

REVIEW OF CODE OF CONDUCT COMPLAINTS

Head of Service:	Jackie King, Chief Executive
Report Author	Piero Ionta
Wards affected:	(All Wards);
Urgent Decision? (yes/no)	No
If yes, reason urgent decision required:	N/A
Appendices (attached):	Appendix 1 - Procedures for dealing with complaints under the member code of conduct process

Summary

To provide an update on complaints made under the Code of Conduct for Members from 5 December 2023 to 17 December 2025.

Recommendation (s)

The Committee is asked to:

- (1) Note the update set out within paragraph 2.6

1 Reason for Recommendation

- 1.1 To demonstrate the promotion and maintenance of high standards of conduct by Councillors.

2 Background

- 2.1 Further to the work of the parliamentary Committee on Standards in Public Life (CPSL), a key recommendation within their 2019 report was that the Local Government Association (LGA) should develop a non-mandatory, model code of conduct.
- 2.2 Following consultation, the LGA published this Model Code. In June 2023, the LGA conducted a survey to gauge the impact of the Model Code on councils. The [survey](#) found that 82% of respondents had adopted the Model Code to at least some extent.

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- 2.3 This Committee on 5 December 2023 considered the work of the Constitutional Working Group before recommending to Full Council that the Local Government Association Model Code of Conduct 2020 be adopted in its entirety. This is now [available](#) as Appendix 1 to the Council's Constitution.
- 2.4 This Committee is responsible for dealing with allegations that a member may have failed to observe the Council's Member Code of Conduct and has introduced procedures to ensure fairness and transparency whilst, at the same time, providing proportionate, cost effective and timely advice.
- 2.5 The procedure for dealing with complaints is published on the Council's website – a copy of which is attached at Appendix 1 to this report,
- 2.6 Since the last report was brought to this committee, eight formal councillor complaints were received, of which two remain live matters (a further two referrals - one from a member of the public and one from a Councillor - were received that were never formally submitted as complaints, so no further action was taken):
 - 2.6.1 A complaint was received from a Councillor who made a self-referral; an initial assessment took place in consultation with the Council's Independent Person, and it was held that no breach of para 2.3 of the Code has taken place and that the matter should be closed with no further action.
 - 2.6.2 Two complaints of a similar content were received from two members of the public against a Councillor; an initial assessment took place in consultation with the Council's Independent Person, and it was held that a breach of para 1 of the Code occurred. It was determined that due to the clear evidence in support of this finding that there was no merit nor need to investigate this any further and the complaint was resolved informally further to the Councillor offering their verbal apology to those identified within the Complaint.
 - 2.6.3 A complaint was received from Surrey Police against a Councillor; following an investigation, no evidence was provided that supported the asserted breach of the Code. The complaint was resolved informally.
 - 2.6.4 A complaint was received from an officer against a Councillor; following an investigation, it was upheld that a breach of the Code of Conduct occurred and a written apology was made by the Councillor with an agreement to settle the matter informally between the concerned parties.
 - 2.6.5 Two complaints were received from two officers against a Councillor; an initial assessment with the Council's Independent Person is currently ongoing.

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- 2.6.6 A complaint was received from a member of the public against a Councillor, an initial assessment took place in consultation with the Council's Independent Person, and it was held that it would not be in the public interest to proceed with consideration of this complaint due to the length of time between those incidents complained of and when the complaint was received. The complaint was dismissed with no further action.

3 Risk Assessment

Legal or other duties

3.1 Equality Impact Assessment

- 3.1.1 None arising from the contents of this report.

3.2 Crime & Disorder

- 3.2.1 None arising from the contents of this report.

3.3 Safeguarding

- 3.3.1 None arising from the contents of this report.

3.4 Dependencies

- 3.4.1 None arising from the contents of this report.

3.5 Other

- 3.5.1 None

4 Financial Implications

- 4.1 **Section 151 Officer's comments:** None arising from the contents of this report.

5 Legal Implications

- 5.1 **Legal Officer's comments:** None arising from the contents of this report.

6 Policies, Plans & Partnerships

- 6.1 **Council's Key Priorities:** The following Key Priorities are engaged:

- Effective Council.

- 6.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.

- 6.3 **Climate & Environmental Impact of recommendations:** None arising from the contents of this report.

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6.4 **Sustainability Policy & Community Safety Implications:** None arising from the contents of this report.

6.5 **Partnerships:** None.

6.6 **Local Government Reorganisation Implications:** None arising from the contents of this report.

7 Background papers

7.1 The documents referred to in compiling this report are as follows:

Previous reports:

- Standards and Constitution Committee, 22 February 2022
- Standards and Constitution Committee, 5 December 2023

Other papers:

- [Epsom & Ewell Borough Council Constitution Appendix 1 – Code of Conduct for Members](#)