WARDS AFFECTED
All

Leicester City Council

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:

STANDARDS COMMITTEE	**29th October 2025**
FULL COUNCIL	**TBA**

BIENNIAL REPORT OF STANDARDS COMMITTEE JULY 2023 - JUNE 2025
ANALYSIS OF MEMBER COMPLAINTS

Report of the Monitoring Officer

1. PURPOSE OF REPORT

1.1. This is the report of the Monitoring Officer dealing with Elected Member complaints for the period 1st July 2023 to 30th June 2025. It provides a general overview of complaints for those years, broken down into two periods. Individual complaints themselves are treated confidentially, in accordance with the rules of natural justice. Publicity will attach to cases where they reach the stage of a (public) hearing, or when otherwise appropriate, for example if the misconduct occurred in a very public forum.

1.2. Appendix A provides a redacted summary of valid complaints.

1.3. Council have separately approved and revised two key documents (the “Code” and the “Arrangements”) which, respectively, set out the expected standards of behaviour of Elected Members and the procedural framework under which misconduct allegations are processed. The Code was last revised in 2022, and the Committee made some suggested amendments to the Arrangements in early 2025 which will be presented separately to the Council for endorsement at this meeting.

1.4. The Council has 55 Elected Members (54 Councillors and a directly elected Mayor)

2. RECOMMENDATIONS

2.1. For Standards Committee to note the report and make any recommendations

2.2. For Council to note the report

3. REPORT

Principles

3.1.1. The principles which underpin the Council's processes for dealing with Member misconduct complaint remain as follows:

a. **There should be simplicity to the scheme so that it is easily understood and transparent**

b. **There should be flexibility at every stage of the process for informal resolution and / or robust decisions to be taken about "no further action"**

c. **There should be Member involvement at key stages in the process**

d. **There should be the involvement of Independent Members (IM) and the Independent Person (IP) at key stages of the process**

e. **The Monitoring Officer should have greater powers to deal with complaints relating to the Code of Conduct**

f. **All Members and co-opted Members shall cooperate with the application of these Arrangements, recognising that failure to do so can result in the incurring of wasted costs and reputational damage to the Council**

g. **Rights for complainants to seek a "review" of a decisions at various stages should be limited, consistent with the reduced scope and severity of allowable outcomes that can be imposed under the new regime**

h. **At any stage in the process where it is clear that a matter should be referred to the police this should be done and the local investigation should be suspended**

3.2. **Volume**

No. of valid complaints lodged 1st July 2023 to 30th June 2024	**7**
No. of valid complaints lodged 1st July 2023 to 30th June 2025	**6**

2023/24

3.3. In the period July 2023 to June 2024 seven valid complaints were lodged, covering nine Elected Members. One Member was complained about twice, about a similar theme (unresponsiveness to constituents).

3.4. This means that 46 out of 55 Elected Members did not attract an allegation of misconduct that year.

2024/25

3.5. In the period July 2024 to June 2025 six valid complaints were lodged, covering five Elected Members. One Councillor was complained about twice, arising from the same event.

3.6. This means that 50 out of 55 Elected Members did not attract an allegation of misconduct that year.

3.7. It is to be noted that the number of complaints processed each year is a subset of a larger number of contacts made to the Monitoring Officer. Reasons for 'contacts' not progressing to 'complaints' include:

- Complaint too vague or general to constitute a valid complaint, and when invited by the Monitoring Officer to clarify the nature of the allegation, the prospective complainant declined to engage

- Complaint was about conduct that predated the May 2023 Elections, before which the time the person complained about was not an Elected Member

- Complaint more properly resolved through other action instigated by the Monitoring Officer (e.g. complaint wasn't about standards, and complaint really only wanted progression/resolution of an operational matter)

- Complaint already properly dealt with through other channels

- Elected Member clearly not acting on the business of the Authority at the time (for example, acting on party political business or community work unrelated to their Council role)

3.8. In all cases where a prospective complaint is not treated as valid the Monitoring Officer is mindful to assess whether it is just and fair to abandon it, taking an appropriate steer from the Independent Person(s) where appropriate.

3.9. In relation to some of the invalid complaints the Monitoring Officer nonetheless can and does utilize his broader jurisdiction to offer advice to Elected Members.

3.10. <u>Source of Complaints</u>

<u>2023/24</u>

Public	**3**
Member	**4**
Staff	**0**

<u>2024/25</u>

Public	**3**
Member	**2**

Staff	**1**

3.11. Nature of allegations

2023/24

Disrespectful behaviour	**3**
Unhelpfulness	**4**
Misleading	**1**

2024/25

Disrespectful behaviour	**5**
Bias	**1**
Breach of confidentiality	**1**

3.12. It is very difficult to draw any inferences from the categories used above due to the small sample size. The anonymized Appendix gives more insight into the nature of the allegations raised in the context of the complaints

3.13. Route

2023/24

Dealt with by I.P. and M.O.	**6**
Concluded after 'Review' by M.O. and second I.P	**1**
Proceeded to Standards Hearing	**0**

2024/25

Dealt with by I.P. and M.O.	**3**
Dealt with after 'Review' by M.O. and second I.P	**2**
Proceeded to Standards Hearing	**1**

3.14. Almost all complaints are dealt with by the Monitoring Officer in conjunction with one of the two Independent Persons. These complaints do not come to the attention of the Standards Committee or the Standards Advisory Board (a sub-committee of the Standards Committee which looks at specific complaints) save by way of anonymized update at each Standards Committee meeting.

3.15. A complaint is entitled to ask for a review of a first-stage outcome. The Council's published "Arrangements" allow for this right to be exercised in respect of all outcomes short of referral for independent investigation. A review is achieved by the Monitoring Officer sending the complaint to the second Independent Person, essentially for a second opinion as to outcome.

3.16. Outcome of allegations

2023/24

Rejected (not related to Code, or covered by another process)	**0**
Rejected (trivial, no public interest in pursuing, vexatious)	**0**
Rejected (no potential breach of Code disclosed)	**3**
Informal resolution (no breach, reparation desirable)	**1**
Informal resolution (low level breach, unnecessary to take further, reparation agreed)	**3**
Standards subcommittee hearing (outcome of 'no breach')	**0**

Standards hearing (outcome of 'breach')	**0**

2024/25

Rejected (not related to Code, or covered by another process)	**0**
Rejected (trivial, no public interest in pursuing, vexatious)	**0**
Rejected (no potential breach of Code disclosed)	**5**
Informal resolution (no breach, reparation desirable)	**0**
Informal resolution (low level breach, unnecessary to take further, reparation agreed)	**0**
Standards hearing (outcome of 'no breach')	**0**
Standards hearing (outcome of 'breach')	**1**

3.17. Timeliness

The 'Arrangements' set the following timeframes:

Complaint received ► Acknowledged to Complainant (within 5 days) ► Acknowledged to Subject Member (within 5 further days) ► Initial filtering decision by M.O. and I.P (within 15 days) ► [Further Fact Finding] ► Outcome letter ► Review (within15 days of request)

In cases referred for investigation ► Investigation (within 3 months of initial outcome letter) ► Hearing (within 3 months)

3.18. The figures for the number of days taken to deal with a complaint are included within Appendix A. A relevant variable is for cases where an initial filtering decision results in the Monitoring Officer undertaking some more fact finding before an outcome is recommended. This could either entail asking for more details from the complainant, or involve meeting with the Subject Member to discuss the allegations. These are not always achievable within the ten day window envisaged, though the Monitoring Officer is conscious that "drift" in speedily resolving complaints is of itself harmful.

3.19. The Monitoring Officer is confident that in all cases complainants and Subject Members are communicated with in such a way that they are not left in doubt as to what stage of the process has been reached in dealing with their compliant, and when outcomes will be reached. Where target timescales are likely to be exceeded, it is important to explain this to the parties involved in a complaint, and in those circumstances (where the delay is purposeful) it is more important to maintain contact and dedicate what time is needed to the resolution of the complaint than to comply with rigid timeframes. The 'Arrangements' grant a degree of flexibility to the Monitoring Officer to achieve this aim.

3.20. A couple of cases did take longer to resolve than is desirable. This delay was attributable to a combination of summer holidays affecting availability and also the Monitoring Officer's Deputy taking conduct of cases and familiarising themselves with the procedures.

3.21. **Cost**

No detailed analysis of the cost of operating the complaints regime has been undertaken, and neither would it be easy to do so. The vast majority of cases are dealt with without recourse to the Standards Advisory Board or a commissioning of any specialist investigations. The work is therefore absorbed within the day-to-day work of the Monitoring Officer in conjunction with one of the two Independent Persons. Most of this work in turn is conducted over e-mail.

4. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

4.1. Financial Implications

None

4.2. Legal Implications

The Council's regime for dealing with allegations of Elected Member misconduct allegations complies with the provisions of the Localism Act 2011. (Kamal Adatia, City Barrister).

4.3. Climate Change Implications

None

5. BACKGROUND PAPERS – LOCAL GOVERNMENT ACT 1972

6. REPORT AUTHOR

6.1. Kamal Adatia, City Barrister and Head of Standards.