

## **Agenda Item 5**

**For publication**

### **Bedford Borough Council – Standards Committee**

**17 September 2025**

### **Report by the Service Director for Governance and Monitoring Officer**

**Subject: PROCEDURE FOR DEALING WITH COMPLAINTS AGAINST COUNCILLORS AND CO-OPTED MEMBERS**

#### **1. EXECUTIVE SUMMARY**

- 1.1 This report seeks endorsement of a recommendation to Full Council for approval of a revised procedure for dealing with complaints against Councillors and Co-opted Members where allegations of a breach of the Code of Conduct are received.

#### **2. RECOMMENDATION(S)**

- 2.1 That Full Council be recommended to approve the revised procedure for dealing with complaints against Councillors and Co-opted Members.

#### **3. REASONS FOR RECOMMENDATION(S)**

- 3.1 To ensure the Council has arrangements in place for dealing with complaints against Councillors and Co-opted Members which are consistent with the latest Local Government Association guidance.

#### **4. THE CURRENT POSITION**

- 4.1 The Council is required to have arrangements in place under which allegations that an elected or co-opted member of the authority, or of a Town or Parish Council within the principal authority's area, has failed to comply with the authority's Code of Conduct can be considered and decisions made on such allegations. This is prescribed under Section 28 of the Localism Act 2011 and it is for the principal authority to decide upon the details of those arrangements. Bedford Borough Council is the principal authority for this purpose.
- 4.2 The Council currently has arrangements in place for dealing with complaints against Councillors and Co-opted Members. Further to a number of complaints considered over the last 12 to 18 months, the Standards Sub-Committee has recently reviewed the Council's arrangements. Consequently, a number of observations and suggested amendments were made by Members of the Sub-Committee with the aim of strengthening the procedure, particularly regarding complaints submitted maliciously or vexatiously, complaints that were repetitive and covered matters pertaining to previous complaints which had exhausted the procedure and those cases where the Borough Council or Monitoring Officer had no jurisdiction with which to investigate.
- 4.3 Since the last meeting of the Standards Sub-Committee the Council has appointed a new Monitoring Officer. The Monitoring Officer has taken into account the comments of the Standards Sub-Committee, alongside the latest Local Government Association guidance and undertaken a fundamental review of the Council's procedure for dealing with complaints against Councillors and Co-opted Members.

#### **5. DETAILS**

- 5.1 A revised procedure for dealing with complaints against Councillors and Co-opted Members is attached at **Appendix A**, accompanied by flowcharts which illustrate the journey of a complaint from its receipt, assessment, potential investigation and determination at a Hearing should it progress to that stage of the process. The procedure is written from the perspective of the complainant in order that those submitting a complaint can understand how the complaint will be handled and what to expect when submitting a formal complaint alleging a breach of the Code of Conduct by a Councillor or Co-opted Member.

## **6. ALTERNATIVES CONSIDERED AND REJECTED**

- 6.1 The Council could retain its existing arrangements.
- 6.2 The Standards Committee could recommend an alternative set of arrangements to Full Council for approval.
- 6.3 The Standards Sub-Committee and Monitoring Officer have highlighted that the current arrangements require strengthening. The revised procedure represents a more robust means of dealing with complaints against Councillors and Co-opted Members which is consistent with the latest Local Government Association guidance.

## **7. KEY IMPLICATIONS**

### **7.1 Legal Issues – relevant legal power**

Section 28 of the Localism Act 2011 requires the Council, in its capacity as a Principal Authority, to have arrangements in place to consider and take decisions on allegations that a Councillor or Co-opted Member has breached their authority's Code of Conduct.

In accordance with the Council's Constitution, only Full Council has the power to adopt these arrangements further to a recommendation by the Standards Committee.

### **7.2 Policy Issues**

There are no policy issues arising from this report.

### **7.3 Resource Issues**

There are no resource issues arising from this report.

### **7.4 Risks**

There are no significant risks arising from this report.

## **7.5 Environmental Implications**

There are no environmental implications arising from this report.

## **7.6 Equalities Impact**

The activity has no relevance to Bedford Borough Council's duty to promote equality of opportunity, promote good relations, promote positive attitudes and eliminate unlawful discrimination. An equality impact assessment is not needed.

## **7.7 Impact on Families**

There is no impact on families arising from this report.

## **7.8 Community Safety and Resilience**

There is no impact on community safety and resilience arising from this report.

## **7.9 Impact on Health and Wellbeing**

There are no impacts on health and wellbeing arising from this report.

## **8. SUMMARY OF CONSULTATIONS AND OUTCOME**

8.1 The following Councillors, Council units, Officers and/or other organisations have been consulted in preparing this report:

Chair of Standards Committee  
Vice-Chair of Standards Committee  
*Chief Executive*

## 9. CONTACTS AND REFERENCES

Report Contact Officer:	Graham Watts, Service Director of Governance and Monitoring Officer
Declarations of Interest by the Report Author:	None
File Reference:	None
Previous Relevant Minutes:	None
Background Papers:	None
Appendices:	<b>Appendix A</b> - Revised procedure for dealing with complaints against Councillors and Co-opted Members