

Agenda Item 6

For publication

Bedford Borough Council – Standards Committee

Date of Meeting: 17 September 2025

Report by the Service Director for Governance and Monitoring Officer

Subject: COUNCILLOR CODE OF CONDUCT COMPLAINTS – UPDATE

1. EXECUTIVE SUMMARY

- 1.1 This report provides the Standards Committee with information relating to complaints received by the Monitoring Officer where allegations have been made that a Councillor or Co-opted Member from Bedford Borough Council, or a Town or Parish Council within Bedford Borough, has breached their Council's Code of Conduct.
- 1.2 The report proposes an amendment to the format for providing future updates, splitting Borough Council and Town and Parish complaints and reporting per municipal year as opposed to calendar or financial years.
- 1.3 The report also provides details relating to a re-assessment of 47 complaints from November 2023 to December 2024, further to allegations from the complainant that the Council had failed to properly process them.

2. RECOMMENDATION(S)

- 2.1 That the Standards Committee:
 - (a) Notes the update regarding complaints received by the Monitoring Officer since the last meeting of the Standards Committee.

- (b) Agrees to accept updates in the revised format of complaints per municipal year as opposed to calendar or financial year.
- (c) Notes the outcomes of the re-assessment of 47 historic complaints submitted between November 2023 and December 2024.

3. REASONS FOR RECOMMENDATION(S)

- 3.1 It is good practice for the Standards Committee to regularly review the number of complaints received against Councillors and Co-opted Members from Bedford Borough Council and Town and Parish Councils within Bedford Borough, together with the outcomes of those complaints, in order that any further action required be identified and addressed.

4. THE CURRENT POSITION

- 4.1 The Borough Council and each Town or Parish Council in the Borough is required to have an agreed Code of Conduct in place for its Councillors or Co-opted Members, which incorporate the requirements of the Nolan Principles of Public Life.
- 4.2 The Borough Council's Monitoring Officer is responsible for investigating complaints where allegations are made that a Councillor or Co-opted Member from the Borough Council or any Town or Parish Councils in the Borough has breached the requirements of their Council's Code of Conduct.

5. DETAILS

- 5.1 From 1 July 2012 the responsibility for assessing, investigating, and hearing complaints about the conduct of Councillors or Co-opted Members was passed to Principal Authorities under the Localism Act 2011, together with the discretion to adopt local arrangements. The Council has local arrangements in place to facilitate the handling of complaints submitted against Councillors or Co-opted Members and an updated version of these arrangements is proposed for adoption as part of another agenda item at this meeting.

- 5.2 The below table outlines the overall position in relation to the number of complaints received based upon comparisons over previous financial years:

<u>Authority</u>	<u>Number</u> <u>2023/24</u>	<u>Number</u> <u>2024/25</u>
Bedford Borough Council	3	10
<i>Complaints in respect of a single parish council</i>	19	36
<i>Complaints in respect of all other parish councils</i>	5	7
Total Town/Parish Council Complaints	24	43
Number of Parish Council Subject to Complaints	6	7

- 5.3 In order to assist the Standards Committee further in its consideration of complaints received against Councillors and Co-opted Members, it is proposed that the format for reporting information about complaints be revised.
- 5.4 Reporting statistics in municipal years as opposed to calendar or financial years can provide a greater sense of how authorities are operating in accordance with their respective ethical frameworks. This is particularly relevant during an election year, where comparisons could be made partway through the year in relation to behaviours or conduct not necessarily attributable to the new Council following an election.
- 5.5 Further details regarding the nature of the complaint, the complainant (in terms of whether they are a member of the public, a Councillor, or employee, for example) a generic overview of the allegations made, and the final outcome would provide the Standards Committee with greater opportunity to recognise any areas where further action or intervention may be appropriate.
- 5.6 Details relating to all complaints submitted during the 2025/26 Municipal Year are appended to this report, reflective of the above principles, with complaints against Borough Councillors outlined at **Appendix A** and complaints against Town or Parish Councillors outlined at **Appendix B**. Two complaints have been received so far this municipal year against Borough Councillors, with 14 complaints having been received against Town or Parish Councillors for the same period. No breaches of the Code of Conduct have been found in relation to these complaints, with none being referred for formal investigation.

Re-assessment of historic complaints

- 5.7 A complaint was received prior to my commencement as Service Director for Governance and Monitoring Officer alleging that the Council had not followed its procedures correctly in the processing of Code of Conduct complaints. These complaints were submitted between November 2023 and December 2024 of which there were 47 in total. I agreed to undertake assessments of all 47 complaints, following the Council's local arrangements for dealing with complaints against Councillors as well as the latest guidance from the Local Government Association.
- 5.8 It should be noted that the Standards Sub-Committee has previously considered issues relating to these complaints and other matters linked to the Town or Parish Council involved. This resulted in a comprehensive letter being sent to the Town/Parish Council outlining the Sub-Committee's concerns and a number of recommendations to improve the situation.
- 5.9 An overview of the complaints and my assessment decision in relation to each case is set out in **Appendix C** which is presented to the Standards Committee for information. None of the complaints were referred for formal investigation, with no further action required in relation to any of these cases.

6. ALTERNATIVES CONSIDERED AND REJECTED

- 6.1 The majority of this report is for noting only.
- 6.2 The Standards Committee could consider alternative formats for the receipt of information relating to Code of Conduct complaints as part of its regular monitoring.

7. KEY IMPLICATIONS

7.1 Legal Issues – relevant legal power

Chapter 7 of the Localism Act 2011 places responsibility on the Borough Council's Monitoring Officer for investigating complaints alleging that a Councillor or Co-opted Member has breached their Council's Code of Conduct. This includes responsibility for investigating complaints in respect of Members of Town or Parish Councils in its area.

7.2 Policy Issues

The Borough Council and each Town or Parish Council is required to have an agreed Code of Conduct adopted for its Councillors or Co-opted Members.

The Borough Council has previously agreed local arrangements for dealing with complaints against Councillors or Co-opted Members under the Localism Act 2011, which are available on the Council's website. A separate agenda item at this meeting proposes the adoption of revised local arrangements for this purpose.

7.3 Resource Issues

Assessments and investigations are normally conducted using existing Borough Council resources, however, external investigating officers may be appointed when necessary due to lack of capacity or any conflicts of interest which may arise. It should be noted that the significant increase in complaints in the previous year has placed additional pressure on the Council's resources.

7.4 Risks

No risks have been identified that are applicable to this report.

7.5 Environmental Implications

There are no environmental implications identified as arising from this report.

7.6 Equalities Impact

In preparing this report, due consideration has been given to the Borough Council's statutory Equality Duty to eliminate unlawful discrimination, advance equality of opportunity and foster good relations, as set out in Section 149(1) of the Equality Act 2010.

This activity has no relevance to Bedford Borough Council's statutory equality duty to eliminate unlawful discrimination, advance equality of opportunity and foster good relations. An equality analysis is not needed.

There are no specific human rights or equalities issues arising from this report. The requirement to ensure that the Council when conducting its activities has proper regard to issues relating to human rights and equalities and fair treatment of all people is a significant component of ethical governance.

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 & Resilience arising from this report.

7.9 Impact on Health and Wellbeing

There is no impact 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 and Vice-Chair of the Standards Committee
Chief Executive

9. WARD COUNCILLOR VIEWS

9.1 Not applicable for this report.

10. CONTACTS AND REFERENCES

Report Contact Officer:	Graham Watts, Service Director for Governance and Monitoring Officer Email: graham.watts@bedford.gov.uk
Declarations of Interest by the Report Author:	None
File Reference:	None
Previous Relevant Minutes:	None
Background Papers:	None
Appendices:	Appendix A – complaints received against Borough Councillors Appendix B – complaints received against Town and Parish Councillors Appendix C – outcome of re-assessment of historic complaints