

Values and Ethics Sub Committee

11th March 2024



Report of: Director: Legal and Democratic Services

Title: Revised Complaints procedure

Ward: N/a

Officer Presenting Report: Nancy Rollason Head of Legal Service

Recommendation

That the Committee note the report and approves the further revisions to the complaints procedure.

The significant issues in the report are:

This report follows on from the Committee meeting on the 9th October 2023 where a draft of an updated complaints process was presented to the Committee. The Committee asked to meet with Officers to discuss further amendments. This has now been done and an updated procedure is attached for approval.



Context

1. A complaint against a Councillor relates to an allegation that a Councillor has not observed the Code of Conduct for Members. Complaints must be about councillors' actions relating to their role as a Member of the Council.
2. The Localism Act 2011 places a duty on the Council to promote and maintain high standards of conduct by members and co-opted members of the authority and to adopt a code dealing with the conduct that is expected of members and co-opted members of the authority when they are acting in that capacity. Codes of conduct must be consistent with the following principles: selflessness, integrity, objectivity, accountability, openness, honesty and leadership. Bristol City Council's Code of Conduct for Members incorporates these principles.
3. The Act also requires all local authorities (other than parish and town councils) to have procedures in place to deal with complaints about member conduct. It is for the Authority to decide the details of those procedures, but they must appoint at least one Independent Person, whose views are to be taken into account, before making a decision on a complaint. The Authority has appointed 3 Independent persons and updated the complaints procedure. The revised procedure was presented to the committee on the 25th of September and 9th October . The Committee asked to meet with Officers to discuss further amendments to the procedure.
4. The note of the meeting on the 9th October states: *That a one-meeting Working Group of the V&E Sub-Committee, supported by the Monitoring Officer, be held to review the draft procedure and a report be brought back to a future meeting of the Sub-Committee.*
5. The working group took place 8th November and amendments put forward by the committee were discussed and the procedure was updated as a result. This was circulated and approved in principle by Members to be formally considered at the next meeting of the committee.
6. The updated procedure is attached at Appendix 1.

Other Options Considered

7. Not applicable.

Risk Assessment

8. Not applicable.

Legal and Resource Implications

Legal

As set out in the report

(Legal advice provided by Nancy Rollason – Head of Legal Services)

Financial / Land / Human Resources

Not applicable.

Appendix 1 – Revised Complaints procedure

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers: None