



MEMBER CONDUCT ANNUAL REPORT 2023-24

This is the Member Conduct Annual Report of North West Leicestershire District Council's Audit and Governance Committee and covers the period from 1 April 2023 to 31 March 2024.

In addition to the responsibilities detailed in the Terms of Reference below, the Audit and Governance Committee promotes high standards of conduct by District Council Members and Members of Town / Parish Councils in North West Leicestershire. The Audit and Governance Committee complies with the requirements of the Localism Act 2011, the Regulations and the guidance provided under that legislation, together with Council's adopted Arrangements.

In September 2021, Council adopted the latest version of North West Leicestershire Code of Conduct for Members. The code is based on the Local Government Association Model Code of Conduct and, following collaboration across Leicestershire, the same Code has been adopted by other Leicestershire District and Borough Councils and Leicestershire County Council.

2. Audit and Governance Committee Terms of Reference

Membership: Ten District Councillors

Quorum: Three District Councillors

The Terms of Reference of the Audit and Governance Committee are set out in the Constitution at Section D and can be found via this link:

[Council Constitution](#)

The Committee has responsibility for governance functions. Its scope is to provide independent assurance to those charged with governance on matters such as risk management, the internal control environment, financial reporting, internal and external audit and annual governance processes. It also oversees the work on reviewing the constitution, corporate governance policies, Councillors Code of Conduct and Arrangements for Dealing with Complaints about Councillors and receives the Annual letter from the Local Government and Social Care Ombudsman. Sub-Committees of the Audit and Governance Committee are formed as required to deal with matters relating to complaints about Councillors.

3. Composition

District Councillors

All appointed by Council on 23 May 2023

Chairman: Councillor D Everitt
Deputy Chairman: Councillor P Moulton
Councillor A Barker
Councillor R Boam
Councillor D Cooper
Councillor G Rodgers
Councillor J G Simmons
Councillor N Smith
Councillor R Sutton
Vacancy

Parish Representatives

The following parish councillors were appointed as Parish Representatives for the remainder of the Administration in September 2023:

Councillor R Johnson – Hugglescote and Donington Le Heath Parish Council.
Councillor L Upton - Charley Parish Council

Part of the role of the Audit and Governance Committee is to hold Sub-committees to investigate complaints against Councillors (District and Parish). It is for these Sub-committees that the Parish representatives will form part of a pool from which members will be drawn based on their availability and the requirements of the particular Sub-committee, this will be as and when required. The Parish representatives will not be required to attend the main meetings of the Audit and Governance Committee. The Sub-committees have not been required to call upon the representatives in the last year.

Independent Persons

The legislation requires the Council to appoint at least one Independent Person (IP) who potentially advises all those involved in a Standards complaint, including the Monitoring Officer, and who must be consulted prior to the determination of a complaint.

Through an open advertising process conducted with partner authorities the Council appointed the following pool of independent persons from whom one can be drawn as and when required:

Michael Pearson
Mark Shaw
Gordon Grimes
Richard Gough
Michael Gibson
Laurence Faulkner

The IP's were appointed by Full Council on the 25 May 2021 until May 2025.

Work will begin later in 2024 to work with other districts on the recruitment of the new pool of Independent Persons for 2025-29.

The main officer support for the Committee is provided by the Monitoring Officer (Elizabeth Warhurst), the Deputy Monitoring Officer (Kate Hiller) and the Democratic Support Officer (Rachel Wallace).

4. Meetings and Work Programme

The Audit and Governance Committee meets a minimum of four times per annum. In addition to its scheduled meetings, sub committees still meet on an ad hoc basis in order to consider and determine allegations of Member conduct. The Committee has its main work planned in advance through a Work Programme which enables it to be more proactive, strategic and focused in its approach to key issues. The work of the sub committees is not programmed as the meetings are called as and when needed.

5. Reporting Arrangements

The Audit and Governance Committee receives quarterly reports which have enabled Members to be reminded of the issues it has dealt with during each quarter and address any issues which this has highlighted.

6. Procedures and Workloads

(a) Dispensations

During 2023/24, there were no applications received for a dispensation from either District or Parish members.

(b) Complaints made to the Monitoring Officer under the Code of Conduct during 2023/24

<u>Qtr</u>	<u>Complaint from</u>	<u>About district/parish councillor</u>	<u>Regarding</u>	<u>status</u>
Q1 23/24	Member of the public	Parish Cllr	Comments on social media	Initial tests not met
	Member of the public	District Cllr	Comments on social media	Resolved informally
	Member of the public	Parish Cllr	Comments on social media	Initial tests not met
Q2 23/24	Member of the public	Parish Cllr	Comments on social media	Initial tests not met
	Member of the public	District Cllr	Comments made at a Committee meeting	Considered by Assessment Sub-committee, one issue referred to Monitoring Officer for further action and one issue no further action
	Member of the public	District Cllr	Comments and concerns regarding phone call	Considered by Assessment Sub-committee, no further action
<u>Q3</u> <u>23/24</u>	Member of the public	Parish Cllr	Various issues – use of IT and conduct at meetings	Considered by Assessment Sub-committee, three issues referred to the Monitoring Officer for further action and one issue, no further action
	Member of the public	Parish Cllr	Various issues – conduct at meetings / with staff, meeting and training attendance	Considered by Assessment Sub-committee, no further action required
	Member of the public	Parish Cllr	Various issues – conduct at meetings / with staff, meeting and training attendance	Considered by Assessment Sub-committee, two issues referred to the Monitoring Officer for further action and two issues, no further action
	Member of the public	Parish Cllr	Conduct at meeting / role of Councillor	One issue, initial tests not met. One issue considered by Assessment Sub-committee, no further action
Q4 23/24	Parish Cllr	Parish Cllr	Various issues – conduct at meetings and email issues	Initial tests not met / withdrawn
	Parish Cllr	Parish Cllr	Various issues – conduct at / outside meetings	Resolved informally / referred to Assessment Sub-committee

(c) Complaints referred to the Standards Assessment Sub Committee

From the above-mentioned complaints: six

(d) Members' Register of Interests

The Democratic Services Officers send regular reminders to members to ensure that the Register of Members' Interests is up to date and provide advice and assistance to Parish Councils on the completion of the Registers.

(e) Advice and Training

The Monitoring Officer and Deputy Monitoring Officer continue to provide both parish and district members with advice, both proactively and on request, on member's interests and governance.

Training on the members' Code of Conduct was provided as part of the Members induction programme in May 2023.

Following the District and Parish Elections, that were held in May 2023, three training sessions on the Code of Conduct were held as part on the Member Induction programme and were opened up to all Parish Councillors. The sessions were a mix of in person, hybrid, and remote sessions, and held at different times throughout the day to enable attendance. A fourth session was then held at a later date for those that were unable to attend the original date. The sessions were led by Beth Evans, an external trainer, and a recording of one of the sessions along with the presentation were made available to all members via the Member Hub. This was also sent to all Town and Parish Council clerks to share with their Councillors.

7. Policies & Procedures

The Audit and Governance Committee oversees the ethical framework of the Council including oversight of:

- Anti Fraud and Corruption Policy
- Anti Money Laundering Policy
- Confidential Reporting (Whistle Blowing Policy)
- Risk Management Policy
- RIPA Policy
- Information Management Policy
- Data Protection Policy
- ICT & Cyber Security Policy
- Local Code of Corporate Governance

These corporate governance policies are reviewed annually by the Committee before consideration and adopted by Cabinet. The Committee considered the policies at its meeting on 26 July 2023 and Cabinet adopted the policies at its meeting on 19 September 2023.

Councillor Everitt
Chairman of Audit and Governance Committee

Councillor Moul
Deputy Chairman of Audit and Governance Committee

Elizabeth Warhurst
Head of Legal and Support Services and Monitoring Officer

OUR VISION
North West Leicestershire will be a place where people and businesses feel they belong and are proud to call home