



MEMBER CONDUCT ANNUAL REPORT 2025-26

1. Introduction

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 2025 to 31 March 2026.

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, applicable regulations and the guidance provided under that legislation, together with the Council's adopted Arrangements for Dealing with Complaints about Councillors.

In February 2022, Council adopted a new version of its Code of Conduct for Councillors, which was based on the Local Government Association Model Code of Conduct, and followed collaboration with other Leicestershire District and Borough Councils and Leicestershire County Council.

2. Audit and Governance Committee Terms of Reference

Membership: Ten District Councillors

Quorum: Six District Councillors (as of 1 March 2026)

The Terms of Reference of the Audit and Governance Committee are set out in Section D7 of Part 2 of the Constitution and can be found via this link:

[Council Constitution - March 2026.pdf](#)

The Audit and Governance Committee has responsibility for governance issues, including audit 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 standards matters. It also oversees the work on reviewing the Council's 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

The following Councillors were appointed to the Committee on 13 May 2025.

Chair: Councillor J Simmons (appointed as Chair on 11 March 2026)
Councillor R Boam
Councillor D Cooper
Councillor D Everitt
Councillor P Moulton
Councillor G Rogers
Councillor N Smith
Councillor R Sutton (former Chair, resigned as Chair on 26 February 2026)
Councillor A Wilson
Councillor Johnson (resigned as A&G committee member on 8 March 2026)

Parish Representatives

The following parish councillors were appointed as Parish Representatives for the remainder of the Administration in June 2024:

Councillor M McIntyre – Lockington and Hemington Parish Council
Councillor R Woodward – Whitwick 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). As provided for in the Council's Constitution, the Sub Committees may co-opt at least one parish councillor when decisions are taken concerning a parish matter. 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 considered it necessary to co-opt a Parish Councillor in the last year.

Independent Persons

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

Through a joint advertising process with the Leicestershire District and Borough Councils, led by Oadby and Wigston Borough Council, the Council appointed the following pool of independent persons from whom one can be drawn as and when required:

Mr Richard Gough
Mr Michael Gibson
Mr Laurence Faulkner
Mr Mark Shaw
Mr Gordon Grimes
Mr Michael Chad Smith
Mr Matthew Johnson

The Independent Persons were appointed by Full Council on 13 May 2025 until May 2029.

The main officer support for the Committee on member conduct is provided by the Monitoring Officer, the Governance Legal Team Leader and the Democratic Support Officer. Professional advice on other matters is provided to the Committee by the S151 Officer and Internal Audit Manager and other officers, as required.

4. Meetings and Work Programme

The Audit and Governance Committee meets in accordance with the programme set by Full Council. The Chair of the Committee, in their discretion, may convene an additional meeting not in the programme. 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 Standards and Ethics Reports which provide information in two categories: Local Determination of Complaints and Ethical Indicators.

The report enables the Audit and Governance Committee to keep track of how many complaints are received by the Monitoring Officer each quarter and how these are dealt with. Where the

Councillor Code of Conduct has been breached, this will also be recorded to enable the Committee to determine whether there needs to be further targeted training.

The report also allows the Committee to have oversight on the quarterly data for Ethical Indicators. This includes reporting on instances of concern raised regarding Modern Slavery, reporting of whistleblowing incidents, whether the Council has used its Regulation of Investigatory Powers Act (RIPA) powers, and several other indicators.

6. Procedures and Workloads

(a) Dispensations

During 2025/26, there were no dispensations granted.

(b) Complaints made to the Monitoring Officer under the Code of Conduct during 2025/26

The Monitoring Officer deals with complaints in line with the Council's Arrangements for Dealing with Complaints about Councillors. The Arrangements can be found on the Council's website via the following link:

[Arrangements for Dealing with Complaints about Councillors 2026.pdf](#)

The Arrangements for Dealing with Complaints about Councillors were reviewed in 2025/26 and the updated Arrangements were adopted by Council on 19 February 2026.

The first stage of dealing with a complaint is a consideration of the initial tests. The Arrangements for Dealing with Complaints about Councillors provide that if the initial tests are not met, the complaint will not proceed.

If the complaint does proceed, the next step is informal resolution. This is where the Monitoring Officer works with the complainant and the subject member to see whether the complaint is one that can be resolved informally to the satisfaction of both parties. No finding is made in relation to the Code and parties can decide whether they wish to take part in this step.

If the complaint is not resolved informally, for whatever reason, the Monitoring Officer refers the complaint to the Assessment Sub-Committee. The Assessment Sub-Committee makes a decision about whether the press and public should be excluded from the meeting under Schedule 12A Local Government Act 1972. The Sub-Committee makes this decision having regard to the advice from the Monitoring Officer and an assessment of the public interest. Under the Council's Arrangements for Dealing with Complaints about Councillors. There is a presumption that the meeting will be held in private. This is in line with the Local Government Association Guidance on Member Code of Conduct Complaints Handling (2021).

On consideration of a complaint, the Assessment Sub-Committee has the following decisions available to it:

- Refer the complaint to the Monitoring Officer to take other action – this is fact specific to the matter being considered.
- Request further information from the parties.
- Refer the complaint to the Monitoring Officer for investigation.
- No action to be taken in respect of the complaint.

The table below summarises the complaints which have been received during 2025/26. This information is reported on quarterly basis to the Audit and Governance Committee.

<u>Qtr</u>	<u>Complaint from</u>	<u>About district/parish councillor</u>	<u>Regarding</u>	<u>Status</u>
1	District Councillor	District Councillor	Promoting another political party on social media	Initial tests not met
1	Member of the Public	District Councillor	Overhearing a comment made by one Councillor to another Councillor (the recipient Councillor did not raise a complaint about this)	Initial tests not met
1	Parish Clerk	Parish Councillor	Unacceptable behaviour over a telephone call	Ongoing – under investigation
2	District Councillor	Parish Councillor	Unacceptable behaviour and being declined the opportunity to vote on a matter when declaring a pecuniary interest	Ongoing
2	Member of the Public	Parish Councillor	Causing offence by their actions and not respecting the public or welcoming challenge	Initial tests not met
3	Member of the Public	Parish Councillor	Treatment by Councillor in relation to concerns raised about an event	Ongoing - being referred to Assessment Sub-committee
3	Parish Councillor	Parish Councillor	Misleading the public and being disrespectful towards others	Ongoing
4	Parish Councillor	Parish Councillor	Misleading the public, bullying and misrepresentation of the Parish Council	Ongoing
4	District Councillor	District Councillor	Interrupting a Councillor surgery for local residents and failure to declare a relevant interest	Ongoing
4	Member of the Public	Parish Councillor	Treatment by Councillor in relation to concerns raised about an event	Ongoing

4	Member of the Public	Parish Councillor	Treatment by Councillor behaving dishonestly and exhibiting bullying and misogynistic behaviour	Ongoing
1	Parish Councillor	Parish Councillor	Inappropriate language and behaviour at a meeting	Ongoing – Assessment Sub-committee to be reconvened

(c) Complaints referred to the Standards Assessment Sub Committee

From the above-mentioned complaints, three were referred to the Assessment Sub-Committee.

(d) Complaints referred to the Determination Sub Committee

One complaint from the above table of complaints for 2025/26 has been referred to the Determination Sub-Committee.

A complaint originally received in Q3 of 2024/25 is still ongoing and has been referred to the Determination Sub-Committee.

(e) Members' Register of Interests

The Democratic Services Officers undertake regular checks of the Register of Members' Interests and provide advice and assistance to Parish Councils on the completion of the Registers.

(f) 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.

During 2025/26, Members have undertaken mandatory training hosted by an external provider on the Code of Conduct and Member Officer protocol. This training was organised following the presentation to the Audit and Governance Committee of the Member Conduct Annual Report for 2024/25 as Members supported the idea of a Code of Conduct refresher training session being delivered.

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
- Local Code of Corporate Governance
- Data Protection Policy
- Information Governance Framework
- Information Security Policy
- Information Rights Policy

- Records Management Policy
- Procurement Strategy

These corporate governance policies are reviewed annually by the Audit and Governance Committee before consideration and adoption by Cabinet. The Committee considered the policies at its meetings on 6 August 2025 and 4 February 2026 (as the policies comprising the Information Governance Framework were taken separately to allow time for a detailed review to be undertaken), and Cabinet adopted the policies at its meetings on 23 September 2025 and 24 February 2026.

Rochelle Tapping
Interim Head of Legal and Support Services and Monitoring Officer

Legal and Support Services
North West Leicestershire District Council