

CITY OF WOLVERHAMPTON COUNCIL	Governance and Ethics Committee 7 July 2022
--	---

Report title	Arrangements for dealing with Code of Conduct complaints	
Cabinet member with lead responsibility	Councillor Paula Brookfield Cabinet Member for Governance and Equalities	
Accountable director	David Pattison, Chief Operating Officer	
Originating service	Governance	
Accountable employee	David Pattison	Chief Operating Officer
	Tel	01902 553940
	Email	David.Pattison@wolverhampton.gov.uk
Report to be/has been considered by	Not applicable	

Recommendations for decision:

The Governance and Ethics Committee recommends that Council:

1. Considers and approves the Arrangements for dealing with Code of Conduct complaints, and its annexures which includes Hearing Procedures.
2. Authorises the Chief Operating Officer to publicise the document and add it to the Constitution as necessary.

1.0 Purpose

- 1.1 This report outlines the need for, and work undertaken to commit to writing the Council's arrangements for dealing with Code of Conduct complaints.

2.0 Background

- 2.1 The Localism Act 2011 section 27 places the Council under a duty to promote and maintain high standards of conduct. In discharging this duty, the Council is required to adopt a Code of Conduct covering the expectations of its Members and Co-opted Members.
- 2.2 Section 28(6) of the Act also requires the Council to have in place arrangements under which allegations can be investigated and decisions on allegations can be made.

3.0 Progress, options, discussion, etc.

- 3.1 The Council already has in place arrangements for dealing with Code of Conduct complaints, which follows the Local Government Association's Guidance on Member Code of Conduct Complaints Handling. However, these arrangements have not previously been committed to writing and it is considered beneficial for local arrangements to be made clearer and more accessible to both Councillors and potential complainants.
- 3.2 The new document, called "Arrangements for dealing with Code of Conduct complaints" makes clear how complaints can be made and what type of complaint can be considered by the Monitoring Officer. It describes the complaint process from start to finish including all possible outcomes as well as timescales.
- 3.3 Annexed to the document is:
- A. A helpful procedure flowchart.
 - B. Updated detailed procedures for Code of Conduct hearings.
 - C. The complaint form.
- 3.4 It is proposed that these documents are added to the Constitution and made available on the Council's website.

4.0 Financial implications

- 4.1 There are no financial implications arising from this report.

[AS/30062022/O]

5.0 Legal implications

- 5.1 Compliance with this document supports the Council's lawful and effective response to complaints as per Localism Act 2011.

[SZ/29062022/P]

6.0 Equalities implications

6.1 There are no equalities implications arising from the recommendation in this report.

7.0 All other Implications

7.1 There are no other implications arising from the recommendations in this report.

8.0 Schedule of background papers

8.1 None.

9.0 Appendices

9.1 Appendix 1:

Arrangements for dealing with Code of Conduct complaints, including:

Annex 1 – Procedure flowchart

Annex 2 – Hearing procedures

9.2 Appendix 2:

Annex 3 – Complaint form