



Title of report: Code of Conduct for Councillors 2025/26

Meeting: Audit and Governance committee

Meeting date: 21 July 2026

Report by: Head of Legal Services and Deputy Monitoring Officer

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards)

Purpose

To enable the committee to be assured that high standards of conduct continue to be promoted and maintained. To provide an overview of how the arrangements for dealing with complaints are working together.

Recommendation(s)

That the Committee:

- a) notes the update on the Code of Conduct complaints arrangements in respect to the year-end 2025/26;
- b) notes that Council has agreed changes to the arrangements allowing Local Resolution; and
- c) discusses possible actions in relation to encourage further uptake of the Local Resolution Process.

Alternative options

1. There are no alternative options, the constitution requires the committee to annually review overall figures and trends from code of conduct complaints. This committee agreed that this should be 6 monthly and the committee's recommendation was approved by Council in March

2024. This report provides a summary of the work undertaken during the 2025/26 administrative year ('the review period').

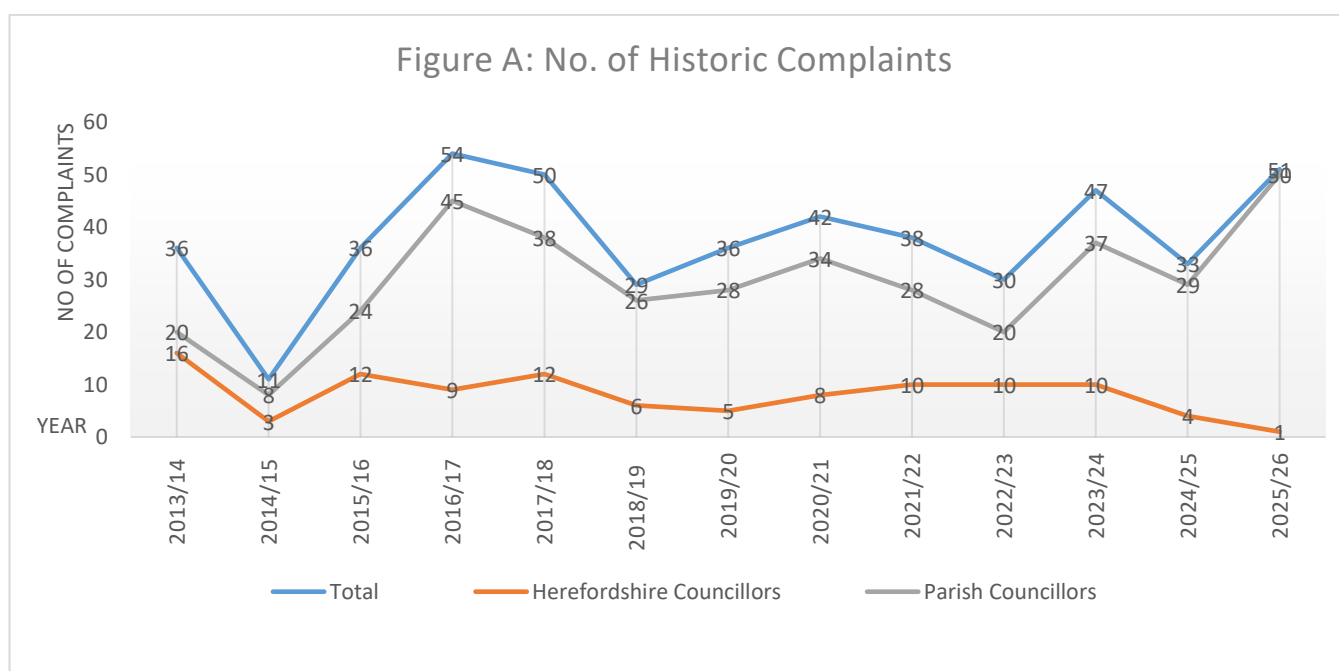
Key considerations

2. Herefordshire Council, and all parish, city and town councils in the county, have a statutory duty under the Localism Act 2011 to 'promote and maintain high standards of conduct by members and co-opted members of the authority'.
3. The Monitoring Officer is responsible for dealing with allegations that councillors have failed to comply with the members' code of conduct and for administering the local standards framework. The Committee is responsible for receiving an annual review by the Monitoring Officer.

Code of Conduct Complaints 2025/26

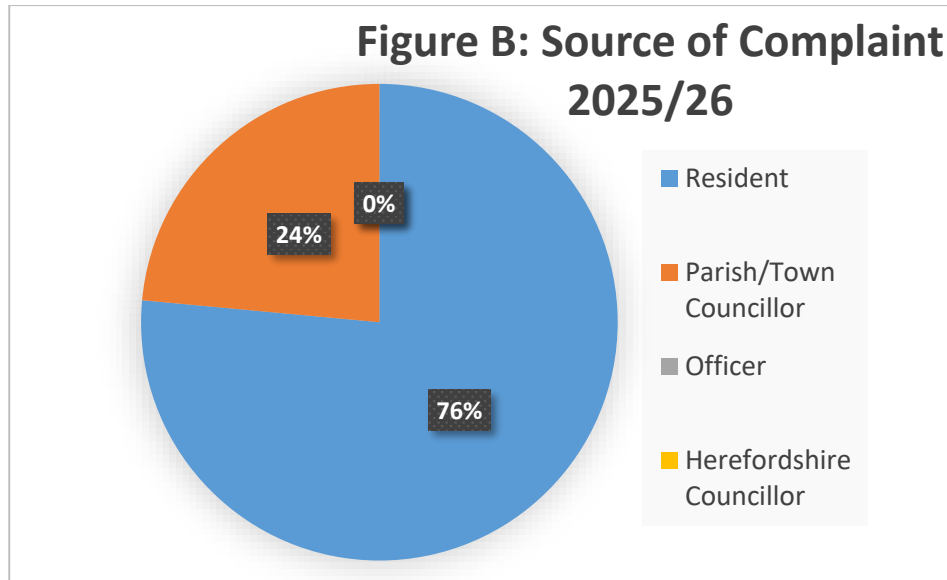
Number of Complaints

4. Since the introduction of the Localism Act 2011, the number of complaints handled by Herefordshire Council has been tracked. There are 53 Herefordshire councillors and approximately 1,300 parish councillors each of whom is subject to a councillor code of conduct.
5. Since the last update to this Committee, from 1 April 2025 the Council received a further 22 complaints in the last 6 months of the year. This resulted in 51 complaints for the year.
6. Figure A below shows the number of complaints received since 2013. The numbers have been steady since 2019 but there was a sharp increase this year. However, this appears to be due to complaints that have been raised against a number of members simultaneously but based upon the same incident or facts. 24 complaints were raised against 24 different councillors but based on 3 sets of circumstances/facts. Although officers treat each complaint individually, we have modified process to minimise the impacts on resources but also members who receive such. There has also been one complaint against Herefordshire Council members.

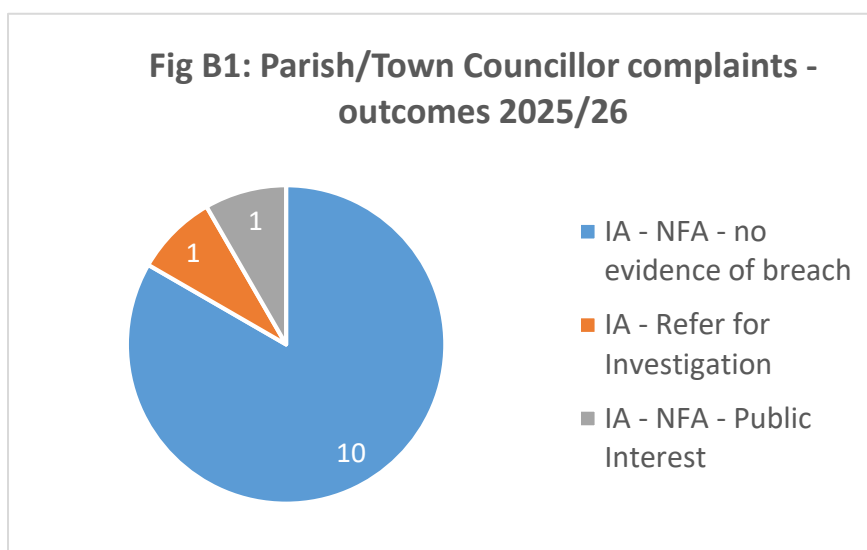


Source of Complaints

7. Figure B shows that, for the review period, the source of complaints are residents and Parish/Town Councillors. The levels of complaints from Parish Town Councillors have decreased from last year but remains higher than desirable. No complaints have been received from members of Herefordshire Council or officers.



8. 25% of all complaints continues to be raised by a Parish/Town Councillors about another Parish/Town Councillor. The trend continues to be that some Parish/Town Councillors use the Code of Conduct process to resolve differences of opinion or behaviours rather than matters being resolved by the Councils and/or Councillors themselves.
9. In the two years to 2024/25, only 2 out of 23 Parish/Town Councillor **sourced complaints** (where a Parish/Town Councillor raised a complaint) resulted in any further action being taken. Figure B1 below shows the outcome for the current financial year.

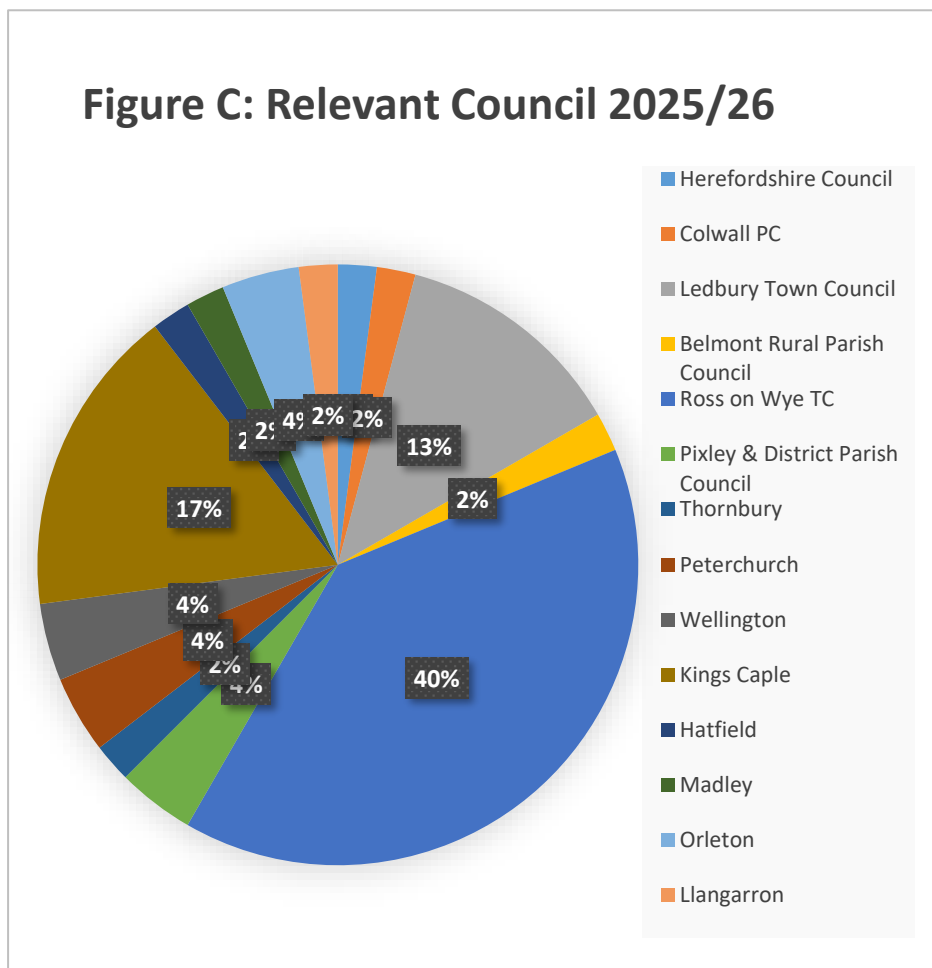


10. Out of 12 complaints in this year, only on 1 was referred to investigation (meaning a potential breach). No further action was taken after the initial investigation stage for 11 complaints due to there not being evidence of a breach.

11. This means that over the last 3 years, 35 complaints in the review period relate to Parish/Town Councillor complaining about another Parish/Town Councillor. All but 3 of the 35 were dismissed as there essentially being no further action required. However, this requires significant Herefordshire Council resources to receive, consider and conclude the first stage.
12. In the 3 years leading to this report, the main councils where Parish/Town Councillor sourced complaints are Colwall PC (6), Ledbury (8) and Ross on Wye (7).

Relevant Council

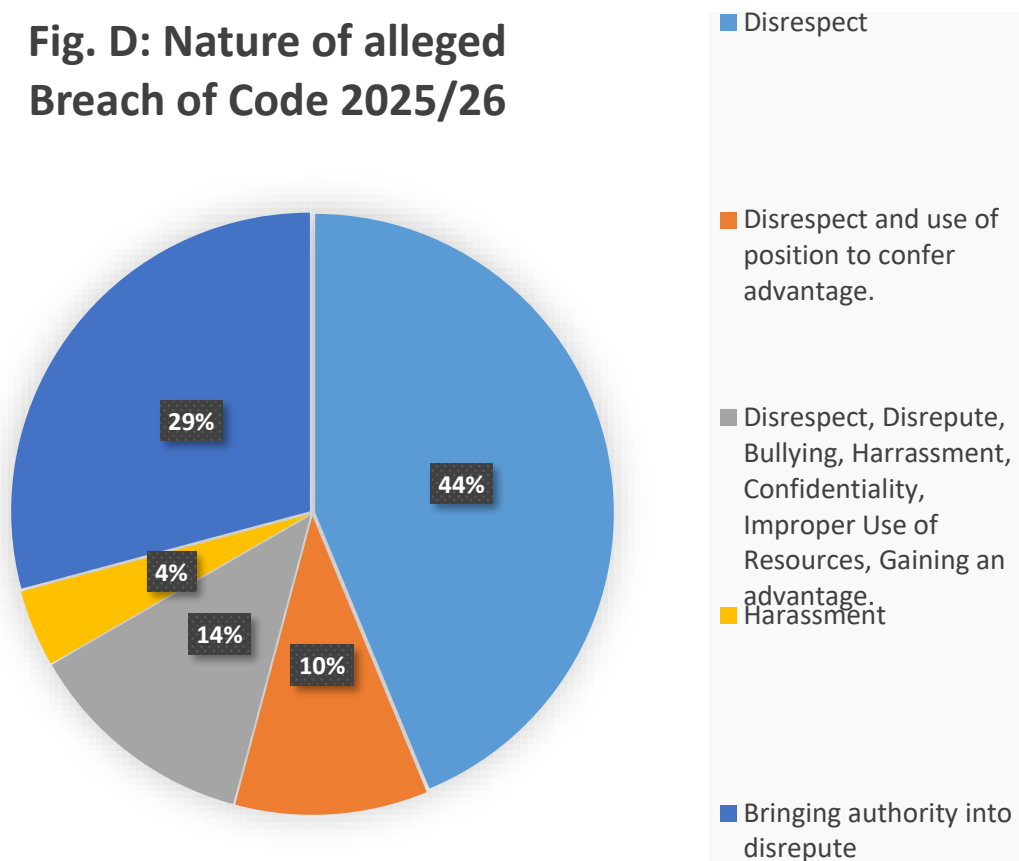
13. Figure C shows the council in which the complained about Councillor is located. In the current year, all but 1 complaint relates to members of Parish/Town Councils. In the whole, most complaints related to Ross on Wye, Ledbury and Kings Caple.



Nature of Complaints

14. A complaint requires a potential breach of the relevant Code of Conduct. Although this has been recorded by officers, due to the fact there is not a standard Code of Conduct (not all Parish/Town Councils have adopted the Herefordshire Code), this means that there is overlap in the recorded potential breaches. As such there are wide ranging descriptions of potential breaches of the Code of Conduct of the relevant council.
15. Figure D2 shows the range of allegations raised. As normal, almost all the complaints relate to 'disrespect' (sometimes in combinations with other allegations) and 'disrepute'.

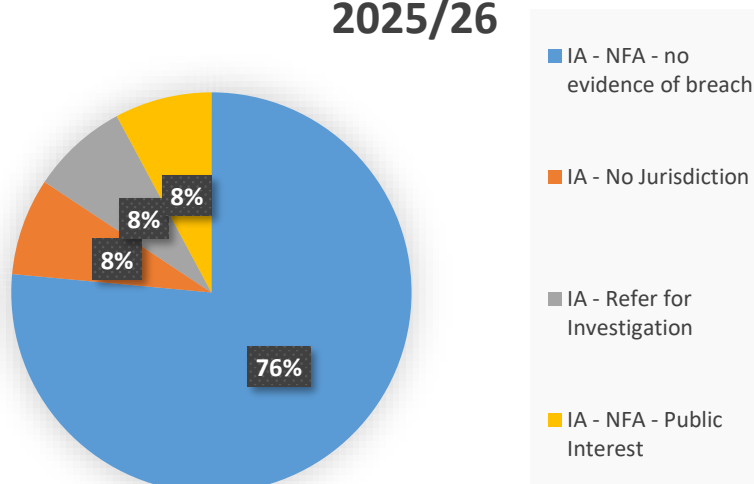
Fig. D: Nature of alleged Breach of Code 2025/26



Outcome of Complaints

16. Figure E shows the outcomes of complaints at the first stage of the complaint process (initial assessment) during the review period.

Fig E: Initial Assessment Outcome 2025/26



17. Out of the 51 complaints received, 4 matters were referred for investigation. 2 further complaints continue to be on hold from 2024/25 (relating to the same councillor) as they are being considered by other statutory bodies under their own compliance codes.
18. All 4 investigations led to a breach of the code and a published decision notice in respect to councillors of the following Parish/Town Councils:
 - a) [Sinclair - Ledbury Town Council](#)
 - b) [Lane - Orleton Parish Council](#)
 - c) [Lane - Orleton Parish Council](#)
 - d) [Stock - Colwall Parish Council](#)
19. 47 complaints were closed as resolved during the review period because a complaint resolved at the initial assessment stage. Resolved includes where there is no finding of a breach, or where there is no further action taken. NFA includes where the member has already taken remedial action to correct the matters in the complaint.

Sanctions

20. Where there has been a breach of the Code of Conduct and recommendations are made by the Monitoring Officer, the subject member is asked to comply. In the event it is a parish councillor, then the report and recommendations are sent to the Parish Council for them to implement. Under the Localism Act, the Parish Council cannot substitute their own sanction but there is currently no ability for Herefordshire Council to enforce any recommendation.
21. Members and Parish Councils are asked to confirm whether the recommended sanctions have been complied with. In 2025/26 sanctions recommendations were complied with other than in respect to 3 matters as the relevant councillor had resigned their position on the Council. Recommendations and guidance have been provided to several Councils/Councillors despite there being no breach of the code.
22. Decision notices for all breaches are made public on the Council's [website](#).
23. This committee has agreed that the Standards Panel will receive a copy of all decision notices made following initial assessment, no matter what the outcome is. If there is no breach then the decision notice is provided to the Complainant and Subject Member, as well as the Clerk as Proper Officer, but it is not published, save in cases where the Monitoring Officer may, under the Transparency arrangements, use her discretion to publish.

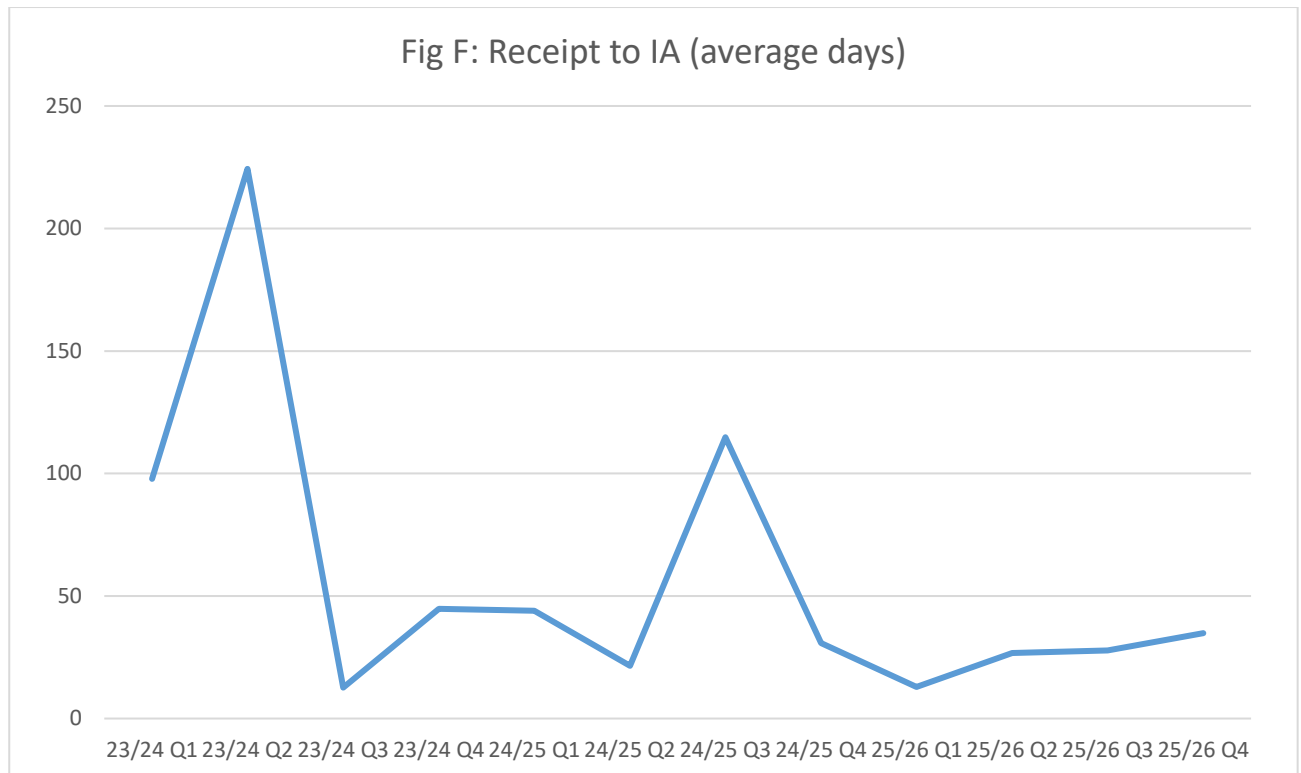
Standards Panel

24. The Standards Hearings Panel was not convened during the review period.

Key Performance Indicators

Time for Initial Assessment

25. This is the average time taken in days from receipt of the complaint to the initial decision of the Monitoring Officer. This date is not a pure measure as it is dependent on a number of factors, including the subject member's response who may request an extension of time to respond, particularly if a complaint is complex.



26. This reduced from an average of 98 days in Q1 2023 to 35 days in Q4 2025/26.

Time for Independent Person Response

27. This is the response time for the Independent Persons to provide their views on matters before a decision is made by the Monitoring Officer (as required by the Localism Act 2011). This is currently an average of 1.75 day for 2025/26 which is exceptional.
28. **Time between Initial Assessment and Outcome**
 This is the time taken from Initial Assessment decision when a matter is proceeding to formal investigation, to outcome following that investigation. During the review period, only 1 case have been referred to investigation and is currently ongoing.
- a) [Sinclair - Ledbury Town Council](#) – 96 days
 - b) [Lane - Orleton Parish Council](#) - 49 days
 - c) [Lane - Orleton Parish Council](#) – 49 days
 - d) [Stock - Colwall Parish Council](#) – 71 days

Council's Independent Persons

29. The Council has four Independent Persons who support the Code of Conduct process. Their input is invaluable and much appreciated by the Authority. This committee has a standing invite to the Independent Persons to address the committee on any matter relating to Standards and comments will be provided at the meeting.

Conclusions

30. The data represents a review period of 12 months but demonstrates the following trends and observations, particularly when the review period is considered in the context of the historic data that is included in the report:
- a. Although there has been a higher number of complaints (51 in the year compared to a baseline 33 per year on average), 24 of these relates to 3 Parish/Town Council 'incident'.
 - b. There is one 1 complaint concerning Herefordshire Councillors (opposed to the 'normal' of 10 per year)
 - c. Almost 25% all complainants continue to be generated by Parish/Town Councillors. In the past 3 years, 35 complaints were generated by Parish/Town Councillors against other councillors.
 - d. Only 3 Parish/Town Councillor sourced complaints out of 35 matters has moved to an investigation in the last 3 years.

Local Resolution Process

31. It was agreed by this Committee that the adopted Arrangements for dealing with a Code of Conduct Complaint against members should include the option (for the Parish/Town Council) to try and resolve the matter informally. It would not become mandatory or a pre-condition for a complaint to be considered by Herefordshire Council. However, if an informal process exists then any complainant must use that first.
32. Full Council approved the amendments on 22 May 2026.
33. We originally sought feedback from Parish/Town Councils on the concept which was generally not supportive in feedback and understand that HALC have separately contacted their members and not recommended that Parish/Town Councils adopt this – the advice being 'just say no' as 'HALC does not agree'.
34. We have written to Parish/Town clerks advising the Council has introduced the process. One council has requested details of templates documentation.
35. Herefordshire is keen not to force arrangements onto a Parish/Town Council but rather that they should see the benefits and want to take responsibility to achieve better outcomes for the public and their members.
36. Members of the Committee are asked to consider what further actions and monitoring can be taken to encourage Local Resolution. Almost all complaints last year concerned Parish/Town councillors and a quarter of these were generated by other Parish/Town councillors. Irrespective of the fact that Local Resolution will achieve better outcomes, the costs of receiving these complaints under the current Arrangements continues to be borne by all Herefordshire taxpayers which does not seem fair. If Herefordshire Council can no longer bear this cost and if Local Resolution is not achieved, then it may be the case that alternatives need to be considered. Although nothing has been considered on this point, such alternatives could include actions such as:
- a) Refusing to accept Parish/Town councillor generated complaints
 - b) Refusing to accept Parish/Town councillor generated complaints in respect to those Councils without a Local Resolution Process

- c) Recharging the costs of all investigations to the Parish/Town councils directly or through special precepts.

Community Impact

- 37. This report provides information about the council's performance in relation to the Code of Conduct.
- 38. Having an effective process for dealing with Code of Conduct complaints upholds principles A and G of the code of corporate governance by ensuring that councillors behave with integrity and are accountable for their actions. This should provide reassurance to the community that councillors are behaving in the best interests of their constituents.

Environmental impact

- 39. There are no environmental impacts arising from this report.

Equality duty

- 40. The [Public Sector Equality Duty](#) requires the Council to consider how it can positively contribute to:
 - c) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the act;
 - c) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 41. The Council must demonstrate that it is paying 'due regard' in our decision making in the design of policies and in the delivery of services to secure this general duty.

Resource implications

- 42. There are no resource implications arising directly from this report which is for information. The Council has a statutory duty in the Local Government and Housing Act 1989 to provide the monitoring officer with sufficient resources to allow them to perform their duties.

Legal implications

- 43. There is no statute that specifically requires the Monitoring Officer to produce an annual report. However, the report evidence that the council complies with the duties required under the Localism Act 2011 and the requirements of the Council's constitution.

Risk management

- 44. There are no risks arising directly from this report which is for information. Maintaining high standards of conduct mitigates risks to the reputation of the Council. The fact that the Monitoring Officer is only able to make recommendations regarding a breach of the code of conduct exposes the Council and Monitoring Officer to risk of criticism, which was recognised by The Committee on Standards in Public Life.

Consultees

45. Independent Persons for Standards

Appendices

None

Background papers

None identified.