



WEST OXFORDSHIRE  
DISTRICT COUNCIL

## WEST OXFORDSHIRE DISTRICT COUNCIL

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| Name and Date of Committee  | AUDIT AND GOVERNANCE – 26 JUNE 2025  |
| Subject                     | ANNUAL REPORT ON CODE OF CONDUCT COMPLAINTS – 1 SEPTEMBER 2024 TO 31 MARCH 2025  |
| Wards Affected              | None   |
| Accountable Member          | Councillor Carl Rylett – Chair of Audit and Governance Committee.<br>Email: <a href="mailto:carl.rylett@westoxon.gov.uk">carl.rylett@westoxon.gov.uk</a>   |
| Accountable Officer         | Andrea McCaskie – Director of Governance.<br>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.<br>Email: <a href="mailto:andrew.brown@westoxon.gov.uk">andrew.brown@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 the period from 1 September 2024 to 31 March 2025. |
| Annexes                     | None   |
| Recommendation(s)           | That the Audit and Governance Committee resolves to:<br>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/<br>Consultation | N/A  |

## **1. BACKGROUND**

- 1.1** The Council has in place complaint handling arrangements to 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 Member Code of Conduct. The complaint handling arrangements seek to ensure that complaints are dealt with fairly and are resolved informally where appropriate.
- 1.2** 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.
- 1.3** 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.
- 1.4** The previous annual report was presented to the Audit and Governance Committee on 26 September 2024 and covered the reporting period 1 September 2023 to 31 August 2024. This report covers the following period from 1 September 2024 up to 31 March 2025, in order to align the reporting period with financial years. The intention is that, going forwards, the Audit and Governance Committee will consider a report covering the previous financial year at its scheduled meeting each June,
- 1.5** The Committee on 26 September 2024 recommended to Council the adoption of revised complaint handling arrangements and Standards Sub-Committee procedure rules following a review of these arrangements by officers and the Council's three Independent Persons who are consulted on standards matters. These updated arrangements were adopted by full Council on 27 November 2025 (during the reporting period) and remain in force.

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

- 2.1** Table 1 below sets out the numbers of Code of Conduct complaints received by the Council's Monitoring Officer in the period from 1 September 2024 to 31 March 2025, broken down by district and town/parish members, and at which stage of the complaint process the complaints were resolved.
- 2.2** During the reporting period 5 new code of conduct complaints were received, all of which have been concluded. A further complaint which pre-dated the reporting period (shown as awaiting assessment in the 26 September 2024 report) was also concluded within this reporting period.
- 2.3** The number of complaints received during the 7-month reporting period is perhaps slightly lower than might normally be expected at less than one complaint per month, on average.

The early indications from 2025-26 suggest that this was a relatively quiet period, rather than the start of a trend.

**Table 1: Summary of complaint resolution by stage of the process**

| Stage of complaints process resolved | Outcome                            | # District | # Town or Parish |
|--------------------------------------|------------------------------------|------------|------------------|
| Assessment stage                     | No action – complaint withdrawn    |            |                  |
|                                      | No action - complaint dismissed    | 1          | 4                |
|                                      | Local resolution                   |            | 1                |
|                                      | Awaiting Local Assessment          |            |                  |
| Investigation stage                  | No action – complaint dismissed    |            |                  |
|                                      | Local resolution                   |            |                  |
|                                      | Not Pursued - Resignation          |            |                  |
| Local hearing stage                  | No breach found                    |            |                  |
|                                      | Breach found and sanctions applied |            |                  |
| <b>Total #</b>                       |                                    | <b>1</b>   | <b>5</b>         |
| <b>Overall Total #</b>               |                                    | <b>6</b>   |                  |

- 2.4** The table shows that all six complaints were resolved at the assessment stage, with one resolved by way of a local resolution and the remainder dismissed. The local resolution involved a town councillor updating their register of interests and being issued advice on declaring interests (both on their register of interests and when they arise at meetings) and public perceptions around interests. 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 our Complaint Handling Procedure 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.
- 2.5** The updated complaint handling arrangements were in force for the assessment of three of the complaints and these arrangements are considered to be working well. No further improvements are proposed to the complaint handling arrangements based on the

experience to date but officers and the Independent Persons will continue to keep these arrangements under review.

### 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. Half of the complaints that were resolved within the reporting period related to an alleged breach of confidentiality, while one third of the complaints related to respect and one third related to use of position. A further complaint (which was resolved informally) related to the registration and declaration of interests.

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

| Complaint # | Registering and declaring interests | Respect | Confidentiality and access to information | Use of position |
|-------------|-------------------------------------|---------|---|-----------------|
| 1*          | ✓                                   |         |   |                 |
| 2           |                                     | ✓       |   |                 |
| 3           |                                     |         | ✓   |                 |
| 4           |                                     |         | ✓   |                 |
| 5           |                                     | ✓       |   | ✓               |
| 6           |                                     |         | ✓   | ✓               |

*\*Complaint received prior to the reporting period.*

- 3.2 The complaint that was resolved informally highlights the need for members to regularly consider their interests and to update their register of interests when they become aware that their interests have changed. Democratic Services have written to all West Oxfordshire District Councillors following the start of the new civic year advising members to consider and, if necessary, update their register of interests by Friday 4 July 2025.
- 3.3 The complaints related to confidentiality, respect and use of position were all dismissed at the assessment stage as not meeting the threshold to warrant an investigation, so there are limited lessons to be drawn from these complaints. However, these issues are all recurring themes in Code of Conduct complaints, which highlights that members of the public expect high standards of conduct from councillors in these (and other) regards.

### 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 £75 for up to 4 hours work and £150 for over 4 hours work.

- 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. the equality and inclusion training held following the local elections in 2023 and 2024.

**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)