

Basingstoke District Association of Parish & Town Councils

Meeting & AGM - 29 September 2022

[Councillor Behaviour & adoption of the 'Councillors Code of Conduct'](#)

Fiona Thomsen

Head of Law and Governance and Monitoring Officer, BDBC

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Fiona Thomsen introduced herself as the Head of Law and Governance and Monitoring Officer at Basingstoke & Deane Borough Council.

Fiona explained she was going to give an update on what's been happening with regards to conduct issues over the last 12 months, since the last BDAPTC meeting where she had also presented and to let us know what's going to come up in the future months.

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Fiona explained that one of her responsibilities as Monitoring Officer was to have oversight of matters relating to conduct across borough councillors and parish and town councillors.

All Parish & Town Councils are required to adopt a Code of Conduct which may be the same one as the Borough Council, but doesn't have to be.

All complaints about councillor conduct are determined by her or her office at the council which has the assistance of independent standards assessors and independent persons who make the system robust.

The standards committee at the Borough Council has oversight of complaints against Councillors and the complaints process. The Committee is a non-political committee, consisting of 1 member from each of the political groups but it also has three independent members including an independent chair and four representatives from Basingstoke District Association of Parish & Town Councils - currently there are two vacancies from BDAPTC which will be covered off during the AGM.

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Fiona presented a view of the last three years to see the volume of complaints and what the subject matters have been about. (Blue represents the complaints against Borough Councillors, green those against the parish and town councillors). Where there have been multiple complaints against a number of councillors or by a number of complainants regarding the same set of facts these have been categorized as just one complaint otherwise it would skew the data.

2021/2022 showed the worst year for complaints – 1 Borough Councillor and 9 Parish / Town Councillors. In 2022/2023 there have so far just been 2 complaints.

Over the last 3 years there had been 23 complaints in total and out of all of those there was only 1 breach of the code of conduct found.

Most of the complaints were about people feeling like they were not being treated with respect or their allegations were that the behaviour brought the council into disrepute

Some complaints take a longer time to deal with than others so although numbers might be light in one year doesn't mean that the complaint itself wasn't complex and sometimes complaints also lead to an appeal.

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Since the last BDAPTC meeting –

There was the consultation on the new model code of conduct which the Local Government Association (LGA) produced

The standards committee had reviewed that code and some social media guidance for councillors as well which they recommended for approval by the council.

BDBC Council approved them in March 2022. and both the new code and the social media guidance came into effect following the local elections in May 2022. Clerks were emailed in April to notify them that the new code had been adopted by BDBC.

Since that time we have also now received the government response in relation to the committee on standards in public life report on ethical standards in local government.

The report had made 22 recommendations to the government in relation to the ethics standards regime and the government decided that they would take no action or keep things under review in relation to 15 of those recommendations and they said they'd engage further in relation to 7. Two of the responses to highlight were that sanctions would be strengthened for cases where there was a serious incident of bullying or harassment or disruptive behaviour & also Parish & Town Councils did not have to adopt the same Code of Conduct as the principal authority.

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Pie Chart – trawling through websites for every Parish & Town Council to see which had adopted the new Code of Conduct relying on finding the published code on the website or looking at the minutes from the Annual General Meeting of the Council – the figures may not be totally accurate, but these were the findings:

- 8 had adopted the new Code of Conduct
- 10 had not adopted the new Code of Conduct
- 3 maybe adopting the new Code of Conduct
- 19 unable to determine whether the new Code was being considered as it was not evident from the website or the minutes.

The Basingstoke Standards Committee would like to encourage more adoption of the Code of Conduct as there would be benefits if having one code across the Borough.

Consistency across the Borough & Parish and Town Councils

Twin hatted councillors (where Borough and Parish/Town Councillors) would only have one code

Complaints could be dealt with more effectively as don't have to look at several different versions of the Code & there is comprehensive LGA guidance which assists with interpretation.

Training can be delivered by the Monitoring Officer on the new Code.

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Current Work

The complaints process is being reviewed.

Standards Committee has reviewed the process and now going through the amendments with the Borough Councillors

Training (free of charge) – offer to roll out training to those who have adopted the new code.

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Request for feedback

Useful to let Fiona Thomsen know of any particular reasons for not adopting the code or whether they are still considering whether to adopt the new code & whether training would be of benefit.

Actions:

- Parish & Town Councils to provide feedback to Fiona by the end of November 2022.
- Happy to chat why take on the Standard Code.
- Fiona is happy to have discussions about the new Code if it would be helpful.