	NO
Exempt	NO
Consultees/ Consultation	N/A

## **1. BACKGROUND**

- 1.1** The Council has Member Code of Conduct Complaint Handling Arrangements in place which enable an individual to make a formal complaint that an elected or co-opted member of West Oxfordshire District Council, or a Town or Parish Council within the district area, has failed to comply with their Council's Code of Conduct for Members. This is the only mechanism for complaining about a local councillor and is separate from the Council's corporate complaints process.
- 1.2** The Member Code of Conduct Complaint Handling Arrangements seek to ensure that complaints are dealt with fairly and are resolved informally where appropriate. The arrangements were last reviewed and updated in 2024. All complaints are assessed by the Council's Monitoring Officer, in consultation with one of the Council's three Independent Persons, in accordance with the Complaint Handling Arrangements.
- 1.3** The Audit and Governance Committee is responsible for promoting high standards of ethical behaviour by developing, maintaining and monitoring the Members' Code of Conduct. The Committee has appointed a Standards Sub-Committee, which has responsibility for undertaking hearings to determine whether or not a member has breached the Code of Conduct.
- 1.4** The Committee is also responsible for receiving a report, at least annually, from the Council's Monitoring Officer with a summary of conduct complaints, trends and key issues arising. This report is to update the Committee on the numbers of Code of Conduct complaints received and the outcomes of those complaints. It also identifies any issues or learning points arising from the complaints.

## **2. NUMBER AND STATUS OF CODE OF CONDUCT COMPLAINTS RECEIVED**

- 2.1** Table I below sets out the numbers of Code of Conduct complaints received by the Council's Monitoring Officer in the period from 1 April 2025 to 31 March 2026, broken down by district and town/parish members, and at which stage of the complaint process the complaints were resolved.
- 2.2** Where district councillors also serve on a town or parish council within the district area the complainant may identify whether the conduct in question relates to their role as a district councillor or town or parish councillor, or both district and town/parish.
- 2.3** During the reporting period 16 new code of conduct complaints were received. This is considered to be a normal volume of complaints, albeit a doubling of the number of complaints received in 2024/25 (8, which was considered to be a low number). All of these 16 complaints have been concluded.
- 2.4** At the time of writing no complaints have been received since 1 April 2026 so there are currently no open code of conduct complaints.

**Table I: Summary of complaint resolution by stage of the process**

Resolution stage	Outcome	# District	# Town / Parish	Both
Assessment stage	No action – complaint withdrawn / not pursued	0	1	0
	No action - complaint dismissed	7	5	2
	Informal resolution	1	0	0
	Awaiting Assessment	0	0	0
Investigation stage	No action – complaint dismissed	0	0	0
	Informal resolution	0	0	0
	Not Pursued	0	0	0
Local hearing stage	No breach found	0	0	0
	Breach found and sanctions applied	0	0	0
<b>Total #</b>		<b>8</b>	<b>6</b>	<b>2</b>
<b>Overall Total #</b>		<b>16</b>		

- 2.5** Table I shows that all 16 complaints were resolved at the assessment stage, with one resolved by way of a local resolution, one not pursued by the complainant and the remainder dismissed as not meeting the threshold for an investigation.
- 2.6** The local resolution involved a town councillor attending training. For the remaining complaints the Monitoring Officer, in consultation with an Independent Person, concluded that whilst the Code of Conduct was engaged when the alleged conduct took place the conduct did not meet the threshold to be referred for an investigation. Under the Council’s Complaint Handling Arrangements, matters that are considered include whether the conduct in question is considered to be sufficiently serious and whether the public interest would be served by referring the complaint for investigation. Complaints that are considered to be trivial, malicious, vexatious or tit for tat will not normally be investigated.
- 2.7** The Council’s Complaint Handling Arrangements were most recently reviewed in 2024 are considered to be robust and effective.

### **3. CONCLUSIONS AND LEARNINGS RESULTING FROM CODE OF CONDUCT COMPLAINTS**

- 3.1** The nature of the alleged breaches of the Code of Conduct are summarised in Table 2 below. Complainants may allege that multiple sections of the Code of Conduct have been

breached when submitting complaints, hence the figures add up to more than the total number of complaints (16).

**Table 2: Summary of complaints by broad nature of alleged breach.**

Category of alleged breach	Number of complaints
4.0 General Principles of Conduct	11
6.1 Respect	10
6.2 Bullying, Harassment and Discrimination	9
6.3 Impartiality of Officers of the Council	4
6.4 Confidentiality and Access to Information	2
6.5 Disrepute	5
6.6 Use of Position	6
6.7 Local Authority Resources and Facilities	0
6.8 Compliance with the Code of Conduct	0
7.0 Registering and Declaring Interests	1
8.0 Gifts and Hospitality	0
<b>Total</b>	<b>48</b>

- 3.2** The most frequently cited section of the Code of Conduct in complaints was General Principles of Conduct (11/16). However, in all of these cases other sections were also cited. Respect (10) and Bullying, Harassment and Discrimination (9) were cited in over half of all complaints, followed by Use of Position (6), Disrepute (5), Impartiality of Officers (4), Confidentiality (2) and Registering and Declaring Interests (1).
- 3.3** The complaint that was resolved informally related broadly to conduct at a meeting towards a member of the public. This was addressed by the member attending training.
- 3.4** While the vast majority of complaints were assessed as not meeting the threshold for an investigation, there were several learnings or reminders arising from the complaints which are summarised below.
- a) Lessons learned in relation to how working groups operate, specifically in relation to potentially sensitive information. Terms of reference have been updated.
  - b) The need for Members to be clear about when they are and are not representing and speaking on behalf of the Council e.g. at external events or seminars.
  - c) Advice was given to some Subject Members on the use of social media and the need to differentiate between their use of “cllr” and “non-cllr” profiles and to keep profile information (such as roles held) up to date.
  - d) The need for debate at full Council to be respectful and for the Chair to intervene where they believe that conduct has fallen short of the expected standard.
  - e) The need for town and parish councils to engage with Oxfordshire Association of Local Councils (OALC), which provides training and support to clerks and chairs on their roles and governance matters.
  - f) The need for Code of Conduct complaints to be treated confidentially by all parties. Correspondence templates have been updated to make this clearer.

- g) The need for Member Questions to be factually accurate. Constitution Working Group to consider whether officers should have the ability to reject Member Questions in more circumstances (as per Public Questions).

#### **4. FINANCIAL IMPLICATIONS**

- 4.1 The processing of code of conduct complaints is relatively resource-intensive for officers but the direct financial costs arising from complaints are minimal.
- 4.2 The Council has three Independent Persons who are paid co-optees' allowances as per the Council's Members Allowances Scheme 2023-27, funded from the budget for members allowances. This allowance is currently £1,000 per annum.
- 4.3 The Council has allocated a budget of £8,000 per annum for member training. Training on the Code of Conduct is delivered internally at no financial cost to the Council. However, other relevant training which is externally provided may be funded from this budget e.g. charring skills training.

#### **5. LEGAL IMPLICATIONS**

- 5.1 The Localism Act 2011 requires the Council to have a Code of Conduct which sets out the standards expected of members whenever they act in their official capacity as councillors. The Code must also have in place a suitable procedure at a local level to investigate and determine allegations that elected members and co-opted members of the district council or town and parish councils within the district area have breached the Code of Conduct.

#### **6. RISK ASSESSMENT**

- 6.1 If the Council fails to process complaints in a fair and timely fashion in accordance with its own processes and procedures, then there are risks to the Council's reputation and to the integrity of its corporate governance and decision-making processes.

#### **7. EQUALITIES IMPACT**

- 7.1 Equalities and human rights issues are taken into account in the handling of Code of Conduct complaints.

#### **8. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS**

- 8.1 Not applicable.

#### **9. BACKGROUND PAPERS**

- 9.1 None.

(END)