



## Governance and Audit Committee

Item  
**8(i)**

16 December 2025

Report of	Head of Governance and Monitoring Officer	Author	Andrew Weavers ☎ 282213
Title	Annual review of the Members' Code of Conduct and the Council's Localism Act Arrangements		
Wards affected	Not applicable		

### 1. Executive Summary

- 1.1 This report requests the Committee to review the Councillors' (Members') Code of Conduct, the Council's Localism Act Arrangements for dealing with complaints made regarding councillors.
- 1.2 The report also provides an update on the number and types of complaints received under the Members' Code of Conduct.

### 2. Recommended Decisions

- 2.1 To note the contents of this report.

### 3. Background

- 3.1 The Localism Act 2011 ("the Act") introduced the current system of regulation of standards of conduct for elected and co-opted Members. The Act requires local authorities to adopt a code of conduct consistent with the seven Nolan Principles of public life and that Principal Authorities put in place "Arrangements" to deal with allegations that Councillors had failed to comply with the Members' Code of Conduct. Principal Authorities are also required to appoint at least one "Independent Person" who are to be consulted as part of the Council's "Arrangements".
- 3.2 The Full Council at its meeting on 19 October 2022 formally adopted the Local Government Association's Model Councillor Code of Conduct ("the LGA Code") and agreed that it would come into effect on 1 December 2022. The City Council's code of conduct is published on the Council's website: [CCC-Code-of-Conduct Nov 22](#)
- 3.3 The Act also introduced the Disclosable Pecuniary Interest's regime and the LGA Code introduced Other Registerable Interests and Non-Registerable Interests which replaced the former pecuniary and non-pecuniary interests under the previous version of the Council's Members Code of Conduct. The Council's "Arrangements" were also amended to reflect that they applied to the LGA Code.
- 3.4 The Act places on the City Council a statutory duty to promote and maintain high standards of conduct for its elected and co-opted members. The Full Council has in turn delegated this function to this Committee as part of its terms of reference.
- 3.5 The Committee at its meeting on 4 December 2024 last reviewed the Council's Localism Act processes and this report reviews our subsequent experience to date.

#### **4. Review of the Current Code**

- 4.1 The Act did not prescribe the contents of the Code (save that it should be consistent with the seven Nolan Principles) and accordingly the LGA Model Code promoted by the Local Government Association is intended to encourage a consistent approach across the Country with the aim that all council's (county, districts and parishes) adopted the model code to provide clarity and consistency for Councillors.
- 4.2 The LGA Code has also been adopted by a number of the Town and Parish Council's in the City. However, some are still operating on other versions of the Code. The City Council has successfully operated the LGA Code during the past year without any apparent difficulties or concerns. It is suggested that the Committee continues to keep the Code under annual review. The Local Government Association is also keeping its model code under review and any changes will be reported to the Committee.
- 4.3 The Act requires the Monitoring Officer to compile and publish on the City Council's website a Register of Members' Interests. This includes Disclosable Pecuniary Interests for both Councillors and their partners. In addition, Other Registrable Interests solely for Councillors are registerable under the LGA Code are also published in the Register of Interests. All City Councillors interests are published and most of those of the Town and Parish Councillors in the City have also been published on the City Council's website. The Act does make it an offence for a councillor to fail to register any Disclosable Pecuniary Interests within a period of 28 days of becoming elected or a change in their circumstances.
- 4.4 The City Council's Committee Management Information System (CMIS) enables the City Councillors Register of Members' Interests to be published in line with the Government's transparency agenda meaning that all Councillors' information is in one place on the website. The Monitoring Officer has the ability to agree with a Councillor that certain interests can be redacted from the public register and being classed as a "sensitive interest" in specified circumstances. This arrangement also applies to Town and Parish Councillors.
- 4.5 Training on the LGA Code has been provided by the Monitoring Officer for City, Town and Parish Councillors during the year.

#### **5. Review of the Arrangements and the Code of Conduct**

- 5.1 The Act required the Council to adopt "Arrangements" for dealing with allegations that Councillors have potentially failed to comply with the Code. Any allegations that Councillors have not complied with the Disclosable Pecuniary Interests regime under the Act are not dealt with under the Council's "Arrangements" as they are potentially criminal offences and are required to be dealt with by the Police. As at the date of this report there have been no such allegations or referrals.
- 5.2 The Council's "Arrangements" are made publicly available on the City Council's website and have been implemented in relation to both City and Town and Parish Councillors. All allegations are received by the Monitoring Officer who makes an initial assessment of the merits of the complaint in consultation with an Independent Person in accordance with the "Arrangements".
- 5.3 The table at Appendix 1 below details the number, type and outcome of all allegations received between December 2022 and November 2025 under the LGA Code together with those of Town and Parish Councils.

5.4 Overall the Council's Localism Act "Arrangements" appear to have been operating satisfactorily over the past year. The Monitoring Officer has reviewed the "Arrangements" and an updated version is attached at Appendix 2 and I would recommend that the Committee continues to keep them under annual review.

## **6. Proposed changes to the Standards Framework**

6.1 On 18 December 2024 the Government commenced a consultation entitled "Strengthening the standards and conduct framework for local authorities in England". The Committee agreed a response to the consultation which was duly submitted.

6.2 On 11 November 2025 the Government published its formal response to the consultation which can be found on the following link:

[Strengthening the standards and conduct framework for local authorities in England – consultation results and government response - GOV.UK](#)

6.3 In summary, the Government's response states that it now intends to "legislate for a whole system reform of the current regime as set out in Localism Act 2011", to include:

- the introduction of a mandatory code of conduct, which will include a behavioural code, for all local authority types and tiers
- a requirement that all principal authorities convene formal standards committees, to include provisions on the constitution of standards committees to ensure objectivity, accountability and transparency
- the requirement that all principal authorities offer individual support during any investigation into code of conduct allegations to both the complainant and the councillor subject to the allegation
- the introduction at the authority level of a 'right for review' for both complainant and the subject elected member to have the case reassessed on grounds that will be set out in legislation
- powers for authorities to suspend elected members for a maximum of 6 months for serious code of conduct breaches, with the option to withhold allowances during suspension for the most serious breaches and introduce premises and facilities bans either in addition or as standalone sanctions
- in response to the most serious allegations involving police investigation, or where sentencing is pending, the introduction of powers to suspend elected members on an interim basis for an initial period of 3 months which, if extended, will require regular review
- a new disqualification criterion for any elected member subject to the maximum period of suspension more than once within 5 years
- the creation of a new national appeals function, to consider appeals from elected members to decisions to suspend them and/or withhold allowances, and for complainants if they consider their complaint was mishandled. Any appeal submitted will only be permitted after complainant or elected member has invoked their 'right for review' of the local standards committee decision has been invoked and that process is completed

6.4 All of the proposals contained above will require primary legislation and will accordingly be subject to parliamentary time and consequently there is currently no implementation timetable.

## **7. Strategic Plan References**

7.1 The manner in which the Council governs its business is an underpinning mechanism in the Council's Strategic Plan priorities to set out the direction and future potential for our city.

## **8. Publicity Considerations**

8.1 The Council's Code of Conduct and "Arrangements" are available on the Council's website [Councillors' code of conduct and register of interests · Colchester City Council](#)

## **9. Financial, Equality, Diversity and Human Rights, Consultation, Health, Wellbeing and Community Safety, Health and Safety, Risk Management and Environmental and Sustainability Implications**

9.1 None.

## **10. Devolution and Local Government Reorganisation Implications**

10.1 As part of local government reorganisation all new unitaries and Strategic Authorities will be required to adopt a code of conduct.

### **Appendices:**

Appendix 1 - Code of Conduct Allegations received (LGA Model code)

Appendix 2 – Localism Act Arrangements (Dec 25)

## Councillor Code of Conduct Allegations received between December 2022 and November 2025 (LGA Model Code)

<b>Allegations</b>	Dec 22 – Nov 23	Dec 23- Nov 24	Dec24 – Nov 25	Total
Number received	5	13	18	36
City Councillor	3	3	9	15
Parish Councillor	2*	10	9	21

\*four persons made the same complaint against one councillor

<b>Source of complaints</b>	Dec 22 – Nov 23	Dec 23- Nov 24	Dec 25- Nov 25	Total
Member of the public	7	13	15	35
City Councillor	0	0	2	2
Parish Councillor	1	0	1	2
County Councillor	0	0	0	0
Member of Parliament	0	0	0	0

<b>Outcome</b>	Dec 22 – Nov 23	Dec 23- Nov 24	Dec 24 – Nov 25	Total
Not within remit of Code of Conduct	0	3	1	4
Merits no further investigation	5	6	14	25
Merits further investigation	0	0	3	3

	Dec 22 - Nov 23	Dec 23 – Nov 24	Dec 24 – Nov 25	Total
Referrals to Governance and Audit Committee	0	0	0	0
Hearings Sub-Committee	1	0	0	1

(Hearing Sub-Committee determined a previous version of the Code complaint)